

OTHERS

Existing Notification	Amendment Effective Date	Notification No.	Existing Provision	Amendment in Existing / New Provision	Analysis
27/2012 – C.E. (N.T.) dated 18 th June, 2012	1 st March 2016	14/2016 - CE (N.T) dated 1 st Mar 2016	No. 27/2012 – C.E. (N.T.) dated 18 th June, 2012 para 3 (b): (b) The application in the Form A along with the documents specified therein and enclosures relating to the quarter for which refund is being claimed shall be filed by the claimant, before the expiry of the period specified in section 11B of the Central Excise Act, 1944 (1 of 1944).	No. 27/2012 – C.E. (N.T.) dated 18 th June, 2012 para 3 (b) substituted as under: “(b) The application in the Form A along with the documents specified therein and enclosures relating to the quarter for which refund is being claimed shall be filed as under: (i) in case of manufacturer, before the expiry of the period specified in section 11B of the Central Excise Act, 1944 (1 of 1944); (ii) in case of service provider, before the expiry of one year from the date of – (a) receipt of payment in convertible foreign exchange, where provision of service had been completed prior to receipt of such payment; or (b) issue of invoice, where payment for the service had been received in advance prior to the date of issue of the invoice.”.	Welcome provision for clarifying relevant date Relevant date for filing of Refund claim w.r.t. Services has been prescribed as 1. When service is completed: date of receipt of payment in convertible foreign exchange, 2. When Advance is received: date of issue of invoice.
5/2011-CE(NT) dated 1 st Mar 2011	1 st April 2016	15/2016 - CE (N.T) dated 1 st Mar 2016	Rate of interest on delayed payment / short payment of Central Excise duty was 18% p.a.	Rate of interest on delayed payment/ short payment of Central Excise duty is fixed @ 15% p.a.	Rate of interest on delayed payment/short payment of Excise Duty is reduced from 18% to 15% p. a.

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42/2001-CE(NT) dated 26 th June 2001	1 st Mar 2016	16/2016 - CE (N.T) dated 1 st Mar 2016	Reference of Section 11AB for levy of interest is stated in Notification No.42/2001	Correct reference of Interest Section 11AA has been done.	Correction of relevant section of interest.
31/2007-CE(NT) dated 2 nd Aug 2007	1 st Mar 2016	17/2016 - CE (N.T) dated 1 st Mar 2016	Reference of Section 11AB for levy of interest is stated in Notification No.37/2007 in Para 6 clause (ii)	Correct reference of Interest Section 11AA has been done.	Correction of relevant section of interest.
19/2004-CE(NT) dated 6 th Sept 2004	1 st Mar 2016	18/2016 - CE (N.T) dated 1 st Mar 2016	Conditions and Limitations: (e) that the market price of the excisable goods at the time of exportation is not less than the amount of rebate of duty claimed;	(1) under heading “ (2) Conditions and limitations”, in paragraph (e), for the words “the market price”, the words “the Indian market price” shall be substituted; (2) under heading “(3) Procedures”, in paragraph (b), in sub-paragraph (i), after the words “shall be lodged”, the words, figures, letter and brackets “before the expiry of the period specified in section 11B of Central Excise Act, 1944(1 of 1944)” shall be inserted	Indian market price of the excisable goods at the time of exportation should not be less than the amount of rebate of duty claimed. i. e. in case of FOC exports rebate is not eligible. Limitation period for filing of Rebate Claim is specifically prescribed as one year from the date of let export order as per Section 11B.
36/2001-CE(NT) dated 26 th June 2001	1 st Mar 2016	19/2016 - CE (N.T) dated 1 st Mar 2016	(3) hereby declares that if two or more premises of the same factory are separated by public road, railway line or canal, the Commissioner of Central Excise may, subject to proper accountal of the movement of goods from one premise to other and such other conditions and limitations, allow single registration.	“(3) hereby declares that if two or more premises of the same factory are located within a close area in the jurisdiction of a Range Superintendent, the manufacturing process undertaken therein are interlinked, and the units are not operating under any of the area based exemption notifications, the Commissioner of Central Excise, may, subject to proper accountal of the movement of goods from one premise to other and such other conditions and limitations as he may impose, allow single registration.”.	This is welcome provision for ease of doing business even though the units are not inter linked but are closed. Now two or more premises of the same factory within the close area and the manufacturing process undertaken therein are interlinked without any separation by public road, railway line or canal, The Commissioner of Central Excise may allow single registration.

