



**Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs
New Delhi**

Notification No. 40/2008-Central Excise (N.T.)

Dated 29th September, 2008

G.S.R.(E) - In exercise of the powers conferred by sub-rule (2) of rule 9 read with rule 33 of the Central Excise Rules, 2002, the Central Board of Excise and Customs, hereby makes the following further amendment in the Notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 36/2001- Central Excise (N.T.), dated the 26th June, 2001, which was published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section(i) vide number G.S.R. 465(E), dated the 26th June, 2001 namely :-

2. In the said Notification,-

(i) in para (1), after sub-para (i), for the proviso, the following provisos shall be substituted, namely,-

“Provided that a manufacturer availing exemption under clause (b), shall file a revised declaration for the previous year 2007-08 by 31st October, 2008 :

Provided further that an independent weaver who intends to opt for the procedure specified in rule 8A of the CENVAT Credit Rules, 2002, shall file an application in the form specified in *Annexure-IA* to the Notification No. 35/2001-Central Excise (N.T.), dated 26th June, 2001 [G.S.R. 464 (E), dated the 26th June, 2001] and shall obtain a twelve digit declarant code from the Superintendent of Central Excise having jurisdiction in this behalf, before issuance of any challan referred to in the said rule 8A; such option once exercised during a financial year cannot be withdrawn during the same financial year.”

(ii) for the Schedule, the following Schedule shall be substituted, namely,-

The Schedule

1. Name and full address of the factory :

2. Name and addresses of other factories/manufacturers (producing such goods) in whom the manufacturer claiming the exemption has proprietary interest :

3. Status of business (tick only one box) :

Proprietorship Partnership Registered Company
Unregistered Company Trust Society Others

4. Permanent Account Number (PAN) allotted by the Income tax Deptt. :

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5. VAT registration number allotted by the State VAT Deptt. :

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6. Details of electricity connection :

(a) Name of electricity supplying company

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(b) Total number of electricity meters installed in the factory

(c) (i) Electricity consumer number :

(ii) Electricity meter number(s) :

(d) Sanctioned electricity load :

(i) Unit of measurement (HP/KWh/others-specify)

(ii) Quantity

7. Details of the excisable goods manufactured by the factory during the preceding financial year _____.

<i>S. No.</i>	<i>Description of excisable goods</i>	<i>Classification under First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986)</i>	<i>Value of clearance (Rs.)</i>	<i>Notification No. and date, availed</i>	<i>Sr. No. in the Notification (if any)</i>
<i>1.</i>	<i>2.</i>	<i>3.</i>	<i>4.</i>	<i>5.</i>	<i>6.</i>

(Signature of the Declarant)

Sd/-
(RAHUL NANGARE)

Under Secretary to the Government of India

(F. No. 224/52/2004-CX 6)

Note : The principal Notification was published in the Gazette of India Extraordinary, Part II, Section 3, Sub-Section (i) vide Notification No. 36/2001-Central Excise (N.T.), dated the 26th June, 2001, vide number G.S.R. 465(E), dated the 26th June, 2001 and was last amended by Notification No. 14/2005-Central Excise (N.T.), dated the 1st March, 2005 published in the Gazette of India Extraordinary, Part II, Section 3, Sub-Section (i) vide number G.S.R. 137(E), dated the 1st March, 2005.

Member-exporters can avail the Notification No. 36/2001-Central Excise (N.T.), dated the 26th June, 2001 and Notification No. 14/2005-Central Excise (N.T.), dated the 1st March, 2005 from the following Website :

<http://www.cbec.gov.in/excise/cx-act/notfns-2k1/cent36-2k1.htm>
<http://www.cbec.gov.in/excise/cx-act/notfns-2k5/cent14-2k5.pdf>