

Government of India

भारत सरकार

Ministry of Finance Department of Revenue

वित्त मंत्रालय राजस्व विभाग

OFFICE OF THE ASSISTANT COMMISSIONER OF
CENTRAL TAX, CGST & CX, BISHNUPUR DIVISION

KOLKATA SOUTH COMMISSIONERATE,
CENTRAL GST BHAWAN, 180, SHANTIPALLY, RAJDANGA MAIN ROAD,
R.B. CONNECTOR (5TH FLOOR), KOLKATA- 700107

C.No.V(30)6-CGST/Tech/BPD/KOL-SOUTH/RTI/2017-18 1786-87 Dated: 25.10.2017

To
Shri Ram Ratan Roy
Dy. General Manager
Electrosteel Castings Limited
G.K Tower, 19, Camac Street
Kolkata-700017.

Dear Sir,

Sub: Furnishing of Information under RTI Act, 2005 – reg.

Please refer to your RTI application dated 10/10/2017 which has been forwarded to this office on 17.10.2017 under Section 6(3) of RTI Act, 2005 by the Assistant Commissioner & CPIO, Kolkata South CGST & CX Commissionerate, Kolkata on the above subject.

The desired pointwise information as sought for vide above application is appended below:

Point No.(i):- No such show cause cum demand notice, arising out of the issue mentioned in the original RTI application was raised in the jurisdiction of undersigned CPIO.

Point No.(ii):- Does not arise.

Point No.(iii):- Does not arise.

If you are aggrieved or dissatisfied with the reply, you are at liberty to prefer First Appeal within the stipulated time i.e. 30 (thirty) days from the receipt of this reply before Shri. Debojit Bose, Additional Commissioner & 1st Appellate Authority under RTI Act, 2005, CGST & CX, Kolkata South Commissionerate, GST Bhawan, 180 Rajdanga Main Road, Shantipally, Kolkata-700107.

Yours sincerely,

Shiv Sagar
25/10/2017
(SHIV SAGAR)

CPIO & Assistant Commissioner
CGST & CX, Bishnupur Division,
Kolkata South Commissionerate

C.NO. As above

Dt. 25.10.2017

Copy forwarded to the Assistant/Deputy Commissioner & CPIO, CGST & CX, Kolkata South Commissionerate.

Shiv Sagar
25/10/2017
(SHIV SAGAR)

CPIO & Assistant Commissioner
CGST & CX, Bishnupur Division,
Kolkata South Commissionerate

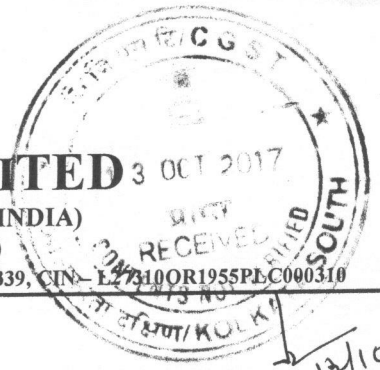
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ELECTROSTEEL CASTINGS LIMITED

G. K. TOWER, 19 CAMAC STREET, KOLKATA- 700 017 (INDIA)

TEL: Board Number 91 - 33 - 22839990, 40090600

Fac: (Directors) 91: 33-22894336, (Sales) 91-33-22894337, (Export) 91-33-22894338, (Finance) 91-33-22894339, CIN- L27310OR1955PLC000310



APPLICATION FOR SEEKING INFORMATION UNDER SECTION 6(1) OF THE RIGHT TO INFORMATION ACT, 2005

To
The Public Information Officer,
CGST & CX KOLKATA SOUTH Commissionerate,
GST BHAWAN ; 180 Shantipally ; Rajdanga Main Road,
KOLKATA - 700 107

Dated: 10.10.2017

S(RTI)

Sir,

Sub : Application for information under the right to Information Act. 2005

I am a citizen of India.

Reference to the applicability / availability of CE duty exemption to assessee under **Notification No. 108/95-CE dated 28.8.1995** & in the back drop of judgment of Hon'ble Tribunal against revenue in the case of Caterpillar India Pvt Ltd -vs- Commissioner of Central Excise [2005(185) ELT 430(T)], then dismissal of Departmental appeal under Judgment dated 20.6.2013 passed by the Hon'ble Madras High Court [2013 (297) ELT 8 (Mad) - Commissioner- vs- Caterpillar India Pvt. Ltd.] ; then even dismissal of Departmental SLP by the Hon'ble Supreme Court [Commissioner-vs- Caterpillar India Pvt. Ltd.- 2016 (335) ELT -A.27(SC)] & finally Government of India , Ministry of Finance, Department of Revenue, Tax Research Unit (TRU)'s issuance of Circular in D.O.F.No.334/8/2016-TRU , **New Delhi, the 29th February, 2016** clarifying that the exemption from excise duty, under notification No.108/95-CE dated 28.08.1995 is **also available** to sub-contractors for manufacture and supply of goods for or on behalf of the main contractor (who has won the contract for the supply of goods to the projects financed by the UN or an international organization and approved by the Government of India) for execution of the said project - **following information be furnished at the earliest convenience please.**

Information required:

On the issue & cause of proposed demand(s) of Department's disputing applicability / availability of CE duty exemption in terms of **Notification No. 108/95-CE dated 28.8.1995** when goods supplied by **assessee in the name of main contractor** (who won the contract for the supply of goods to the projects financed by the UN or an international organization and approved by the Government of India) for execution of the said project - **Please provide following information:-**

Website: www.electrosteel.com

Regd. Office: Rajgangpur, Orissa



PM46346

ELECTROSTEEL CASTINGS LIMITED

G. K. TOWER, 19 CAMAC STREET, KOLKATA- 700 017 (INDIA)

TEL: Board Number 91 - 33 - 22839990. 40090600

Fax: (Directors) 91: 33-22894336, (Sales) 91-33-22894337, (Export) 91-33-22894338, (Finance) 91-33-22894339, CIN - L27310OR1955PLC000310

- (i) Copies of show cause cum demand notice(s) i.e. SCN(s) issued by the Department to your jurisdictional assesses on the above issue.
 - (ii) Copies of Adjudication Order (s) (O/O) / Orders-in-Appeal (O/A) / Order(s) passed by Hon'ble Tribunal related to above such SCNs where Departmental Adjudicating Authority / Commissioner (Appeals) / the Hon'ble Tribunal has **DROPPED** such demands and closed proceedings under the SCN (s).
 - (iii) Status of such Orders-in Original (O/Os) / Orders-in-Appeal (O/A) / Order(s) passed by Hon'ble Tribunal passed in favour of assessee(s) – if already **ACCEPTED** by Department, please provide relevant copy / copies of document / communication of acceptance issued by competent authority.
2. To the best of my knowledge and belief, the above information does not relate to section 8 & 9 of the RTI Act, 2005 which are exempted from disclosure.
 3. Whether the information sought concern the life and liberty of a person? NO.
 4. Whether the information sought concern the life and liberty of a person? NO.
 5. Details of fees paid: Fees of Rs. 10 paid through Indian Postal Order vide No.23F 127794 dated:04.10.2017 as the Application Fee & payment document is attached. .
 6. Required fees for providing certified copies of the information would be paid accordingly on receipt of written communication / direction from your end.

Thanking you.

Yours faithfully,

(RAM RATAN ROY)

Dy.General Manager

Electrosteel Castings Limited

G.K.Tower,19,Camac Street,

Kolkata-700017, Mob: 9903911379, email: rroy@electrosteel.com

Encl : a/a

Website: www.electrosteel.com

Regd. Office: Rajgangpur, Orissa



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