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21/2004-CE(NT) dated 6 th Sept 2004	1 st Mar 2016	21/2016 - CE (N.T) dated 1 st Mar 2016	-	(1B) The declaration filed under paragraph (1A) shall be accompanied by a Chartered Engineer's certificate in respect of correctness of the ratio of input and output where a copy of the Standard Input Output Norms notified by Director General of Foreign Trade, Ministry of Commerce, if fixed, is made available to the Chartered Engineer before obtaining the certificate, in respect of goods manufactured or processed.	The procedure has been made more complicated. Now Certificate from Chartered Engineer certifying correctness of Input Output Ratio is also required to be enclosed along with declaration for Input Rebate claim.
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<p>21/2004-CE(NT) dated 6th Sept 2004</p>	<p>1st Mar 2016</p>	<p>21/2016 - CE (N.T) dated 1st Mar 2016</p>	<p>Para 2: Verification of Input-output ratio.-The Assistant Commissioner of Central Excise or the Deputy Commissioner of Central Excise shall verify the correctness of the ratio of input and output mentioned in the declaration filed before commencement of export of such goods, if necessary, by calling for samples of finished goods or by inspecting such goods in the factory of manufacture or process. If, after such verification, the Assistant Commissioner of Central Excise or the Deputy Commissioner of Central Excise is also satisfied that there is no likelihood of evasion of duty, he may grant permission to the applicant for manufacture or processing and export of finished goods.</p>	<p>(2) Approval of declaration.- The Assistant Commissioner of Central Excise or the Deputy Commissioner of Central Excise may grant permission to the applicant for manufacture or processing and export of finished goods before commencement of export of such goods on the basis of certificate issued by the Chartered Engineer and the declaration filed under paragraph(1A);</p> <p>Explanation: In case of doubt in respect of the correctness of such declaration, the Assistant Commissioner of Central Excise or the Deputy Commissioner of Central Excise, may visit the factory and verify correctness of such declaration filed.</p>	<p>Now instead of intimation in the form of declaration, approval to declaration by Deputy Commissioner of Central Excise is required to obtain.</p> <p>Now provision for physical verification and visit to premises prior to approval has also been made.</p>
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21/2004-CE(NT) dated 6 th Sept 2004	1 st Mar 2016	21/2016 - CE (N.T) dated 1 st Mar 2016	-	<p>Para 3 following 2nd proviso inserted: Provided further that no CENVAT credit shall be availed by the manufacturer or the processor.</p> <p>(d) in paragraph (6), for the words “ shall be lodged ” the following words, figures and letter shall be substituted, namely; “ shall be lodged, before the expiry of the period specified under section 11B of the Central Excise Act, 1944(1 of 1944),”</p>	<p>Now provision w.r.t. non-availment of Cenvat credit is specifically included in the procedure. It was earlier was part of declaration.</p> <p>Limitation period as per section 11b of the Central Excise Act, 1944(1 of 1944) is specifically included.</p>
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Central Excise (Removal of Goods at Concessional Rate of Duty for Manufacture of Excisable and Other Goods) Rules, 2001

Rule No.	Amendment Effective Date	Notification No.	Existing Provision	Amendment in Existing / New Provision	Bizsol Analysis
Rule 2	1 st April 2016	20/2016 - CE (N.T) dated 1 st Mar 2016	-	<p>Proviso to Rule 2 of Central Excise (Removal of Goods at Concessional Rate of Duty for Manufacture of Excisable and Other Goods) Rules, 2016 Provided that an un-registered manufacturer including manufacturers of exempted goods or non-excisable goods shall be eligible to avail the benefits of the provisions of these rules after taking registration under rule 9 of the Central Excise Rules, 2002.</p>	<p>The benefit of said Rules will also be applicable to an un-registered manufacturer including manufacturers of exempted goods or non-excisable goods, provided registration to be obtained by such manufacturer.</p>

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<p>Rule 3</p>	<p>1st April 2016</p>	<p>20/2016 - CE (N.T) dated 1st Mar 2016</p>	<p>-</p>	<p>3. Definitions.- In these rules, unless the context otherwise required, - (a) —Act means Central Excise Act, 1944 (1 of 1944); (b) —applicant manufacturer means a manufacturer who intends to receive goods for specified use at concessional rate of duty; (c) —Form means Form appended to these rules; (d) —information means the information provided in Form I by the applicant manufacturer; (e) —subject goods means the excisable goods which applicant manufacturer intends to procure at concessional rate of duty; (f) —supplier manufacturer means a manufacturer who supplies excisable goods at concessional rate of duty to applicant manufacturer; (g) words and expressions used in these rules and not defined but defined in the Act and the rules made there under shall have the same meanings respectively assigned to them.</p>	<p>Definitions included in the said Rules, 2001</p>
