

[TO BE PUBLISHED IN THE GAZETTE OF INDIA,  
EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(DEPARTMENT OF REVENUE)

**Notification No. 15/2014 - Central Excise (N.T.)**

New Delhi, the 21<sup>st</sup> March, 2014  
30, Phalgun, Saka, 1935

G.S.R. (E).— In exercise of the powers conferred by section 37 of the Central Excise Act, 1944 (1 of 1944), 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 (Fifth Amendment) Rules, 2014.  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. (1) For rule 12AAA of the CENVAT Credit Rules, 2004, the following shall be substituted, namely :—

“12AAA. Power to impose restrictions in certain types of cases.— Notwithstanding anything contained in these rules, where the Central Government, having regard to the extent of misuse of CENVAT credit, nature and type of such misuse and such other factors as may be relevant, is of the opinion that in order to prevent the misuse of the provisions of CENVAT credit as specified in these rules, it is necessary in the public interest to provide for certain measures including restrictions on a manufacturer, first stage and second stage dealer or an exporter, may by notification in the Official Gazette, specify the nature of restrictions including restrictions on utilization of CENVAT credit and suspension of registration in case of a dealer and type of facilities to be withdrawn and procedure for issue of such order by the Chief Commissioner of Central Excise.

Explanation.- For the purposes of this rule, it is hereby clarified that every proposal initiated in terms of the procedure specified under notification no. 05/2012-CE (N.T.) dated the 12<sup>th</sup> March, 2012 published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 140(E), dated the 12<sup>th</sup> March, 2012, which is pending, shall be treated as initiated in terms of the procedure specified under this rule and shall be decided accordingly.”

F. No. 267/13/2013-CX.8

(Pankaj Jain)  
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 10<sup>th</sup> September, 2004, vide Notification No. 23/2004 – Central Excise (N.T.) dated the 10<sup>th</sup> September, 2004, vide number G.S.R. 600(E), dated the 10<sup>th</sup> September, 2004 and last amended vide Notification No. 09/2014-Central Excise (N.T.) dated the 28<sup>th</sup> February, 2014 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 135 (E), dated the 1<sup>st</sup> March, 2014.*