

**[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**

New Delhi, the 13th April, 2017
No. 10/2017-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) and section 94 of the Finance Act, 1994 (32 of 1994), 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 (Second Amendment) Rules, 2017.

(2) They shall come into force on the 23rd day of April, 2017.

2. In the CENVAT Credit Rules, 2004,–

(1) in rule 2, in clause (l), for the words starting with “‘input service’ means’ and ending with “clearance of final products upto the place of removal,” following shall be substituted, namely,-

“‘input service’ means,-

(i) services provided or agreed to be provided by a person located in non-taxable territory to a person located in non-taxable territory by way of transportation of goods by a vessel from a place outside India up to the customs station of clearance in India where service tax is paid by the manufacturer or the provider of output service being importer of goods as the person liable for paying service tax for the said taxable services and the said imported goods are his inputs or capital goods; or

(ii) any service used by a provider of output service for providing an output service; or

(iii) any service used by a manufacturer, whether directly or indirectly, in or in relation to the manufacture of final products and clearance of final products upto the place of removal;’;

(2) in rule 4, in sub-rule (7), after the second proviso, following shall be inserted namely,-

“Provided also that in respect of services provided or agreed to be provided by a person located in non-taxable territory to a person located in non-taxable territory by way of transportation of goods by a vessel from a place outside India up to the customs station of clearance in India where service tax is paid by the manufacturer or the provider of output service being importer of goods as the person liable for paying

service tax for the said taxable services, credit of service tax paid by the person liable for paying service tax shall be allowed after such service tax is paid.”;

(3) in rule 9, in sub-rule (1), after clause (e), following shall be inserted, namely,-

“(ea) a challan evidencing payment of service tax by the manufacturer or the provider of output service being importer of goods as the person liable for paying service tax for the services provided or agreed to be provided by a person located in non-taxable territory to a person located in non-taxable territory by way of transportation of goods by a vessel from a place outside India up to the customs station of clearance in India; or”.

[F. No. 354/42/2016-TRU]

(Mohit Tewari)

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), *vide* notification No. 23/2004 - Central Excise (N.T.) dated the 10th September, 2004 *vide* number G.S.R. 600(E), dated the 10th September, 2004 and last amended *vide* notification No. 4/2017 - Central Excise (N.T.) dated 2nd February, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 98 (E), dated the 2nd February, 2017.