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			<p>3. Application by the manufacturer to obtain the benefit.- (1) A manufacturer who intends to receive subject goods for specified use at concessional rate of duty, shall make an application in quadruplicate in the Form at Annexure I to the jurisdictional Assistant Commissioner of Central Excise or the Deputy Commissioner of Central Excise, as the case may be (hereinafter referred to as the said Assistant Commissioner or Deputy Commissioner).</p> <p>(2)The manufacturer shall make separate application in respect of each supplier of subject goods.</p> <p>(3) The manufacturer shall execute a general bond with surety or security,</p> <p>.</p>	<p>4. Information by applicant manufacturer to obtain benefit. — (1) An applicant manufacturer shall provide an information in duplicate in the Form I to the jurisdictional Assistant Commissioner of Central Excise or the Deputy Commissioner of Central Excise, as the case may be (hereinafter referred to as the Assistant Commissioner or Deputy Commissioner) and the Assistant Commissioner or Deputy Commissioner shall forward one copy of the information to the jurisdictional range Superintendent of the supplier manufacturer.</p> <p>(2) The applicant manufacturer shall number the information filed under sub-rule (1) in each financial year.</p> <p>(3) The applicant manufacturer may either provide separate information in respect of each of the supplier manufacturer of subject goods or provide combined information for multiple supplier manufacturers with details of each of them in Form I.</p> <p>(4) The applicant manufacturer shall provide the information from time to time to receive subject goods in quantities commensurate with expected consumption in the manufacturing process for a period of one year or less.</p> <p>(5) The applicant manufacturer shall execute a general bond with surety or security:</p>	<p>Procedure for application has been simplified.</p> <ol style="list-style-type: none"> 1. Form I in in duplicate to be submitted to AC/DC of Central Excise and Central Excise will forward one copy of Form I to jurisdictional range Superintendent of the supplier manufacturer 2. Intimation for each supplier or combined information for multiple supplier manufacturers to be submitted 3. Manufacturer will provide information time to time w.r.t. receipt of goods with expected consumption in the manufacturing process. 4. General bond to be executed. 5. A copy of copy of information duly signed by his authorised signatory to be forwarded to supplier.
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			<p>Provided that it shall be sufficient to provide a letter of undertaking by a manufacturer against whom no show cause notice has been issued under sub-sections (4) or (5) of section 11A of Central Excise Act, 1944 or where no action is proposed under any notification issued in pursuance of rule 12CCC of Central Excise Rules, 2002 or rule 12AAA of CENVAT Credit Rules, 2004.</p> <p>(4) The bond shall be for such amount as considered appropriate by the said Assistant Commissioner or Deputy Commissioner, to cover the recovery of duty liability estimated to be involved at any given point of time.</p>	<p>(6) The applicant manufacturer shall forward a copy of information duly signed by his authorised signatory, to the supplier manufacturer for procuring subject goods.</p>	
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			(5) The application shall be countersigned by the said Assistant Commissioner or Deputy Commissioner who shall certify therein that the said person has executed a bond to his satisfaction in respect of end use of the subject goods and indicate the particulars of such bond.		
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			<p>(6) Of the four copies of the application referred to in sub-rule (5), one copy shall be forwarded to the jurisdictional range Superintendent of the manufacturer of the subject goods, two copies shall be handed over to the manufacturer and one copy shall be retained, by the said Assistant Commissioner or Deputy Commissioner.</p> <p>(7) One copy of the application referred to in sub-rule (6) received by the manufacturer, shall be forwarded by the said manufacturer to the manufacturer of subject goods. .</p>		
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<p>Rule 5</p>	<p>1st April 2016</p>	<p>20/2016 - CE (N.T) dated 1st Mar 2016</p>	<p>Rule 4. Procedure to be followed by the manufacturer of subject goods. - (1) On the basis of the application referred to in sub-rule (7) of rule 3, the manufacturer of subject goods shall avail the benefit of the exemption notification.</p> <p>(2) The manufacturer of the subject goods shall record on the application the removal details, such as No. and date of invoice, description, quantity and value of subject goods and amount of excise duty paid at concessional rate.</p>	<p>5. Procedure to be followed by supplier manufacturer of subject goods. — (1) The supplier manufacturer shall avail the benefit of this notification on the basis of information received by him under sub-rule (6) or rule 5.</p> <p>(2) The supplier manufacturer shall maintain record of information received under sub-rule (1) on the basis of which goods have been removed, the removal details, such as number and date of invoice, description, quantity and value of subject goods and amount of excise duty paid at concessional rate and retain the same in his records.</p>	<p>Similar procedure is specified for the supplier manufacturer of subject goods.</p>
