

### Notification No. 64/95-Central Excise

In exercise of the powers conferred by sub-section (1) of section 5A of the Central Excises and Salt Act, 1944 (1 of 1944) read with sub-section (3) of section 3 of the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (58 of 1957), the Central Government, being satisfied that it is necessary in the public interest so to do, hereby exempts, goods specified in column (2) of the Table hereto annexed, and falling under the Schedule to the Central Excise Tariff Act, 1985 (5 of 1986), subject to the conditions, if any, specified in the corresponding entry in column (3) of the said Table, from the whole of -

- (i) the duty of excise leviable thereon which is specified in the said Schedule; and
- (ii) the additional duty of excise leviable under the second mentioned Act on goods specified against S. No. 1,2,3 and 4 of the said Table:

Provided that in respect of S. No. 16 of the said Table, nothing contained in this notification shall apply on or after the 1st day of December, 1999.

Provided further that in respect of S. No. 17 of the said Table, nothing contained in this notification shall apply on or after the 1st day of July, 2002.

**Table**

S.No.	Description of goods	Conditions
(1)	(2)	(3)
1.	All goods	<p>If,-</p> <p>(i) donated for the welfare of the defence personnel;</p> <p>(ii) it is certified on the relevant clearance documents, by the producer or manufacturer, or the owner or keeper of the warehouse in which such goods are deposited, that the goods are intended to be donated for the above purpose without discrimination on the grounds of religion, race or caste or any of them and distributed among or utilised for the welfare of the defence personnel without making any charge therefor;</p> <p>(iii) the goods are sent direct from the place of production, factory of manufacture, or, as the case may be, from the warehouse to the following agencies-</p> <p>(a) the National Defence Fund;</p> <p>(b) Citizens' Central Council;</p> <p>(c) the Ministry of Defence; or</p> <p>(d) the Government of any State or Union Territory or any authority nominated by such Government to receive such donations; and</p> <p>(iv) the producer, manufacturer, owner or keeper of the warehouse produces before the proper Central Excise Officer within two months of the date of removal of the goods from the place of production or</p>

		factory, or, as the case may be, from the warehouse, or within such extended period as the Commissioner of Central Excise may in any case, allow, a certificate from any of the above agencies that the goods have been received by that agency for the purpose for which the donation was made.
2.	All goods	If,- (i) donated to the National Defence Fund or the Ministry of Defence; (ii) it is certified on the relevant clearance documents, by the producer or manufacturer of the goods, or the owner or keeper of the ware-house in which such goods are deposited, that the goods are intended to be donated as above; (iii) the goods are sent direct from the place of production, factory of manufacture, or, as the case maybe, from the warehouse to the National Defence Fund or the Ministry Defence; and (iv) the producer, manufacturer, owner or keeper produces before the proper Central Excise Officer within two months of the date of removal of the goods from the place of production or factory, or, as the case may be, from the warehouse, or within such extended period as the Commissioner may in any case, allow, a certificate from the National Defence Fund or the Ministry of Defence that the goods have been received by them.
3.	All goods other than cigarettes	If supplied as stores for consumption on board a vessel of the Indian Navy or Coast Guard.
4.	Cigarettes falling under heading No. 24.03	If,- (i) supplied as stores for consumption on board a vessel of the Indian Navy or Coast Guard; (ii) the manufacturer follows such procedure as may be specified in this regard by the Commissioner of Central Excise having jurisdiction over his factory; and (iii) the Commanding Officer of the Indian Navy or Coast Guard Ship issues to the officer-in-charge of the bonded warehouse from where the supply of cigarettes has been made, a certificate, within a period of six months from the date of supply of cigarettes onboard the said ship, to the effect that the cigarettes supplied as stores on board the Indian Navy or Coast Guard Ship have been consumed on board the said ship.
5.	All goods	If,- (i) supplied to the Project SKYLARK under the Ministry of Defence; and (ii) before clearance of the goods, a certificate from the Project Director, Project SKYLARK to the effect that such goods are intended for assembly, erection and installation of Naval V.L.F. Transmitting Station (Tamil Nadu) under the said Project SKYLARK, is produced to the proper officer.
6.	Parts of motor vehicles falling under chapter 45,48/68,73, 85,87 or	If,- (i) used in a Central Government Ordnance Factory for the manufacture of vehicles falling under Chapter 87 of the said Schedule; and (ii) such use is elsewhere than in the factory of the production of such parts, the procedure set out in the Central Excise (Removal of

