

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE
NO.1, WILLIAMS ROAD, CANTONMENT, TRICHY.

TRADE NOTICE: 56 / 2004

DATED: 12.08.2004

Sub: Communication of Ministry's Notification No.37/2004-CE, 38 / 2004 - CE, 39 / 2004 - CE and 40 / 2004 - CE all dated: 4.8.2004 - Regarding.

Copy of Ministry's Notification No.37 / 2004 - CE, 38 / 2004 - CE, 39 / 2004 - CE and 40 / 2004 - CE all dated: 4.8.2004 [F.No.354/62/2004 - TRU] is communicated herewith.

The contents of the Trade Notice may be brought to the knowledge of all constituent members of Trade Associations / Chambers of Commerce.

(Issued from file C.No.IV/16/2/2004 - C.Ex.Pol.)

//ATTESTED//

SUPERINTENDENT (T)

To

As per mailing list I / II / III /
All Section in Hqrs., Trichy.

Sd./xxxx

(V. JAYARAMAN)

JOINT COMMISSIONER (TECH)

Copy of Ministry's Notification No.37 / 2004 - CE dated: 4.8.2004

In exercise of the powers conferred by sub-section (1) of section 5A of the Central Excise Act, 1944 (1 of 1944), the Central Government hereby exempts Motor Spirit (commonly known as petrol) (hereinafter referred to as said goods), falling under heading No.27.10 of the First Schedule and the Second Schedule to the Central Excise Tariff Act, 1985 (5 of 1986) (hereinafter referred to as said Schedules), manufactured in and cleared from an oil refinery or cleared from a registered warehouse, intended for use in ethanol blended petrol, that is, a blend,

a) consisting, by volume, of 95% Motor spirit, (commonly known as petrol) and of 5% ethanol; and

b) conforming to Bureau of Indian Standards specification 2796 from so much of the duty of excise leviable thereon under the said Schedules, as is in excess of the duty that would have been leviable on such goods under the said Schedules, if sold by the manufacturer for delivery at the time of removal of such goods or at any other time nearest to the removal of such goods, where the manufacturer and the buyer are not related and the price is the sole consideration.

[F.No. 354/62/2004-TRU]

(V. Sivasubramanian)

Deputy Secretary to the Government of India

Copy of Ministry's Notification No.38 / 2004 – CE dated: 4.8.2004

In exercise of the powers conferred by sub-section (1) of section 5A of the Central Excise Act, 1944 (1 of 1944), read with sub-section (3) of section 111 of the Finance (No 2) Act, 1998 (21 of 1998) the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts 5% ethanol blended petrol that is a blend ,-

- a) consisting, by volume, of 95% Motor spirit, (commonly known as petrol), on which the appropriate duties of excise have been paid and, of 5% ethanol on which the appropriate duties of excise have been paid; and
- b) conforming to Bureau of Indian Standards specification 2796, from the whole of the additional duty of excise leviable thereon.

Explanation.- For the purposes of this exemption "appropriate duties of excise" shall mean the duties of excise leviable under the First Schedule and the Second Schedule to the Central Excise Tariff Act, 1985 (5 of 1986), the additional duty of excise leviable under section 111 of the Finance (No.2) Act, 1998 (21 of 1998), and the special additional excise duty leviable under section 147 of the Finance Act, 2002 (20 of 2002), read with any relevant exemption notification for the time being in force.

[F.No. 354/62/2004-TRU]

(V. Sivasubramanian)
Deputy Secretary to the Government of India

Copy of Ministry's Notification No.39 / 2004 – CE dated: 4.8.2004

G.S.R. 501 (E).- In exercise of the powers conferred by sub-section(1) of section 5A of the Central Excise Act, 1944 (1 of 1944), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendment in the notification of the Government of India, Ministry of Finance (Department of Revenue) No.6/2002-Central Excise, dated the 1st March, 2002 and published in the Gazette of India vide G.S.R.127(E), dated the 1st March, 2002, namely:-

In the said notification, in the Table, after S.No. 283 and the entries relating thereto, the following shall be inserted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"283	27.10	5% ethanol blended petrol that is a blend	Nil	Nil	2.
A		, - a) consisting, by volume, of 95% Motor spirit, (commonly known as petrol), on which the appropriate duties of excise have been paid and ,of 5% ethanol on which the appropriate duties of excise have been paid, and			

b) conforming to Bureau of Indian Standards specification 2796.

Explanation: For the purposes of this exemption ³appropriate duties of excise² shall mean the duties of excise leviable under the First Schedule and Second Schedule to the Central Excise Tariff Act, 1985 (1 of 1986), the additional duty of excise leviable under section 111 of the Finance (No.2) Act, 1998 (21 of 1998) and the special additional excise duty leviable under section 147 of the Finance Act, 2002 (20 of 2002), read with any relevant exemption notification for the time being in force.

[F.No. 354/62/2004-TRU]

(V. Sivasubramanian)
Deputy Secretary to the Government of India

Note:-

The principal notification No. 6/2002-Central Excise, dated the 1st March, 2002 was published in the Gazette of India, Extraordinary, vide G.S.R 127 (E), dated the 1st March, 2002 and was last amended by notification No. 23/2004-Central Excise, dated the 9th July, 2004 and published in the Gazette of India vide G.S.R 414 (E), dated the 9th July, 2004.

Copy of Ministry's Notification No.40 / 2004 – CE dated: 4.8.2004

In exercise of the powers conferred by sub-section (1) of section 5A of the Central Excise Act, 1944 (1 of 1944), read with sub-section (3) of section 147 of the Finance Act, 2002 (20 of 2002), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 28/2002-Central Excise, dated the 13th May, 2002 and published in the Gazette of India vide number G.S.R.361 (E), dated the 13th May 2002, namely:-

In the said notification, in the TABLE, after S. No. 2 and the entries relating thereto, the following shall be inserted, namely:-

(1)

(2)

(3)

³3 5% ethanol blended petrol that is a blend , - (a) consisting, by Nil².
volume, of 95% Motor spirit, (commonly known as petrol), on
which the appropriate duties of excise have been paid and, of
5% ethanol on which the appropriate duties of excise have
been paid, and

(b) conforming to Bureau of Indian Standards specification
2796.

Explanation: For the purposes of this exemption ³appropriate
duties of excise² shall mean the duties of excise leviable
under the First Schedule and Second Schedule to the Central
Excise Tariff Act, 1985 (5 of 1986), the additional duty of
excise leviable under section 111 of the Finance (No.2) Act,
1998 (21 of 1998) and the special additional excise duty
leviable under section 147 of the Finance Act, 2002 (20 of
2002), read with any relevant exemption notification for the
time being in force.

[F.No. 354/62/2004-TRU]

(V. Sivasubramanian)
Deputy Secretary to the Government of India

Note: -

The principal notification No. 28/2002-Central Excise, dated the 13th May, 2002 was published in the Gazette of India, Extraordinary *vide* G.S.R 361 (E), dated the 13th May 2002 and was last amended *vide* notification No.12/2004-Central Excise, dated the 4th February, 2004, published in the Gazette of India, Extraordinary *vide* G.S.R 97(E) dated the 4th February, 2004.