

ANNEXURE - CE- X

DRAFT OF THE LETTER TO BE WRITTEN BY THE ASSESSEE UNDER SECTION 11A(2) OF THE CENTRAL EXCISE ACT, 1944,

To,
The Commissioner
Customs, Central Excise and Service Tax,
Audit Commissionerate

Sir,

Subject: Letter given for waiver of show cause notice in terms of Section 11A(2) of the Central Excise Act, 1944- reg.

I / We M/s _____, address _____
falling under the jurisdiction of Range _____ and Division _____ do hereby state and request as under:-

a) As per the provisions of Section 11A(1)(b) of the Central Excise Act, 1944, where any Central Excise duty has not been levied or paid or has been short levied or short paid or erroneously refunded, the person, chargeable with the Central Excise duty, may pay the amount of such duty before service of notice on him under sub section (1) of Section 11 A and inform the central excise officer in writing in terms of sub section (2) of section 11 A, who, on receipt of such information shall not serve any notice in respect of the amount so paid;

b) During the course of verification of our records / returns, by the Audit team from the office of Audit Commissionerate _____, it is observed that there is a short payment / non levy / non - payment of duty / wrong availment of CENVAT credit on account of reasons mentioned as per the Annexure enclosed hereto. We have agreed to the points raised during verification / scrutiny and have paid the said amounts of duty and / or reversed the CENVAT credit of Rs. _____ vide GAR-7 Challan No. _____ / CENVAT Register Entry No. _____ dated _____. We have also discharged the applicable interest liability.

4. In terms of the provisions of Section 11A(2) of the Central Excise Act, 1944, we request that the demand show cause notice may not be issued to us in this case and no penalty may be imposed on us as the above short levy / short payment / non levy / non payment / wrong availment of Cenvat credit are not intentional on our part.

5. We request that the above issues may be treated as closed with this letter since we have complied with the provisions of the Central Excise law. It is hereby confirmed that this amount is paid voluntarily and no appeal will be filed against such payment or we will not claim any refund in future.

Yours faithfully

Date: _____

Place: _____

Signature CEO / Director / Authorised Signatory
(Name & Designation)

M/s _____