

NOTIFICATION

No. 21/99 – Central Excise (N.T.)

New Delhi, dated the 28th February, 1999

9 Phalgun, 1920 (Saka)

G.S.R. (E).- In exercise of the powers conferred by rule 57A of the Central Excise Rules, 1944 (hereinafter referred to as the said rules), read with clauses 119 and 121 of the Finance Bill, 1999, which clauses have, by virtue of the declaration made in the said Finance Bill under the Provisional Collection of Taxes Act, 1931 (16 of 1931), the force of law, and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 5/94-Central Excises (N.T.), dated the 1st March, 1994, the Central Government hereby specifies -

(a) goods falling under the First Schedule to the Central Excise Tariff Act, 1985, other than –

- (i) the goods falling under Chapter 24;
- (ii) the goods falling under heading Nos. 36.05 and 37.06;
- (iii) the goods falling under sub-heading Nos. 2710.11, 2710.12, 2710.13 and 2710.19 (except Natural gasoline liquid);
- (iv) high speed diesel oil falling under heading No. 27.10;
- (v) ingots and billets of non-alloy steel, on which the duty of excise has been paid under section 3A of the Central Excise Act, 1944 (1 of 1944), falling under sub-heading Nos. 7206.90 and 7207.90; and
- (vi) hot re-rolled products of non alloy steel, on which the duty of excise has been paid under section 3A of the Central Excise Act, 1944 (1 of 1944), of heading Nos. 7211.11, 7211.19, 7211.30, 7211.52, 7211.59, 7211.60, 7211.92, 7211.99, 7213.90, 7214.90, 7215.90, 7216.10 and 7216.90,

of the said Schedule, as inputs (hereinafter referred to as the inputs);

(b) goods falling under the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986), other than-

- (i) the goods falling under Chapter 24;
- (ii) the goods falling under heading Nos. 36.05 and 37.06;
- (iii) fabrics of cotton or man made fibres falling under Chapter 52, Chapter 54 or Chapter 55;
- (iv) fabrics of cotton or man made fibres falling under heading Nos. 58.01, 58.02, 58.06 (other than goods falling within sub-heading 5806.20), 60.01 or 60.02 (other than goods falling within sub-heading 6002.10);
- (v) ingots and billets of non-alloy steel, on which the duty of excise has been paid under section 3A of the Central Excise Act, 1944 (1 of 1944), falling under sub- heading Nos. 7206.90 and 7207.90; and
- (vi) hot re-rolled products of non alloy steel, on which the duty of excise has been paid under section 3A of the Central Excise Act, 1944 (1 of 1944), falling under sub- heading Nos. 7211.11, 7211.19, 7211.30, 7211.52, 7211.59, 7211.60, 7211.92, 7211.99, 7213.90, 7214.90, 7215.90, 7216.10 and 7216.90,

of the said Schedule, as final products (hereinafter referred to as the final products);

(c) each of the following duties paid on inputs as specified duty (hereinafter referred to as the specified duty), namely:-

- (i) the duty of excise specified in the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986), leviable under the Central Excise Act, 1944 (1 of 1944);
- (ii) the special duty of excise specified in the Second Schedule to the Central Excise Tariff Act, 1985(5 of 1986), leviable under the Central Excise Act, 1944 (1 of 1944);
- (iii) the additional duty of excise under section 3 of the Additional Duties of Excise (Textiles and Textile Articles) Act, 1978 (40 of 1978);
- (iv) the additional duty of excise under section 3 of the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (58 of 1957) ; and
- (v) the additional duty under section 3 of the Customs Tariff Act, 1975 (51 of 1975).

2. Credit of specified duty paid on the inputs may be utilised for payment of duty of excise for any of the purposes mentioned in sub-rule (12) of rule 57F of the said rules subject to the restrictions mentioned below, namely:-

(a) credit of specified duty, in so far as it relates to duty paid under the Additional Duties of Excise (Textiles and Textile Articles) Act, 1978 (40 of 1978) or the equivalent additional duty paid under section 3 of the Customs Tariff Act, 1975 (5 of 1975), shall be utilised only towards payment of duty of excise leviable under the said Additional Duties of Excise (Textiles and Textile Articles) Act;

(b) credit of specified duty, in so far as it relates to duty paid under the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (58 of 1957) or the equivalent additional duty paid under section 3 of the Customs Tariff Act, 1975 (5 of 1975), shall be utilised only towards payment of duty of excise leviable under the said Additional Duties of Excise (Goods of Special Importance) Act; and

(c) credit of specified duty in respect of inputs produced or manufactured –

- (i) in a free trade zone and used in the manufacture of the final products in any other place in India; or
- (ii) by a hundred per cent. export-oriented undertaking or by a unit in an Electronic Hardware Technology Park or Software Technology Parks and used in the manufacture of the final products in any place in India,

shall be restricted to the extent which is equal to the additional duty leviable on like goods under section 3 of the Customs Tariff Act, 1975 (51 of 1975) paid on such inputs.