

Circular No. 973/07/2013-CX

F. No. 267/48/2012-CX.8

Government of India

Ministry of Finance

Department of Revenue

Central Board of Excise and Customs, New Delhi

New Delhi, the 4th September, 2013

To,

- (i) The Chief Commissioner of Central Excise (All),
- (ii) The Chief Commissioner of Central Excise & Customs (All),
- (iii) The Chief Commissioner of Customs (All),
- (iv) Directors General (All)

Madam/ Sir,

Subject : Reversal of amount under Rule 6(3) the CCR, 2004 on domestic clearances under Notification Nos.29/2012-CE, 30/2012-CE, 31/2012-CE, 32/2012-CE and 33/2012-CE all dated 9th July, 2012 - regarding

Central Government has issued notifications no 29/2012-CE, 30/2012-CE, 31/2012-CE, 32/2012-CE and 33/2012-CE all dated 9th July, 2012 to exempt certain manufactured goods when cleared against the specified duty credit scrip issued to an exporter. The holder of the said scrip, to whom the goods are cleared, is entitled to avail Cenvat credit of duties of excise, against the amount debited in the said scrip as per one of the conditions of the notification.

2) Representations have been received from the trade that such clearances are being treated as clearances of exempted goods and payment of amount under rule 6(3), as applicable, of the Cenvat Credit Rules, 2004 is being demanded. Trade has requested that a clarification be issued that these goods be treated as equivalent of duty paid goods so that such payment of amount under rule 6(3) is not required to be made.

3) The matter has been examined. One of the conditions for availing of these exemptions is that duties leviable, but for these exemptions, shall be debited in or on the reverse of said scrip. The scrip holder is also permitted to avail of cenvat credit of the duties debited in the scrip. In view of these provisions it has been decided that such debit of duty in these scrips shall be treated as payment of duty for the purpose of determining the applicability of rule 6 of the Cenvat Credit Rules, 2004. Therefore, it is clarified that in respect of goods cleared availing the benefit of any of notifications no. 29/2012-CE, 30/2012-CE, 31/2012-CE, 32/2012-CE and 33/2012-CE all dated 9th July, 2012, payment of amount under rule 6(3) of the Cenvat Credit Rules, 2004 is not applicable.

4) Field formations may be informed accordingly.

Yours faithfully,

(Vikas Kumar)

Director (CX-8)