

THE SECOND SCHEDULE

(See section 92)

Sl. No.	Notification number and date	Amendment	Date of effect of amendment
(1)	(2)	(3)	(4)
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10	G.S.R. 260(E), dated the 1st May, 2006, 40/2006-Customs dated the 1st May, 2006.	<p>In the said notification, in the opening paragraph, —</p> <p>(i) after condition (iii), the following condition shall be inserted, namely:—</p> <p>“(iii a) that in respect of imports made after the discharge of export obligation in full, if facility under rule 18 (rebate of duty paid on materials used in the manufacture of resultant product) or sub-rule (2) of rule 19 of the Central Excise Rules, 2002 or CENVAT Credit under CENVAT Credit Rules, 2004 has been availed, then the importer shall use the imported materials for the manufacture of dutiable goods in his factory or in the factory of his supporting manufacturer and shall submit a certificate from the jurisdictional Central Excise Officer that the imported materials have been so used:</p> <p>Provided that, in case,—</p> <p>(a) materials are imported against an authorisation transferred by the Regional Authority, or</p> <p>(b) the imported materials are transferred with the permission of Regional Authority,</p> <p>then the importer shall pay an amount equal to the additional duty of customs leviable on the materials so imported or transferred, but for the exemption contained herein, together with interest at the rate of fifteen per cent. per annum from the date of clearance of the said materials:</p> <p>Provided further that no such amount shall be payable in respect of authorisation issued from the 1st day of May, 2006 to the 31st day of March, 2007.”;</p> <p>(ii) in condition (iii a), after the second proviso, the following proviso shall be inserted, namely: —</p> <p>“Provided also that if the importer pays additional duty of customs leviable on the imported materials but for the exemption contained herein, then the imported materials may be cleared without furnishing a bond specified in this condition and the additional duty of customs so paid shall be eligible for availing CENVAT Credit under the CENVAT Credit Rules, 2004.”;</p> <p>(iii) for condition (v), the following condition shall be substituted, namely:—</p> <p>“(v) that the export obligation as specified in the said authorisation (both in value and quantity terms) is discharged within the period specified in the said authorisation or within such extended period as may be granted by the Regional Authority by exporting resultant products, manufactured in India which are specified in the said authorisation:</p> <p>Provided that an Advance Intermediate authorisation holder shall discharge export obligation by supplying the resultant products to the exporter in terms of paragraph 4.1.3 (ii) of the Foreign Trade Policy.”;</p> <p>(iv) in the <i>Explanation</i>, after clause (iv), the following clause shall be inserted, namely:-</p> <p>‘(v) “dutiable goods” means excisable goods which are not exempt from central excise duty and which are not chargeable to ‘nil’ rate of central excise duty.’.</p>	1st May, 2006.
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35			19th February, 2009.
40			1st May, 2006 to 18th February, 2009.
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50			1st May, 2006 to 18th February, 2009.