

Government of India

Ministry of Finance

Department of Revenue

Notification No. 21/2012 - Central Excise (N.T.)

New Delhi, the 27th March, 2012

G.S.R..... (E).- In exercise of the powers conferred by section 37 of the Central Excise Act, 1944 (1 of 1944) and section 94 of the Finance Act, 1994 (32 of 1994), the Central Government hereby makes the following rules further to amend the CENVAT Credit Rules, 2004, namely :-

1. (1) These rules may be called the CENVAT Credit (Fourth Amendment) Rules, 2012.

(2) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.

2. In the CENVAT Credit Rules, 2004,-

(i) in rule 2,- in clause (d), for the words "and goods in respect of which the benefit of an exemption under notification No. 1/2011-CE, dated the 1st March, 2011 is availed", the words, "goods in respect of which the benefit of an exemption under Notification No. 1/2011-CE, dated the 1st March, 2011 or under entries at serial numbers 67 and 128 of Notification No. 12/2012-CE, dated the 17th March, 2012 is availed" shall be substituted;

(ii) in rule 2, in clause (l), in sub-clause (BA), for the words "specified in sub-clauses (d) and (zo) of clause (105) of section 65 of the Finance Act," the words "specified in sub-clauses (d) and (zo) of clause (105) of section 65 of the Finance Act, in so far as they relate to a motor vehicle which is not a capital goods," shall be substituted with effect from the first day of April, 2012.

(iii) in rule 3, in sub-rule (1), in clause (i), for the proviso, the following shall be substituted, namely:-

"Provided that CENVAT credit of such duty of excise shall not be allowed to be taken when paid on any goods -

(a) in respect of which the benefit of an exemption under notification No.1/2011-CE, dated the 1st March, 2011 is availed; or

(b) specified in serial numbers 67 and 128 in respect of which the benefit of an exemption under Notification No. 12/2012-CE, dated the 17th March, 2012 is availed ".

[F. No. 334/B1/2012-TRU]

(Raj Kumar Digvijay)

Under Secretary to the Government of India

Note. - The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 10th September, 2004, vide notification number 23/2004-Central Excise (N.T.), dated the 10th September, 2004, vide number G.S.R. 600(E), dated the 10th September, 2004] and was last amended vide notification number 18/2012- Central Excise (N.T.), dated the 17th March, 2012, vide number G.S.R. 182 (E), dated the 17th March, 2012.