



केन्द्रीय शुल्क, केन्द्रीय उत्पाद शुल्क व सेवा कर के आयुक्त का कार्यालय  
OFFICE OF THE COMMISSIONER OF CENTRAL TAX, CENTRAL EXCISE AND SERVICE TAX

मेडचल आयुक्तलाय, बशीरबाग, हैदराबाद - 500 004

MEDCHAL COMMISSIONERATE, BASHEERBAGH:: HYDERABAD 500 004

C.No:IV/16/37/2017-Tech

Date: 07.08.2017

**Trade Facility No. 11/2017-GST**

Sub: -Leviability of duty of excise w.r.t. items covered under Medicinal and Toilet Preparation (Excise Duties) Act, 1955 consequent on roll out of Goods and Service Tax - Reg.

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Representations have been received seeking clarification on leviability of duty of excise on items covered under Medicinal and Toilet Preparation (Excise Duties) Act, 1955 consequent on roll out of Goods and Service Tax.

2. In this connection, to bring clarity on the issue, the information is provided in question & answers format for information, guidance and necessary action :-

Q.1 Whether the goods under M&TP Licence are allowed for dispatches by remitting State Excise Duty or under GST.?

Ans. With effect from 1st July, 2017 only GST is leviable on medicinal and toilet preparations containing alcohol and narcotic. The erstwhile Medicinal and Toilet Preparations (Excise Duties) Act, 1955 has been repealed with effect from 01.07.2017 by section 174 of the CGST Act, 2017 and therefore the erstwhile excise duties ( levied by the centre but collected by the states) are no longer leviable on the said goods.

Q.2 Who is the competent authorities to control the dispatches of finished goods (State Excise Authorities or GST Authority)?

Ans. As already mentioned, the provisions of GST Law (CGST Act, SGST Act or IGST Act, as the case may be) will apply with effect from 1st July, 2017. The documentation required for removal and transportation of goods is laid down in the GST Acts read with the Rules made thereunder.

Q.3 Who is the competent authority to monitor the receipt and issue of the spirit (State Excise Authorities or GST Authority)?

Ans. As the Medical and Toilet Preparations (Excise Duties) Act, 1955 has been repealed, it stands to reason that the rules made thereunder, viz. the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956 have also ceased to exist. Therefore, the regulations/restrictions on the receipt and issue of spirit, if any, as were prevalent under the said repealed Act/Rules, will no longer operate.

3. All the Trade associations are requested to bring the contents of the Trade Facility to all concerned.

  
7/8/17.  
(M.SRINIVAS)  
COMMISSIONER

Copy Submitted to:

The Chief Commissioner of Customs, Central Tax, Hyderabad Zone.

Copy to:

1. The Federation of Telangana & Andhra Pradesh Chamber of Commerce and Industry, Federation House, 11-6-841, Red Hills, Hyderabad-500 004.
2. The Deputy/Assistant Commissioner, Medchal, Malkajgiri, Jeedimetla, Kukatpally, Sangareddy, Karimnagar, Nizamabad, Mancherial Divisions.
3. Superintendent (Computers) for uploading on official website <http://cexhyd1.nic.in/>
4. As per Distribution list

  
10/8/17  
LEO