

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), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.21/99-Central Excises (N.T.), dated the 28th February, 1999,G.S.R.182 (E), dated the 28th February, 1999, namely:-

(1) in paragraph 1,-

(i) for clause (a), the following clause shall be substituted, namely:-

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

- (i) motor spirit (commonly known as petrol) falling under heading No. 27.10;
- (ii) high speed diesel oil falling under heading No. 27.10;
- (iii) 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, falling under sub-heading Nos. 7206.90 and 7207.90; and
- (iv) 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, 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,

as inputs (hereinafter referred to as the inputs);”;

(ii) for clause (b), the following clause shall be substituted, namely:-

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

- (i) the goods falling under heading No. 36.05;
- (ii) 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, falling under sub-heading Nos. 7206.90 and 7207.90; and
- (iii) 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, 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,

as final products (hereinafter referred to as the final products);”;

(2) for paragraph 2, the following paragraph shall be substituted, namely:-

“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 following restrictions, namely:-

- (a) credit of specified duty, in so far as it relates to duty paid under the Central Excise Act, 1944 , 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 specified in the First Schedule to the Central Excise Tariff Act, 1985, leviable under the said Central Excise Act, 1944;
- (b) 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, shall be utilised only towards payment of duty of excise leviable under the said Additional Duties of Excise (Textiles and Textile Articles) Act ,1978;
- (c) 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, shall be utilised only towards payment of duty of excise leviable under the said Additional Duties of Excise (Goods of Special Importance) Act, 1957; and
- (d) 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 paid on such inputs.”

(3) After paragraph 2, the following paragraph shall be added, namely:-

“3. Nothing contained in this notification, shall apply to an independent texturiser, that is to say, a manufacturer engaged in the manufacture of texturised yarn of polyesters falling under sub-heading No. 5402.32 and who does not have the facility in his factory (including plant and machinery) for manufacture partially oriented yarn of polyesters falling under sub-heading No.5402.42 .”

(T. R. Rustagi)

Joint Secretary to the Government of India

F. No. 334/ 1 /2000-TRU

Footnote.- The principal notification was published vide number G.S.R. 182 (E), dated the 28th February, 1999.

