



केन्द्रीय उत्पाद शुल्क, सीमा शुल्क एवं सेवाकर के आयुक्त का कार्यालय

OFFICE OF THE COMMISSIONER OF CENTRAL EXCISE, CUSTOMS & SERVICE TAX

सेवोत्तम/SEVOTTAM



आई.एस.-15700 प्रमाणित
IS-15700 CERTIFIED

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TRADE NOTICE NO. 09/ CEX/ 2016

Sub:- Reduction of Government Litigation – withdrawal of appeals filed by the Department from Hon'ble CESTAT and Hon'ble High Court on monetary limits – Regarding.

Attention of all Trade and Industry is invited to the Central Board of Excise and Customs Instructions F.No. 390/Misc./163/2010-JC dated 17.12.2015 and 01.01.2016.

2. That with the objective of reduction of litigation, the Central Board of Excise & Customs (hereinafter referred to as the Board), Department of Revenue, Ministry of Finance, Government of India, issued Instructions from time to time, setting the Monetary limits below which the Appeals cannot be preferred by the Department. Recently CBEC revised its earlier Instructions regarding Monetary Limits dated 17.08.2011 vide F. No. 390/Misc./163/2010-JC dated 17.12.2015 raising the monetary limit from Rs. 10,00,000/- to Rs. 15,00,000/- in r/o filing Departmental appeal before Hon'ble High Court and from Rs. 5,00,000/- to Rs. 10,00,000/- in r/o filing appeal before Hon'ble CESTAT, with a view to reduce the litigations. Thus as per the Instructions dated 17.12.2015, the monetary limit for preferring Departmental Appeal before Hon'ble High Court is Rs. 15,00,000/- and before Hon'ble CESTAT is Rs.10,00,000/- . It has further been clarified vide Instruction No. 390/Misc./163/2010-JC dated 01.01.2016 that the Instructions dtd 17.12.2015 shall also apply to all the pending Appeals in the High Courts and CESTAT.

3. That since the above stated monetary limit is also applicable to all pending appeals as clarified vide Instruction No. 390/Misc./163/2010-JC dated 01.01.2016. In compliance of above Board's instructions and in consonance with the prevailing litigation policy, decision has been taken to withdraw departmental appeals below the revised monetary limits in respect of Hon'ble High Court and Hon'ble CESTAT.

4. Accordingly, Department filed applications for withdrawal of Departmental appeal pending before Hon'ble High Court and Hon'ble CESTAT. As such in r/o Aurangabad Commissionerate in total 47 departmental appeals (enclosed as Annexure A) from Hon'ble High Court and in total 55 departmental appeals (enclosed as Annexure B) from CESTAT have been withdrawn. Similarly, 8 cases of departmental appeals in Hon'ble CESTAT are pending for withdrawal as detailed in Annexure B. In addition, 9 cases pending before Hon'ble High Court are proposed to be withdrawn soon as detailed in Annexure A.

5. All the Trade Association & Chambers of Commerce and members of the Regional Advisory Committee/ Public Grievance Committee are requested to circulate and publicize the contents of the Trade Notice amongst their member constituents.

Sd/- 12.8.2016
(C. L. Mahar)
Commissioner

F. No. VGN(30)24/TC/2010
Aurangabad, the 11.08.2016

Copy forward to all as per the official mailing list for Trade/ Department.

ANNEXURE-"A"

LIST OF CASES WITHDRAWN FROM HON'BLE HIGH COURT ON MON-ETARY LIMITS

Sr. No.	Name of the party	Appeal No.	High Court Order date
1	Anil Polymers	First Appeal No. 1718/2009	29.2.2016
2	Kunal Plastics	First Appeal No. 354/2009	29.2.2016
3	Aurangabad Electricals Ltd.	First Appeal No. 430/2006	29.2.2016
4	Balkrishna Industries Ltd.	First Appeal No. 1902/2010	29.2.2016
5	Matsyodari Sahakari Soot Girni Ltd.	First Appeal No. 610/2006	29.2.2016
6	Chhatrapati Sambhaji Raje Sakhar Udyog Ltd.	First Appeal No. 930/2008	29.2.2016

