

Salt Cess Rules, 1964

Notification.- S.O. 2167- In exercise of the powers, conferred by Section 6 of the Salt Cess Act, 1953 (49 of 1953), and in supersession of the Salt Cess Act, 1953 the Central Govt. hereby makes the following rules, namely:-

New Delhi the 6th June, 1964

1. Short title.- These rules may be called the Salt Cess Rules, 1964

2. Definitions.- In these rules, unless the context otherwise requires,

(a). "Act" means the Salt Cess Act, 1953 (49 of 1953)

(b). "Agent" means any person who is recognized by the Salt Officer as the person expressly or impliedly authorised by the salt manufacturer to be his agent in respect of his salt factory or of the salt manufactured in his factory.

(c). "Cess" means of the cess levied and collected under section 3 of the act;

(d). "Cooperative Society" means, a Co-operative Society registered under the Cooperative Societies Act, 1912 (2 of 1912) or under any law for the time being in force);

(e). "Form" means a form appended to these rules;

(f). "License" means a license issued under the rule 103 of the Central Excise Rules, 1944 and a "licensee" means a person or group of persons holding individually or jointly, a license;

(g). "Salt Officer" means an officer of the Salt Department not below the rank of an Inspector having jurisdiction over the land or premises where salt is manufactured;

(h). "Salt Works" means an any defined area within a salt factory which used for the manufacture of salt and which is separately registered as such in public accounts;

3. Cess when and by whom payable.- The cess shall be paid by the manufacturer in advance subject to the provisions contained in Rule 5.

4. Manner of payment of Cess.- All payments on account of cess shall be made by way of demand draft issued by a scheduled bank, payable in favour of designated officer of the Salt Department or paid through challan to the

credit of "038-Union Excise Duties- Salt" directly in designated banks in advance, every fortnight.

5. Removal of salt from factory.- Save as otherwise provided no salt shall be removed from any salt factory, whether for the consumption or for manufacture of any other commodity, unless the cess due thereon has been paid in advance.

'Provided that a manufacturer shall maintain a Personal Ledger Account (PLA) in Form-G and debit day-to-day cess charges on the consignments removed and shall furnish a monthly cess account in Form-H along with extract copy of the Personal Ledger Account, Invoices and Bills to the Salt Officer.

Provided further that the said manufacturer may open an "Account current" with the Salt Officer and keep in such account, at all times, an amount sufficient in the opinion of the Commissioner to cover the amount of cess leviable on salt intended to be removed from the place of manufacture or storage during a period of fifteen days; the account current being settled by the Salt Officer at intervals not exceeding one month;

Provided also that the Salt Officer shall scrutinize the monthly cess account in respect of the said manufacturer and make necessary entries in his record';

6. Omitted

7. Omitted

8. Salt once removed not to be brought back.- No. Salt which has been removed from a salt factory in accordance with these rules shall be brought back into it without proper intimation to the Salt Officer.

9. Exemption from payment of cess.- In the following cases, salt shall be exempt from payment of cess to the extent specified against each.

(a) Salt exported by sea from India.....the whole.

(b) Salt manufactured by any person or group of persons in a salt work, the area of which does not exceed 4.04686 Hectare..... the whole.

(c) Salt manufactured in a Salt Work by a cooperative society the area held by each individual member thereof being 4.04686 Hectares or less..... the whole.

(d) Salt manufactured in a salt work the area of which exceeds 4.04686, but does not exceed 40.4686..... one half.

(e) Salt manufactured in a salt work by a cooperative society the area held by each individual member thereof being more than 4.04686 Hectare not more than 40.4686 Hectares..... one half.

(f) Salt despatched from India to Nepal through the agencies of the State Trading Corporation of India Ltd., New Delhi and Salt Trading Corporation Ltd., Kathmandu, Nepal..... the whole.

10. Storage of Salt.- Every manufacturer shall keep all salt in the salt factory heaped or stacked in an orderly manner so as to facilitate the estimation of quantity.

11. Maintenance of stock account.- Every manufacturer shall-

(a) maintain true and correct account of the stock of salt in the factory in such form and in such manner as may be specified by the Commissioner; and

(b) When so required by the Salt Officer, permit inspection of the account of produce it for his inspection.

12. Omitted

13. Submission of returns.- Every manufacturer shall submit to the Salt Officer on or before the tenth of every month a return in form 'E' of all stocks of salt manufactured in and issued from the Salt Factory during the previous month.

14. Recovery of cess short levied.- Where through inadvertance error or misconstruction of the part of the Salt Officer, or through any mis-statement as to the quantity of description of such salt on the part of manufacturer or his agent or for any other reason cess, has been short levied or corroneously refunded the persons chargeable with the Cess so short levied or the person to whom such refund has been erroneously made, shall on written demand made by the Salt Officer within three months from the date on which the cess was short-levied or refunded, pay the deficiency or repay the amount refunded.

15. Refund of cess.- No cess which has been paid and of which a refund, in whole or in part, is claimed in consequence of the same having been paid through inadvertance, error or misconstruction shall be refunded, unless a

written claim is made with Salt Officer within three months from the date of the payment or adjustment, as the case may be.

16. Expenditure from cess.- All expenditure of a capital nature shall be debited to the Head "40 Capital. Out-lay on Industrial Development Salt." All other expenditure shall be debited to the various sub-heads and detailed heads prescribed under the Head "35-Industries-Salt."

17. Cost of collection of cess.- The Commissioner shall work out at the close of each financial year the expenditure on the collection of cess in respect of all salt factories and the amount so worked out shall with the approval of the Central Govt. be treated as the cost of collection of the cess.

18. Proforma account.- (1) After the close of each financial year the Commissioner shall compile in form 'F' a proforma account outside the Govt. account showing the receipts into and the expenditure from the cess account during the year and the balance remaining at that end of the year.

(2) The proforma account shall be audited by the Pay & Accounts Officer(Salt) or any other Officer duly authorized by him in this behalf.

(3) A copy of the proforma account duly audited and certified by the Pay & Accounts Officer(Salt) or such officer shall be forwarded to the Central Govt. on or before the end of January following the financial year to which the accounts relates.

(4) The account shall also be incorporated in the annual Administration Report of the Salt Organisation.