

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

TRADE NOTICE: 12/2007 – CE(NT)

DATED : 07.5.2007.

Sub: Communication of Notification No. 24/2007 CE(NT)
[F.No.267/45/2007-CX.8]dated 25.04.2007 &
Notification No. 25/2007 CE(NT) [F.No.267/45/2007-CX.8]
dated 25.04.2007 – Regarding.

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Copy of Notification No. 24/2007 CE(NT) [F.No.267/45/2007-CX.8] dated 25.04.2007 &
Notification No. 25/2007 CE(NT) [F.No.267/45/2007-CX.8] dated 25.04.2007 is communicated
herewith.

2. 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/16/2/2007 – C.Ex.Pol.)

Sd/-
(M.G. TAMIZHVALAVAN)
JOINT COMMISSIONER (T)

To

As per mailing list II / III

Copy of Notification No. 24/2007 - Central Excise (N.T.) [F.No.267/45/2007-CX.8] dated 25.04.2007

G.S.R. (E).— In exercise of the powers conferred by section 37 of the Central Excise Act, 1944 (1 of 1944) and section 94 of the Finance Act, 1994 (32 of 1994), the Central Government hereby makes the following rules further to amend the CENVAT Credit Rules, 2004, namely:-

1. (1) These rules may be called the CENVAT Credit (Fourth Amendment) Rules, 2007.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the CENVAT Credit Rules, 2004 , after rule 5, the following rule shall be inserted, namely:-

“5A- Refund of CENVAT credit to units in specified areas.- Notwithstanding anything contrary contained in these rules, where a manufacturer has cleared final products in terms of notification of the Government of India in the Ministry of Finance (Department of Revenue) No.20/2007-Central Excise, dated the 25th April, 2007 and is unable to utilize the CENVAT credit of duty taken on inputs required for manufacture of final products specified in the said notification, other than final products which are exempt or subject to nil rate of duty, for payment of duties of excise on said final products, then the Central Government may allow the refund of such credit subject to such procedure, conditions and limitations, as may be specified by notification.

Explanation: For the purposes of this rule, “duty” means the duties specified in sub-rule (1) of rule 3 of these rules.”

(Rahul Nangare)
Under Secretary to Government of India

In exercise of the powers conferred by rule 5A of the CENVAT Credit Rules, 2004, the Central Government hereby prescribes the following procedure for claiming refund of unutilised CENVAT credit, subject to the conditions prescribed in notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 20/2007-Central Excise, dated the 25th April, 2007,-

- (a)** the manufacturer shall file a declaration with the Assistant Commissioner of Central Excise or the Deputy Commissioner of Central Excise, as the case may be, having jurisdiction over the factory of manufacture describing the finished goods proposed to be manufactured along with their rate of duty leviable and manufacturing or processing formula with particular reference to quantity or proportion in which the materials are actually used as well as the quality. The declaration shall also contain the tariff classification, rate of duty paid or payable on the materials so used, both in words and figures, in relation to the finished goods to be manufactured and cleared. However, if any particulars given in the declaration have undergone any changes, the revised declaration shall be filed by the manufacturer;
- (b)** the manufacturer shall submit a statement containing details namely quantity of opening balance of inputs, quantity of inputs received during the month, value thereof, duty paid or payable thereon, amount of Cenvat Credit taken, quantity of inputs used during the month, quantity of final products manufactured, quantity of inputs lying in stock at the end of the month, amount of Cenvat credit utilised for payment of duty on the final product and amount of Cenvat credit lying in balance to the Assistant Commissioner or Deputy Commissioner of Central Excise, as the case may be, by the 7th day of the next month for claiming refund;
- (c)** the Assistant Commissioner or Deputy Commissioner of Central Excise, as the case may be, after such verification, as may be deemed necessary, may refund the balance amount of unutilised credit, if any, at the end of the month under consideration to the manufacturer within a period of 3 months from the date of receipt of the statement; and
- (d)** if there is likely to be any delay in the verification, the Assistant Commissioner or Deputy Commissioner of Central Excise, as the case may be, shall refund 80% of the amount on provisional basis by the 30th day of the month following the month under consideration.

(Rahul Nangare)
Under Secretary to Government of India