	motor vehicles in completely knocked down or semi knocked down form	Goods at Concessional Rate of Duty for Manufacture of Excisable Goods) Rules, 2001, is followed.
7.	Stainless steel sheets, systems and sub-systems of launch vehicle and stainless steel sheets, systems and sub-systems of satellite Projects	If,- (i) meant for use in a launch vehicle project or a satellite project of the Indian Space Research Organization or the Government of India, Department of Space; and (ii) the manufacturer produces, before the clearances of the said goods, a certificate from an officer not below the rank of an Assistant Scientific Secretary in the Indian Space Research Organization giving the description and quantity of each type of the said goods for which the exemption under this notification is claimed and certifying that the said goods are intended for use in a project mentioned above.
8.	Equipment and stores	If,- (i) used for the systems and sub-systems of the Integrated Guided Missiles to be developed under the Integrated Guided Missiles Development Programme of the Government of India in the Ministry of Defence; (ii) before clearance of the said goods, a certificate from the Chairman or Member Secretary of Programme Management Board or the Director of Management Services, Defence Research and Development Laboratory, in the Ministry of Defence to the effect that the said goods are intended for the aforesaid use, is produced to the proper officer. (iii) * * * * (iv) the aforesaid use is elsewhere than in the factory of production of the said goods, the manufacturer produces within five months from the date of clearance or within such extended period as the [Assistant Commissioner of Central Excise or Deputy Commissioner of Central Excise] may allow in this regard, a certificate from the said Chairman or Member Secretary or as the case may be the said Director, indicating the date of the receipt of the said goods by that organization and certifying that they have been actually put to the aforesaid use.
9.	[Omitted]	[Omitted]
10.	Internal combustion engines and electric storage batteries falling under Chapter 84 or 85	If/- (i) such engines are designed for use as prime movers for transport vehicles and given for that purpose some special shape, size, or quality which would not be essential for any other purpose; (ii) it is proved to the satisfaction of the officer not below the rank of Assistant Commissioner of Central Excise that they are intended to be used as original equipment parts in the manufacture of vehicles falling within Chapter 87 of the said Schedule, manufactured in a Central Government Ordnance Factory; and (iii) such use is elsewhere than in the factory of their production, the procedure set out in the Central Excise (Removal of Goods at Concessional Rate

		of Duty for Manufacture of Excisable Goods) Rules, 2001, is followed.
11.	[Omitted]	[Omitted]
12.	Underwater batteries including cells of such batteries falling under heading No. 85.07	If,- (i) manufactured for use by the Indian Navy; and (ii) the concerned officer of the Indian Navy or the Directorate of Production and Inspection (Naval), not below the rank of Commander, furnishes a certificate, before removal, that the said goods are required for fitment to a submarine vessel including a Torpedo and Chariot of the Indian Navy and shall be so used.
13.	[Omitted]	[Omitted]
14.	Bullet-proof jackets	If,- (i) supplied to the Armed Forces of the Union or to the Police Forces of the States or the Union Territories; and (ii) before the clearance of the said goods, in each case, an officer not below the rank of a Joint Secretary in the Ministry of Defence or in the Ministry of Home Affairs, as the case may be, recommends grant of this exemption indicating the full description and quantity of the said goods to be supplied to the forces mentioned above.
15.	All goods	If manufactured and consumed within the factory of production of the bullet-proof jackets for supply to the Armed Forces of the Union or to the Police Forces of the States or the Union Territories.
16.	All goods	If,- (i) supplied to the Programme SAMYUKTA under the Ministry of Defence; and (ii) before clearances of the goods, a certificate from the Programme Director, Programme SAMYUKTA to the effect that such goods are intended for the said Programme SAMYUKTA, is produced to the proper officer.
17.	All goods	If,- (i) supplied to the Programme SANGRAHA under the Ministry of Defence; and (ii) before clearances of the goods, a certificate from the Programme Director, Programme SANGRAHA, Department of Defence Research and Development, to the effect that such goods are intended for the said Programme SANGRAHA, is produced to the proper officer.
18.	All goods	If,- (i) supplied to the Programme SAMYUKTA under the Ministry of Defence; and  (ii) before clearances of the goods, a certificate from the Programme Director, Programme SAMYUKTA to the effect that such goods are intended for the said Programme SAMYUKTA, is produced to the proper officer.  <i>Explanation.-</i> Nothing contained in this exemption shall have effect on or after the 1st day of December, 2005.

