



CERTIFICATE ISSUED BY INDIAN RAILWAYS IS AN ELIGIBLE DOCUMENT FOR CENVAT CREDIT

Service tax on transportation of goods was effectively levied w.e.f. 1st Oct'12(though levied from 1st July'12, but was deferred till 30th Sep'12).

However, abatement of 70% was allowed vide [N/N 26/2012-ST](#), hence effective rate of tax imposed was 3.708%.

Ministry of Railways issued a circular- TCR/1078/2011/2 ,dated 27th Jun'12 to deal with the issues arising out of the aforesaid levy & in para 4(xi) of the same, it was stated that on written request from customers, a consolidated certificate for each customer shall be issued by the authorised officer of Indian Railways(CCM/Dy. CAO) on monthly basis giving following details date-wise & rake-wise:

- o Service Tax;
- o Education Cess;
- o Higher Education Cess; and
- o Total Service Tax

It further stated that the said certificate can be used by the customers for taking CENVAT. However, no corresponding amendment was made by Ministry of Finance in rule 9 of CENVAT Credit rules, 2004, which deals with the list of eligible documents for availment of CENVAT.●

Now, vide N/N 26/2014-C.E.(N.T.), rule 9 of CENVAT Credit Rules, 2004 has been amended● & clause (fa) has been inserted therein to include following certificate as an eligible document for the purpose of availing CENVAT:



“a Service Tax Certificate for Transportation of goods by Rail (herein after referred to as STTG Certificate) issued by the Indian Railways, along with the photocopies of the railway receipts mentioned in the STTG certificate”.

Henceforth, the eligibility stated vide circular issued by Ministry of Railways has finally been brought at par with CENVAT credit rules.

Notification No. 26/2014 – Central Excise (N.T.), dated 27-Aug-2014
[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION (i)]
GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 26/2014 – Central Excise (N.T.) New Delhi, the 27th August, 2014

G.S.R. (E). – In exercise of the powers conferred by section 37 of the Central Excise Act, 1944 (1 of 1944) and section 94 of the Finance Act, 1994 (32 of 1994), the Central Government hereby makes the following rules further to amend the CENVAT Credit Rules, 2004, namely : –

1. (1) These rules may be called the CENVAT Credit (Eighth Amendment) Rules, 2014.
- (2) They shall come into force from the date of their publication in the Official Gazette.
2. In the CENVAT Credit Rules, 2004, in rule 9, in sub-rule (1), after clause (f), the following clause shall be inserted, namely:-

“(fa) a Service Tax Certificate for Transportation of goods by Rail (herein after referred to as STTG Certificate) issued by the Indian Railways, along with the photocopies of the railway receipts mentioned in the STTG certificate; or”

[F. No. 267/87/2013-CX.8]

(Pankaj Jain)

Under Secretary to the Government of India

Note.- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 10th September, 2004, vide Notification No. 23/2004 –Central Excise (N.T.) dated the 10th September, 2004, vide number G.S.R. 600(E), dated the 10th September, 2004 and last amended vide Notification No. 25/2014 - Central Excise (N.T.) dated the 25th August, 2014 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 615 (E), dated the 25th August, 2014.