

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

TRADE NOTICE: 20/2006 - CE

DATED :31.07.2006.

Sub: Communication of Ministry's Notification Nos. 33/2006 – CE dated 06.06.2006
34/2006 – CE dated 14.06.2006, 35/2006 – CE dated 21.06.2006, 36/2006 – CE
dated 16.07.2006 and Notification No. 37/2006 – CE dated 20.07.0206 –
Regarding.

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Copy of Ministry's Notification Nos. 33/2006 – CE [F.No. 356/23/2006 - TRU] dated
06.06.2006, No. 34/2006 – CE [F.No. 605/168/2005 - DBK] dated 14.06.2006, 35/2006 –
CE [F.No. 352/4/2006 – TRU] dated 21.06.2006, 36/2006 – CE [F.No. 356/29/2006 - TRU]
dated 19.07.2006 and Notification No. 37/2006 – CE [F.No. 356/6/2006 – TRU] are
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/16/3/2006 – C.Ex.Pol.)

Sd/-
(M.G. THAMIZHVALAVAN)
JOINT COMMISSIONER (TECH)

To
As per mailing list II / III

Copy of Ministry's Notification No. 33/2006 – CE Dated: 06.06.2006

G.S.R. (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, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 5/2006-Central Excise, dated the 1st March, 2006 which was published in the Gazette of India, Extraordinary, vide number G.S.R.95(E), dated the 1st March, 2006, namely:-

In the said notification, in the Table, against S.No. 49, for the entry in column (3), the entry "All goods" shall be substituted.

F.No.356/23/2006-TRU

Note: *The principal notification was published in the Gazette of India, Extraordinary, vide number G.S.R.95(E), dated the 1st March, 2006 and was last amended by notification No.25/2006-Central Excise, dated the 20th March, 2006 which was published in the Gazette of India, Extraordinary vide number G.S.R. 168(E), dated the 20th March, 2006.*

Copy of Ministry's Notification No. 34/2006 – CE Dated: 14.06.2006

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 3 of the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (58 of 1957) and sub-section (3) of section 3 of Additional Duties of Excise (Textile and Textile Articles) Act, 1978 (40 of 1978), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby exempts goods, namely. –

- (i) in the case of hotel or stand alone restaurant, office equipment, professional equipment, office furniture and consumables, related to its service sector business and food items and alcoholic beverages but excluding other products classifiable in Chapters 1 to 24 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975);
- (ii) in the case of service provider other than hotel or stand alone restaurant, capital goods including spares, office equipment, professional equipment, office furniture and consumables, related to its service sector business,

when cleared against a Served from India Scheme Certificate, (hereinafter referred to as the said Certificate) issued under paragraph 3.6.4 of the Foreign Trade Policy, from

- (1) the whole of the duty of excise leviable thereon under the First Schedule and the Second Schedule to the Central Excise Tariff Act, 1985 (5 of 1986);
- (2) the whole of the additional duty of excise leviable thereon under section 3 of the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (58 of 1958); and
- (3) the whole of the additional duty of excise leviable thereon under section 3 of the Additional Duties of Excise (Textile and Textile Articles) Act, 1978 (40 of 1978)

subject to the following conditions, namely :-

- (i) that the said certificate has been issued to a service provider by the Regional Authority and it is produced before the jurisdictional Central Excise Officer at the time of clearance for debit of the duties leviable on the goods, but for this exemption :

Provided that exemption from duty shall not be admissible if there is insufficient credit in the said certificate for debiting the duties leviable on the goods, but for this exemption;

- (ii) that the said certificate and goods cleared against it shall not be transferred or sold;

Provided that transfer of the said certificate and goods may be allowed subject to actual user condition within the service providers of the group company or managed hotels as defined in paragraph 9.28 and paragraph 9.36 respectively of the Foreign Trade Policy, as the case may be.

