

[TO BE PUBLISHED IN GAZETTE OF INDIA, EXTRAORDINARY, PART –II,
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification

No. 21 /2017 - Central Excise (N.T.)

New Delhi, the 30th June, 2017

G.S.R. (E).- In exercise of the powers conferred by sub-rule (2) of rule 15 of CENVAT Credit Rules, 2017, the Central Government hereby directs that a manufacturer who was registered under Central Excise Act, 1944 (hereinafter referred as ‘manufacturer’), to evidence payment of duty of excise specified in the First Schedule to the erstwhile Central Excise Tariff Act, 1985, paid on goods manufactured and cleared by him under the cover of an invoice before the 1st day of July, 2017 (hereinafter referred to as ‘such date’), may issue a document called Credit Transfer Document (hereinafter referred to as ‘CTD’) to a person (hereafter referred to as ‘dealer’) who was not registered under the Central Excise Act, 1944 but is registered under the provisions of Central Goods and Services Tax Act, 2017 (hereinafter referred to as ‘CGST Act, 2017’) and is in possession of such manufactured goods held in stock on the such date, subject to such limitations, conditions and procedures as specified below:

1. (i) The value of such goods is more than rupees twenty-five thousand per piece;
- (ii) goods bear the brand name of the manufacturer or the principal manufacturer and are identifiable by a distinct number such as chassis or engine number of a car;
- (iii) verifiable records of clearance and duty payment relatable to each piece of such goods is maintained by the manufacturer and are made available for verification on demand by a Central Excise officer;
- (iv) the CTD shall be serially numbered and shall contain the Central Excise registration number, address of the concerned Central Excise Division, name, address and GSTIN number of the person to whom it is issued, description, classification, invoice number with date of removal, mode of transport and vehicle registration number, rate of duty, quantity, value and duty of excise specified in the First Schedule to the erstwhile Central Excise Tariff Act, 1985 paid thereon;
- (v) the manufacturer is satisfied that the dealer to whom CTD is issued is in possession of such manufactured goods in the form in which it was cleared by him;
- (vi) the CTD shall be issued within 45 days of such date and copy of the corresponding invoice(s) shall be enclosed with it;

(vii) copies of all invoices relating to sale and purchase of the goods from manufacturer to the dealer, including intermediate dealer(s), if any, is maintained by the dealer availing credit using CTDs;

(viii) CTD shall not be issued in favour of a dealer to whom invoice was issued for the same goods before such date;

(ix) a dealer availing credit using CTD on manufactured goods shall not be eligible to avail credit under provision of sub-rule (4) of rule 117 of Central Goods and Services Tax Rules, 2017 on identical goods manufactured by the same manufacturer available in the stock of the dealer;

(x) a dealer availing credit on the basis of CTD shall, at the time of making supply of such goods, mention the corresponding CTD number in the invoice issued by him under section 31 of the CGST Act, 2017;

2. Where a manufacturer issues a CTD such that credit of central tax is availed twice on the same goods under the provisions of CGST Act, 2017 and the rules made thereunder, he shall be jointly and severally responsible for excess credit availed by the dealer and provisions for recovery of credit, interest and penalty under the CENVAT Credit Rules, 2017 shall apply *mutatis-mutandis* on such manufacturer.

3. A manufacturer issuing a CTD shall submit details thereof in **table 1** of **TRANS 3** on common portal within sixty days of the appointed date.

4. A dealer availing credit on CTD shall submit details thereof in **table 2** of **TRANS 3** on common portal within sixty days of the appointed date.

5. A manufacturer issuing CTD shall maintain record in the form **TRANS 3A** and such record shall be made available to the Central Excise officer for verification on demand.

6. A dealer availing credit on CTDs shall maintain record in the form **TRANS 3B** and such record shall be made available to the Central Excise officer for verification on demand.

Trans 3

Table 1. To be filled by manufacturer issuing CTD

S. No.	GSTIN of the dealer whom CTD is issued	Total no. of CTDs issued	No. of invoices against which CTDs have been issued	Total quantity for which CTD issued	Total value of Goods for which CTDs have been issued	Central Excise duty paid on such goods

Trans 3

Table 2. To be filled by dealer availing Credit on CTD

S. No.	GSTIN of the manufacturer issuing CTDs	Total no. of CTD received	No. of invoices against which CTDs have been issued	Total quantity for which CTD issued	Total value of Goods for which CTD has been issued	Central Excise duty paid on such goods	Credit availed by the dealer

Trans 3A

1. Documents to be maintained by the manufacturer issuing CTDs

S. No.	CTD No.	Invoices no. against which CTD has been issued	Invoice date	Months in which these clearances were made against the invoices	GSTIN Nos. of all intermediate buyers and sellers through whom the goods have passed	Value of Goods	Central Excise duty paid

Trans 3B

1. Documents to be maintained by the dealer availing credit on CTDs

S. No.	CTD No.	Invoice no(s). against which CTD has been issued	Months in which these clearances were made against the invoices	GSTIN Nos. of all intermediate buyers and sellers through whom the goods have passed	Value of goods	Central Excise duty paid on them

2. They shall come into force on the 1st day of July, 2017.

[F. No. 267/22/2017-CX.8]

(ROHAN)
Under Secretary to the Government of India