19.	All equipments; stores, systems and sub-systems; design, development or construction aids; computer hardwares and softwares required for design or development or construction or manufacturing activities connected with the programme, including jigs, fixtures and tools required for the programme.	<p>If,-</p> <p>(i) the order or contract or letter of intent is placed on the manufacturer of the said goods by Headquarters ATVP or its authorised work centres; and</p> <p>(ii) before clearance of the said goods, a certificate from the Project Director, ATV Programme (of the rank of a Rear Admiral or equivalent rank of the Joint Secretary to the Government of India), to the effect that the said goods are intended for the said use, is produced to the proper officer."</p>
20.	Pistol 90 mm. Falling under Chapter 93	<p>If, -</p> <p>i. (i) manufactured by M/s. Bharat Dynamics Limited, Hyderabad and supplied to the Police Forces of the States or the Union territories; and</p> <p>ii. (ii) before the clearance of the said goods, an officer not below the rank of a Joint Secretary in the Ministry of Home Affairs, Government of India recommends grant of this exemption indicating the full description and quantity of the said goods to be supplied to the said force.</p>
21.	All goods.	<p>If</p> <p>(a) The said goods are supplied for use in construction of warships of the Indian Navy or Coast Guard; and</p> <p>(b) Before clearance of the said goods, a certificate from an officer not below the rank of a Rear Admiral of the Indian Navy or Coast Guard or Director General of Coast Guard or any other officer of the Indian Navy or Coast Guard equivalent to the Joint Secretary to the Government of India, to the effect that the said goods are intended for the said use, is produced to the proper officer.</p>
22.	All goods	If, -

		<p>(i) supplied to the Programme DIVYA DRISHTI under the Ministry of Defence; and</p> <p>(ii) before clearances of the goods, a certificate from the Director, Defence Electronic Research Laboratory or Chief Managing Director, Electronics Corporation of India Limited, to the effect that such goods are intended for the said Programme DIVYA DRISHTI, is produced to the proper officer.</p>
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*Explanation.* -For the purposes of this notification, the expression, -

(i) "underwater battery" means a lead acid battery consisting of cells connected in series or parallel combination to produce power to submarine vessels including Torpedo and Chariot.

(ii) Armed Forces of the Union includes the Central Reserve Police Force, the Indo Tibetan Border Police Force, the Special Services Bureau, the Border Security Force, the Central Industrial Security Force, the National Security Guard and the Assam Rifles, maintained or constituted under the Central Reserve Police Force Act, 1949 (66 of 1949), the Indo Tibetan Border Police Force Act, 1992 (35 of 1992), the Border Security Force Act, 1968 (47 of 1968), the Central Industrial Security Force Act, 1968 (50 of 1968), the National Security Guard Act, 1986 (47 of 1986) and the Assam Rifles Act, 1941 (5 of 1941).

*Notification No. 64/95-C.E., dated 16-3-1995 as amended by Notifications no. 96/95-C.E., dated 26-5-1995; No. 116/95-C.E., dated 13-11-1995; No. 1/96-C.E., dated 1-1-1996; No. 7/98-C.E., dated 2-6-1998; No. 4/2000-C.E., dated 21-2-2000 No. 11/2000-C.E., dated 1-3-2000, No. 46/2000-C.E., dated 28-8-2000, Notification No. 49/2000-CE., dated 29-9-2000 , No. 46/2001-C.E., dated 25-9-2001, Notification No.25/2002-C.E. dated 11-4-2002, No. 58/2002-C.E., dated 3-12-2002, No. 16/2003-C.E., dated 1-3-2003, No. 51/2003-C.E., dated 12-6-2003, No. 15/2004-C.E., dated 27-2-2004 and No. 18/2004-C.E., dated 23-3-2004.*