Q.No.1 Please indicate the relevant Section/Rule of the Central Excise Act, 1944 and/or Rules made there under which following subjects are governed:-

a. Levy and Collection of duty.
b. MRP based valuation
c. Export under bond
d. Duty paid goods brought back for repairing, reconstructing etc.
e. Appeal filing before CESTAT
f. Definition of factory

Q.No.2 Please indicate whether the following statements are True or False?

a. Circulars are binding upon assesses, adjudicating authority and courts.
b. Commissioner (Appeal) can hear appeal against orders passed by AC/DC & ADC.
c. Separate registration is required for each separate premises, if person has more than one premises.
d. Rule 11(1) of Central Excise Rules permits that excisable goods can be removed from factory only under an invoice.
e. Rule 8(3) applies for any short payment of duty.
f. PLA can be used for payment of duty penalty, fine etc in cash.

Q.No.3 Fill in the blanks

a. __________ charge under sec 3(1)(a) of the CEA, 1944.
b. Assessee is required to submit return for a month to __________ having jurisdiction over his factory within 10 days of the succeeding month.
c. Section 11AC prescribes a __________ equal to the duty not levied or paid or short paid or erroneously refunded by reason of fraud suppression etc.
d. As per Section 11(B) of the act, the time limitation for __________ is fixed at one year from the relevant date.
e. If any person takes CENVAT credit of input or capital goods, wrongly or contravention of Cenvat Credit Rules, all such goods shall be liable for __________.

Q.No.4 Indicate the legal authority for the levy and collection of the following Duties/Taxes/CESS? Also indicate the rate of tax and commodities which are subjected to this levy.

a. Seizure and Confiscation
b. NCCD
c. Levy of interest
d. Levy of Education CESS

Q.No.5 Answer any five parts of this question.

a. What are the conditions of availment of CENVAT credit on common inputs used in manufacture of dutiable and exempted final products?
b. Circumstances under which CENVAT credit on supplementary invoices is not permitted.
c. Differentiate between ‘Statement’ and ‘Panchnama’.
d. Differentiate ‘Material Evidence’ and ‘Circumstantial Evidence’.
e. Define CERA
f. Define CAAP
Q.No.6 Write short note on any three of the followings:
   a. CESTAT
   b. Advance Ruling
   c. Settlement Commission

Q.No.7 Discuss the following:
   b. Recovery of sums due to Government
   c. Exemption notification based on value of clearances.

Q.No.8 A registered Central Excise Unit named M/s ABC (P) Ltd, has filed their ER-1 return for the month of September, 2016, showing their total payable tax liability for the month as Rs.12,00,000 on 06th October 2016. Ongoing through the return, it is noticed that the assessee has only paid an amount of Rs.10,00,000 electronically and no payment has been made through CENVAT credit account. On being pointed out the assessee has made differential short payment of Rs.2,00,000 on 21st October 2016. Calculate the interest payment liability of the assessee at the rate of 18% per annum.

Q.No.9 An assessee M/s ABC (P) Ltd, not eligible to avail exemption under a notification based on value of clearance in financial year, procured the following material during the month of April, 2016:

<table>
<thead>
<tr>
<th>Items of purchase</th>
<th>Duty involved (Rs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Raw material</td>
<td>3,00,000/-</td>
</tr>
<tr>
<td>B Pollution control equipment</td>
<td>2,00,000/-</td>
</tr>
<tr>
<td>C High speed diesel oil</td>
<td>1,00,000/-</td>
</tr>
<tr>
<td>D Furnace oil for generators</td>
<td>50,000/-</td>
</tr>
</tbody>
</table>

Determine the amount of credit available with necessary explanation for treatment of these items for eligibility for availment of CENVAT credit.

Q.No.10 M/s XYZ, a private limited company, established a plant for manufacture of detergent powder within the municipal area of Kanpur for manufacturing of detergent powder of brand "Arial" and started manufacturing and clearance in the month of November, 2012. The owner of the brand 'Arial' is M/s Procter & Gamble.

In the month of February, 2016 the Central Excise Officer searched the premise of M/s XYZ under the authority of search warrant. On enquiry, the M.D. of the Company stated that they were exempted from payment of Central Excise duty being small scale manufacturer. His statement was recorded on the spot on 10.02.2016 under Section 14 of CEA, 1944 in which he admitted that central excise registration has not been taken by them being a SSI unit and eligible for benefit and accordingly no Central Excise duty has been paid. He provided value of clearance of packaged powder as under:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Value of Clearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012-13</td>
<td>60,00,000</td>
</tr>
<tr>
<td>2013-14</td>
<td>1,50,00,000</td>
</tr>
<tr>
<td>2014-15</td>
<td>1,25,00,000</td>
</tr>
<tr>
<td>2015-16</td>
<td>1,75,00,000</td>
</tr>
</tbody>
</table>

During stock verification, the stock of finished goods was found nil. When explained to him, he admitted that he is not eligible for benefit of Notification No.8/2003-CE, dated 01.03.2003 and thus, liable for payment of Central Excise duty.

In the light of above, answer following question:

a. Calculate the Central Excise duty recoverable from the unit?
b. Write the provision of Central Excise Act, 1944 / Rules contravened by the manufacturer?
c. Draft charging paragraph of the SCN to be issued to the party. Mention legal authority for each of the action proposed against the noticee.
d. Assume that the rate of Basic Excise duty during the period was 10%. Education CESS was 1% and Secondary & Higher Education CESS was 2%.