

[TO BE PUBLISHED IN THE GAZZETE OF INDIA, EXTRAORDINARY, PART II, SECTION 3,  
SUB-SECTION (i) dated 28.02.2007]

Government of India  
Ministry of Finance  
(Department of Revenue)

New Delhi the 1st March, 2007  
10 Phalgun, 1928 (Saka)

Notification  
No. 8/2007 - Central Excise (N.T.)

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 Central Excise Rules, 2002, namely:-

1. (1) These rules may be called the Central Excise (Second Amendment) Rules, 2007.  
(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 Central Excise Rules, 2002 (hereinafter referred to as the said rules), in rule 8,-
  - (a) in sub-rule (1), with effect from the 1<sup>st</sup> day of April, 2007, after the second proviso, the following proviso shall be inserted, namely:-

“ Provided also that an assessee, who has paid duty of fifty lakhs rupees or more, other than the amount of duty paid by utilization of CENVAT credit, in the preceding financial year, shall thereafter, deposit the duty electronically through internet banking.”;
  - (b) after sub-rule (4), the following Explanation shall be inserted, namely:-

“Explanation.- For the purposes of this rule, the expressions ‘duty’ or ‘duty of excise’ shall also include the amount payable in terms of the CENVAT Credit Rules, 2004.”.
3. In rule 11 of the said rules, with effect from the 1<sup>st</sup> day of April, 2007, in sub-rule (2), for the words “shall contain the registration number”, the words, “shall contain the registration number, address of the concerned Central Excise division” shall be substituted.
4. In rule 21 of the said rules,-
  - (a) in the first proviso, for the words, “one thousand rupees”, the words, “ten thousand rupees” shall be substituted.;
  - (b) in the second proviso, for the words, “two thousand five hundred rupees”, the words, “one lakh rupees” shall be substituted;
  - (c) in the third proviso, for the words, “five thousand rupees”, the words, “five lakh rupees” shall be substituted.
5. In rule 25 of the said rules, with effect from the date on which the Finance Bill, 2007 receives assent of the President, for the words, “rupees ten thousand”, the words, “two thousand rupees” shall be substituted.
6. Rule 26 of the said rules, shall be re-numbered as sub-rule (1) thereof, and in sub-rule (1), as so re-numbered,-

- (a) with effect from the date on which the Finance Bill, 2007 receives assent of the President, for the words, “rupees ten thousand”, the words, “two thousand rupees” shall be substituted;
- (b) after sub-rule(1) as so re-numbered, the following sub-rule shall be inserted, namely:-
- “(2) Any person, who issues-
- (i) an excise duty invoice without delivery of the goods specified therein or abets in making such invoice; or
  - (ii) any other document or abets in making such document, on the basis of which the user of said invoice or document is likely to take or has taken any ineligible benefit under the Act or the rules made thereunder like claiming of CENVAT credit under the CENVAT Credit Rules, 2004 or refund, shall be liable to a penalty not exceeding the amount of such benefit or five thousand rupees, whichever is greater”.

[F.No. 334/1/2007-TRU]

S. Bajaj  
Under Secretary to the Government of India

Note: The principal rules were published in the Gazette of India Extraordinary, vide notification No. 4/2002-Central Excise (N.T.), dated the 1<sup>st</sup> March, 2002, vide GSR 143 (E) dated the 1<sup>st</sup> March, 2002, and were last amended vide notification No.03/2007-Central Excise (N.T.), dated the 8<sup>th</sup> February, 2007, vide GSR 69 (E) dated the 8<sup>th</sup> February, 2007.