7	Wockhardt Pvt. Ltd	First Appeal No. 741/2007	29.2.2016
8	Shivam Re-rolling Mills Pvt Ltd.	First Appeal No. 632/2008	29.2.2016
9	Herbal Remedies (I) Ltd.	First Appeal No. 1078/2010	29.2.2016
10	Concept Pharmaceuticals Pvt. Ltd	First Appeal No. 3191/2009	29.2.2016
11	N.R.B. Bearings Ltd	First Appeal No. 2976/2008	29.2.2016
12	Mirza Steel Re-rolling Mills	First Appeal No. 956 /2005	29.2.2016
13	Dhoot Compack Pvt Ltd.	First Appeal No. 108/2011	29.2.2016
14	Vs Balaji Amines Ltd,	First Appeal No. 766/2009	29.2.2016
15	Sant Shiromani Maruti Maharaj	First Appeal No. 627/2009	29.2.2016
16	Terna Shetkari Sahakari Sakhar Karkhana Ltd.	First Appeal No. 1347/2004	29.2.2016
17	G.C.Industries	First Appeal No. 940/2005	29.2.2016
18	Jai Corporation Ltd.	First Appeal No. 1112/2004	29.2.2016
19	Fouress Engineering (I) Ltd.	FA/587/2005	26.2.2016
20	Cosmo Films Ltd	FA/1623/2010	26.2.2016
21	Ram Ritesh Ispat Pvt Ltd	FA/958/2005	26.2.2016
22	Gupta Cancast Pvt Ltd	CEA/51/2015	26.2.2016
23	Gleitlager India Ltd	FA/631/2010	26.2.2016
24	Sanjay Insecticides Pvt Ltd	FA/474/2005	26.2.2016
25	Raj Re-rolling Mills	FA/245/2007	26.2.2016
26	Om Sairam Steel & Alloys Pvt Ltd	FA/742/2010	26.2.2016
27	Gangasahai Steel Industries Re-rolling Mills	FA/941/2005	26.2.2016
28	Babasaheb Ambedkar SSK Ltd	CEA/1/2014	26.2.2016
29	Ajanta Pharma Ltd	FA/709/2006	26.2.2016
30	Rishi Steel & Alloys Ltd, Jalna	FA/452/2006	26.2.2016
31	Garware Polyester Ltd.	FA No. 707/2005	26.2.2016
32	Globe Trotters Ltd	FA/1405/2010	26.2.2016
33	Raviraj Re-rolls Pvt Ltd	FA No. 586/2005	26.2.2016
34	Sant Eknath Rolling Mills Pvt.	CEA No.	26.2.2016

	Ltd	47/2015	
35	Jalna Sidhivinayak Alloys Pvt. Ltd	CEA No. 67/2015	26.2.2016
36	R.L.Steel Ltd.	FA No. 766/2006	26.2.2016
37	Endurance Systems (I) Pvt.ltd.	FA No. 1239/2009	26.2.2016
38	Hariom Re-Rolling Mills	FA No. 1597/2004	5.7.2016
39	Shradha Steel	FA No. 1265/2006	5.7.2016
40	Parvati Steel Re-rolling Mills	FA No. 1091/2007	5.7.2016
41	Bhoomi Re-Rolls Pvt. Ltd.	FA No. 1080/2006	5.7.2016
42	Mirza Steel Re- rolling Mills	FA No. 1762/2004,	10.6.2016
43	Midas Care Pharmaceuticals	FA No. 3685/2008	10.6.2016
44	Vs Terna Sahakari Sakhar Karkhana Ltd	Tax Appeal No. 5/2006	10.6.2016
45	The Executive Engineer (Civil), PSC Pole Factory	FA No. 813/2006	10.6.2016
46	The Executive Engineer (Civil), PSC Pole Factory	FA No. 814/2006	10.6.2016
47	Regent Steels Pvt Ltd.	FA No. 359/2005	10.6.2016

LIST OF CASES PROPOSED FOR WITHDRAWAL FROM HON'BLE HIGH COURT ON MONETARY LIMITS

1	Jai Corporation Ltd.	CRF/1/2015	Pending
2	Ketan V. Shah	261/2006	Pending
3	V. A. Engineering	585/2008	Pending
4	Shree Om Re-rolling Mills	1092/007	Pending
5	K. M. Re-rolls	940/2007	Pending
6	Varsha Plastics	1746/2008	Pending
7	Shree Ghanshyam Auto Parts Pvt. Ltd.	1215/2004	Pending
8	Orion Lamination Ltd.	560/2007	Pending
9	Sant Eknath Rolling Mill	1126/2008	Pending

ANNEXURE-"B"
**LIST OF CASES WITHDRAWN FROM HON'BLE CESTAT ON MONET-
ARY LIMITS**

S. No.	Name of the Assessee	CESTAT Appeal No.
1	Jai Corporation Ltd.	E/3446/2000
2	Jai Corporation Ltd.	E/499/2001
3	Rukson Rubber Inds P.Ltd	E/1014/00
4	Jai Corporation Ltd.	E/1716/2001
5	Grind Master Machines Pvt. Ltd.	E/164/2002
6	Balkrishna Tyres Ltd.	E/1974/2003
7	Renuka Press Fab Ltd.	E/532/2005
8	Varroc Engg. Pvt. Ltd.	E/2746/06
9	Navketan Pharma Pvt. Ltd.	E/990/2007
10	Shri Ghanshyam Auto Parts	E/960/2007
11	Anvay Industries Ltd.	E/484/2007
12	Midas Care Pharma P. Ltd.	E/722/07
13	Maruti Fertochem Ltd.	E/1046/07
14	Concept Pharmaceuticals Ltd.	E/23/2008
15	Aurangabad Electricals Ltd.	E/33/2008
16	Rucha Engg. Pvt. Ltd.	E/39/2008
17	Harshvaibhav Chem Pharma P. Ltd.	E/346/08
18	Rutuja Ispat Pvt. Ltd., MIDC, Jalna	E/1167/09
19	Harman Finochem Ltd, MIDC, Shendra, A'bad	E/1164/09
20	Adroit Remedies Pvt. Ltd., Waluj, Aurangabd	E/143/2010
21	Himalaya Tyres, Silk Mills Compound, Paithan Road, Aurangabad	ST/259/10
22	Rutuja Ispat Pvt. Ltd., Jalna	E/1485/10

