

Central Excise Series No. 92

FORMNO.E.A.-5

[See Rule 217]

Form of Application to Appellate Tribunal under Section 35E(1) of the Central Excise Act, 1944]

In the Customs/ Excise and Gold (Control) Appellate Tribunal Appeal No..... of.....
.....Applicant

Vs

.....Respondent

- (1) Designation and address of the applicant (If the applicant is not the adjudicating authority, a copy of the authorisation from the [Commissioner of Central Excise to make the application should be enclosed).
- (2) Name and address of the respondent.
- (3) Designation and address of the officer passing the decision or order in respect of which this application is being made and the date of the decision or order.
- (4) State/Union Territory and the Commissionerate in which the decision or order was made.
- (5) Date on which order under sub-section (1) of Section 35E of the [Central Excise Act, 1944] has been passed by the Board.
- (6) Date of communication of the order referred to in (3) above to the adjudicating authority.
- (7) Whether the decision or order appealed against involves any question having a relation to the rate of duty or 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.
- [(7A) (i) Description and classification of goods
- (ii) Period of dispute
- (iii) Amount of duty, if any, demanded for the period mentioned in column (ii)
- (iv) Amount of refund, if any, claimed for the period mentioned in column (ii)
- (v) Amount of fine imposed
- (vi) Amount of penalty imposed.
- (vii) Market value of seized goods.
- (8) Reliefs claimed in the application.

**Statement of facts
Grounds of application**

Signature of applicant.

Notes: The form of application including the statement of facts and grounds of application shall be filed in the quadruplicate and shall be accompanied by equal number of copies of the decision or order passed by the Commissioner of Central Excise (one of which at least shall be a certified copy) and a copy of the order passed by the Board under sub-section (1) of Section 35E.