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<p>Rule 6</p>	<p>1st April 2016</p>	<p>20/2016 - CE (N.T) dated 1st Mar 2016</p>	<p>5. Manufacturer to give information regarding receipt of the subject goods and maintain records.- The manufacturer, receiving subject goods, shall maintain a simple account indicating the quantity and value of subject goods, the quantity of subject goods consumed for the intended purpose, and the quantity remaining in stock, invoice wise and shall submit a quarterly return in Return at Annexure II to the said Assistant Commissioner or Deputy Commissioner by the tenth day of the following month.</p>	<p>6. Applicant manufacturer to submit quarterly returns. - The applicant manufacturer shall, receiving the subject goods, maintain an account indicating the quantity and value of subject goods, the quantity of subject goods consumed for the intended purpose, and the quantity remaining in stock, invoice wise and shall submit a quarterly return on the basis of such records in Form II to the Assistant Commissioner or Deputy Commissioner by the tenth day of the month following each quarter of the financial year.</p>	<p>Quarterly return in Form II to be submitted- same provision.</p>
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<p>Rule 7</p>	<p>1st April 2016</p>	<p>20/2016 - CE (N.T) dated 1st Mar 2016</p>	<p>6. Recovery of duty in certain cases.- The said Assistant Commissioner or Deputy Commissioner shall ensure that the goods received are used by the manufacturer for the intended purpose and where the subject goods are not used by the manufacturer for the intended purpose, the manufacturer shall be liable to pay the amount equal to the difference between the duty leviable on such goods but for the exemption and that already paid, if any, at the time of removal from the factory of the manufacturer of the subject goods, along with interest and the provisions of section 11A and section 11AA of the Central Excise Act, 1944 (1 of 1944) shall apply <i>mutatis mutandis</i> for effecting such recoveries.</p>	<p>7. Recovery of duty in certain cases. — Where the goods cleared by the supplier manufacturer on the basis of information provided by an applicant manufacturer, are not used for the intended purpose, the applicant manufacturer shall be liable to pay the amount equal to the difference between the duty leviable on such goods but for the exemption and that already paid, if any, at the time of removal from the factory of the supplier manufacturer of the subject goods, along with interest and the provisions of section 11A, except the time limit mentioned in the said section for demanding duty and section 11AA of the Act shall apply <i>mutatis mutandis</i>, for effecting such recoveries: Provided that where the applicant manufacturer is found to be non-existent, the supplier manufacturer shall be liable to pay the amount equal to the difference between the duty leviable on such goods but for the exemption and that already paid, if any, at the time of removal from the factory of the supplier manufacturer of the subject goods, along with interest and the provisions of section 11A except the time limit mentioned in the said section and section 11AA of the Act shall apply <i>mutatis mutandis</i>, for effecting such recoveries.</p>	<p>Recovery of duty from supplier manufacturer is prescribed even in case of non-existence of supplier manufacturer</p>
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<p>Rule 7</p>	<p>1st April 2016</p>	<p>20/2016 - CE (N.T) dated 1st Mar 2016</p>	<p>Provided that if the subject goods on receipt are found to be defective or damaged or unsuitable or surplus to the needs of the manufacturer, he may return the subject goods to the original manufacturer of the goods from whom he had obtained these and every such returned goods shall be added to the non-duty paid stock of the manufacturer of the subject goods and dealt with accordingly.</p> <p>Explanation. -For the removal of doubts, it is hereby clarified that subject goods shall be deemed not to have been used for the intended purpose even if any of the quantity of the subject goods is lost or destroyed by natural causes or by unavoidable accidents during transport from the place of procurement to the manufacturer's premises or from the manufacturer's premises to the place of procurement [OLD - during transport from the place of procurement to the manufacturers premises] or during handling or storage</p>	<p>Provided further that if the subject goods on receipt are found to be defective or damaged or unsuitable or surplus to the needs of the applicant manufacturer, he may return the subject goods to the supplier manufacturer and every such returned goods shall be added to the non-duty paid stock of the supplier manufacturer.</p> <p><i>Explanation.</i> - For the removal of doubts, it is hereby clarified that subject goods shall be deemed not to have been used for the intended purpose even if any of the quantity of the subject goods is lost or destroyed by natural causes or by unavoidable accidents during transport from the place of procurement to the applicant manufacturer's premises or from the supplier manufacturer's premises to the place of procurement or during handling or storage in the applicant manufacturer's premises.</p>	
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