23	Speciality Polyfilms (I) Pvt. Ltd., MIDC, Waluj, A'bad	E/939/10
24	Mauli Steel Pvt. Ltd., MIDC, Jalna	E/1887/10
25	CTR Manufacturing Industries Ltd., MIDC, C'thana, Aurangabad	E/314/11
26	Endurance Technologies Pvt. Ltd., A'bad	E/313/11
27	Gangamai Agro Trust, Tq. Shillod, Aurangabad	E/1100/11
28	Hindustan Composites Ltd., MIDC, Paithan, A'bad	E/1243/11
29	Kalika Steels Jalna Pvt. Ltd., F/18-19, Addl. MIDC, Jalna	E/1099/11
30	Regent Steel Pvt. Ltd., MIDC, Jalna	E/1241/11
31	Taiyo Lucit Pvt. Ltd; M-101 Waluj A'bad	E/976/11
32	Taiyo Lucit Pvt. Ltd; M-101 Waluj A'bad	E/977/11
33	Taiyo Lucit Pvt. Ltd; M-101 Waluj A'bad	E/978/11
34	Taiyo Lucit Pvt. Ltd; M-101 Waluj A'bad	E/980/11
35	Taiyo Lucit Pvt. Ltd; M-101 Waluj A'bad	E/979/11
36	The Deputy Executive Engineer(Civil), MSEDCL, Civil Sub Division, P.C. Pole factory, Murud, Latur	E/1183/11
37	Pawan Re-rolling mill Pvt. Ltd., D-68/2, Addl. MIDC, Jalna	E/1184/11
38	Taiyo Lucid Pvt. Ltd, M-101, MIDC, Waluj, A'bad	E/1240/11
39	Bhagyalaxmi Steel Alloys Pvt. Ltd., Jalna	E/1804/11
40	Indo Rama Synthetics (I) Ltd.	C/192/11
41	Sudarshan Steel Re-rolling milss, Plot No. D-46, Addl. MIDC, Jalna	E/1458/11
42	Sudarshan Steel Re-rolling milss, Plot No. D-46, Addl. MIDC, Jalna	E/1459/11
43	Tina Oils & Chem. Ltd., G-75/86, MIDC, Latur	E/1098/11
44	Rishi Steel & Alloys Pvt. Ltd., Jalna	E/595/12
45	Ambika Ind., M-2, MIDC, Waluj, Aurangabad	E/87624/13
46	Saptashrungi Alloys Pvt. Ltd., C-3/1, Addl. MIDC, Jalna	E/86538/15
47	Cosmo Films Ltd.	C/14/05
48	Pawan Re-rolling mill Pvt. Ltd., D-68/2, Addl. MIDC, Jalna	E/2164/10
49	Videocon Appliances Ltd	C/178/05

50	Rajendra Satyanarayan Bharuka, Director of M/s.Omsai Steels & Alloys Pvt. Ltd., F-1,2,3 Phase-II, Addl. MIDC, Jalna	E/87151/15
51	Rutuja Ispat Pvt. Ltd., D-67, Addl. MIDC, Jalna	E/86235/15
52	Parth Automobiles, IBP Petrol Pump, 170, Ambad, Jalna	ST/87978/13
53	Midas Care Pharma P. Ltd.	E/1491/05
54	Videocon International Ltd	E/3062/06
55	Mahaveer Butyl Rubber Ind. Ltd., A-6/3/1, MIDC, Nanded.	E/1703/11

**LIST OF CASES PENDING FOR WITHDRAWAL FROM HON'BLE
CESTAT ON MONETARY LIMITS**

1	Jai Corporation Ltd.	E/3444/00
2	Jai Corporation Ltd.	E/3441/00
3	Jai Corporation Ltd.	E/3443/00
4	Skoda Auto India Pvt. Ltd.,	E/131/07
5	Skoda Auto India Pvt. Ltd.,	E/1155/07
6	Giriraj Re-rolls Pvt. Ltd.	E/1881/10
7	Hariom Iron & Steel Rolling Pvt. Ltd.,	E/1888/10
8	Hariom Iron & Steel Rolling Pvt. Ltd.,	E/1239/11