

Central Excise Series No. 90

FORMNO.E.A.-3

[See Rule 216(1)]

Form of Appeal to Appellate Tribunal under Section 35B of the Central Excise Act, 1944]

In the Customs, Excise and Gold (Control) Appellate Tribunal Appeal

No.....of.....19.....

.....Appellant

Vs.

.....Respondent

- (1) The designation and address of the authority passing the order appealed against.
- (2) The number and date of the order appealed against.
- (3) Date of communication of a copy of the order appealed against.
- (4) State/Union territory and the Commissionerate in which the order/decision of assessment/penalty/fine was made.
- (5) Designation and address of the adjudicating authority in cases where the order appealed against is an order of the [Commissioner] (Appeals).
- (6) Address to which the notices may be sent to the appellant.
- (7) Address to which the notices may be sent to the respondent.
- (8) Whether the decision or order appealed against involves any question having a relation to the rate of duty of excise or to the value of goods for purposes of assessment; if not, difference in duty or duty involved, or amount of fine or penalty involved or value of goods involved, as the case may be.
- [(8A)(i) Description and classification of goods
- (ii) Period of dispute
- (iii) Amount of duty, if any, demanded for the period mentioned in item(ii)
- (iv) Amount of refund, if any, claimed for the period mentioned in item (ii)
- (v) Amount of fine imposed
- (vi) Amount of penalty imposed
- (vii) Market value of seized goods.]
- (9) Whether duty or penalty is deposited; if not, whether any application for dispensing with such deposit has been made. (A copy of the challan under which the deposit is made shall be furnished).
- [(9A) Whether the appellant wishes to be heard in person?]
- (10) Reliefs claimed in appeal.

Statement of facts Grounds of appeal

- (i)
- (ii)
- (iii)
- (iv) etc.

*Signature of the authorised representative, if any.
appellant.*

Signature of the

Verification

I..... the appellant do hereby declare that what is stated above is true to the best of my information and belief.

Verified today, the.....day of.....19.....

*Signature of the authorised representative, if any.
appellant.*

Signature of the

NOTES: (1) The grounds of appeal and the form of verification shall, if the appeal is made by any person, other than the [Commissioner] of Central Excise, be signed by the appellant in accordance with Rule 213 of Central Excise Rules.

- (2) The appeal including the statement of facts and the grounds of appeal shall be filed in quadruplicate and shall be accompanied by an equal number of copies of the order appealed against (one of which at least shall be a certified copy).
- (3) The form of appeal shall be in English (or Hindi) and should set forth, concisely and under distinct heads, the grounds of appeal without any argument or narrative and such grounds should be numbered consecutively.
- (4) The fee of Rs. 200/- required to be paid under the provisions of the Act shall be paid through a crossed bank draft drawn in favour of the Assistant Registrar of the Bench of the Tribunal on a branch of any nationalised bank located at the place where the Bench is situated and the demand draft shall be attached to the form of appeal.