- (iii) that in respect of capital goods, office equipment and professional equipment a certificate from the jurisdictional Deputy Commissioner of Central Excise or Assistant Commissioner of Central Excise or an independent Chartered Engineer, as the case may be, is produced confirming installation and use of the goods in the factory or premises of the holder of the said

certificate, within six months from the date of clearance or within such extended period as the Deputy Commissioner of Central Excise or Assistant Commissioner of Central Excise, as the case may be, may allow ;

Explanation - For the purposes of this notification, -

- (i) “Capital Goods” has the same meaning assigned to it in paragraph 9.12 of the Foreign Trade Policy;
- (ii) “Foreign Trade Policy” means the Foreign Trade Policy 2004-09, published as the notification of the Government of India in the Ministry of Commerce and Industry, vide No.1/2004, dated the 31st August, 2004, as amended from time to time;
- (iii) “Regional Authority” means the Director General of Foreign Trade appointed under section 6 of the Foreign Trade (Development and Regulation) Act, 1992 (22 of 1992) or an officer authorized by him to grant a certificate under the said Act.

F.NO.605/168/2005-DBK

Copy of Ministry’s Notification No. 35/2006 – CE Dated: 21.06.2006

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, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 4/2006-Central Excise, dated the 1st March, 2006 which was published in the Gazette of India, Extraordinary, vide number G.S.R.94(E), dated the 1st March, 2006, namely:-

In the said notification, in the Table, against S.No. 92, for the entry in column (2), the entry “48” shall be substituted.

F.No.352/4/2006-TRU

Note: *The principal notification was published in the Gazette of India, Extraordinary, vide number G.S.R.94(E), dated the 1st March, 2006 and was last amended by notification No.26/2006-Central Excise, dated the 22nd March, 2006 which was published in the Gazette of India, Extraordinary, vide number G.S.R. 174(E), dated the 22nd March, 2006.*

Copy of Ministry’s Notification No. 36/2006 – CE Dated: 19.07.2006

G.S.R. (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, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 5/2006-Central Excise, dated the 1st March, 2006, published in the Gazette of India, vide number G.S.R. 95 (E), dated the 1st March, 2006, namely:-

In the said notification, in the Table, against S.No. 14, for the entry in column (4), the entry “Nil” shall be substituted.

F.No. 356/29/2006-TRU

Note:- The principal notification No.5/2006-Central Excise, dated the 1st March, 2006, published vide G.S.R. 95 (E) dated the 1st March, 2006 was last amended vide notification No. 33/2006-Central Excise, dated the 6th June, 2006 published vide G.S.R. 344 (E), dated the 6th June, 2006.

Copy of Ministry's Notification No. 37/2006 – CE Dated: 20.07.2006
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G.S.R. (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, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 4/2006-Central Excise, dated the 1st March, 2006, published in the Gazette of India, vide number G.S.R. 94 (E), dated the 1st March, 2006, namely:-

In the said notification, in the Table,

(I) after S.No. 52, and the entries relating thereto, the following shall be inserted, namely:-

(1)	(2)	(3)	(4)	(5)
“52A.	2902 43 00	p-Xylene	8%	-
52B.	2905 31 00	Mono ethylene glycol (MEG)	12%	-
52C.	2917 36 00	Pure terephthalic acid (PTA)	8%	-
52D.	2917 37 00	Dimethyl terephthalate (DMT)	8%	-
52E.	2926 10 00	Acrylonitrile	8%	-”

(II) after S.No. 80, and the entries relating thereto, the following shall be inserted, namely:-

(1)	(2)	(3)	(4)	(5)
“80A.	3907	Polyester chips	8%	-”

F.No. 356/6/2006-TRU

Note:- *The principal notification No.4/2006-Central Excise, dated the 1st March, 2006, published vide G.S.R. 94 (E) dated the 1st March, 2006 was last amended vide notification No. 35/2006-Central Excise, dated the 21st June, 2006 published vide G.S.R. 375 (E), dated the 21st June, 2006.*