

G.S.R. (E). - In exercise of the powers conferred by sub-section (2) of section 3 of the Central Excise Act, 1944 (1 of 1944), the Central Government, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 20/2001-Central Excise(N.T.), dated the 30th April,2001 published in the Gazette of India, Extraordinary, *vide* G.S.R.318 (E), dated the 30th April,2001, namely: -

In the said notification, -

- (i) in the opening paragraph, for the words and figures “at the rate of 60% of the retail sale price”, the words and figures “at the rate of 45% of the retail sale price”; shall be substituted;
- (ii) after the opening paragraph the following shall be inserted, namely:-

‘Provided that where goods bearing the brand name of another person are cleared in the course of sale by a manufacturer to such person and the retail sale price is not affixed on the goods, the transaction value of such goods shall be deemed to be the tariff value.’

Illustration:

If a manufacturer X clears goods bearing a brand name “ABC” to Y, who is the brand name owner on sale basis at the transaction value of ₹ 200/- per garment, duty at the rate of 10% would be chargeable on ₹ 200 /-which is the deemed tariff value’;

Explanation:- For the purposes of this notification the ‘transaction value’ shall have the meaning assigned to it under section 4 of the Central Excise Act, 1944 (1 of 1944).

[F. No. B-1/3/2011 –TRU]

(Sanjeev Kumar Singh)

Under Secretary to the Government of India

Note.- The principal notification No. 20/2001-Central Excise(N.T.), dated the 30th April,2001, published in the Gazette of India, Extraordinary, *vide* number G.S.R.318(E), dated the 30th April,2001 was last amended *vide* notification no.7/2011-Central Excise, (N.T.),dated the 1st March,2011, published *vide* number G.S.R.138(E), dated the 1st March,2011.