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**Finance Act 2008**

**Section 84 - Amendment of Section 35e**

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In section 35E of the Central Excise Act,--

(i) in sub-section (1), the following proviso shall be inserted at the end, namely:--

Provided that where the Committee of Chief Commissioners of Central Excise differs in its opinion as to the legality or propriety of the decision or order of the Commissioner of Central Excise, it shall state the point or points on which it differs and make a reference to the Board which, after considering the facts of the decision or order, if is of the opinion that the decision or order passed by the Commissioner of Central Excise is not legal or proper, may, by order, direct such Commissioner or any other Commissioner to apply to the Appellate Tribunal for the determination of such points arising out of the decision or order, as may be specified in its order.;

(ii) for sub-section (3), the following sub-section shall be substituted, namely:--

(3) Every order under sub-section (1) or sub-section (2), as the case may be, shall be made within a period of three months from the date of communication of the decision or order of the adjudicating authority..

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