

<i>Proviso to section 11</i>	If a person transfers his business or trade or disposes of his business to a third person, any duty or any other sum due from predecessor can be recovered from successor in trade or business, by attaching all goods, materials, preparations, plants, machineries, vessels, utensils, implements and articles which was transferred to the successor.
11A(1)	Central Excise Officer can, within one year from relevant date, serve show cause notice on person chargeable to duty, if – (a) duty of excise has not been levied or paid or (b) short levied or paid or (c) erroneously refunded. The show cause notice should ask the person why he should not pay the amount specified in the notice.
<i>Proviso to section 11A (1).</i>	In case of fraud, collusion, wilful mis-statement and suppression of facts, or contravention of any provision of Central Excise Act or rules with intent to evade payment of duty, demand for duty can be raised within 5 years
11A(1A)	Where notice has been served on assessee under proviso to section 11A (1) of Central Excise Act (CEA), for short payment or non-payment of duty on account of fraud, collusion or wilful misstatement or suppression, the person to whom notice is service can pay full duty or in part as accepted to him within 30 days. In addition, he should pay interest payable under section 11AB of Central Excise Act and penalty equal to 25% of excise duty specified in the notice or 25% of duty as acceptable to him. In such cases, other persons to whom notices have been sent shall be deemed to be concluded, as per <i>proviso</i> to section 11A (2) of Central Excise Act.
11A(2)	After considering representation of the person on whom notice is served, the central excise officer will determine the duty payable and then the person shall pay the duty so determined
11A(2B)	If assessee pays duty due on his own, the officer shall not issue any show cause notice. However, if the officer is of the opinion that there is short payment in respect of the amount, he can issue notice for payment of balance amount. In such case, the time limit for issue of show cause notice will be counted from the receipt of information of payment. Further, the provision does not apply if the short payment or non-payment or erroneous refund was due to collusion, wilful mis-statement or suppression of facts.