

Section	Subsection	Clause	Amendments of The Federal Excise Act, 2005
2	16	(b)	<b>Manufacture includes:-</b> any process of re-manufacture, remaking, reconditioning or repair and the processes of packing or repacking such product, and, in relation to tobacco, includes the preparation of cigarettes, cigars, cheroots, biris, cigarette and pipe or hookah tobacco, chewing tobacco or snuff, <b>snuff or preparation of unmanufactured tobacco by drying, cutting and thrashing of raw tobacco,</b> and the word "manufacturer" shall be construed accordingly and shall include,—
3A			<b>Special Excise duty</b> <del>(1) The Federal Government may, by notification in the official Gazette, levy and collect, subject to such conditions, limitations or restrictions as it may deem fit to impose, special excise duty on any,—</del>  <del>(a) goods produced or manufactured in Pakistan; and at the rate of one — percent of the value of such goods.</del>  <del>(2) Special duty levied under sub-section (1) shall be in addition to any duty levied under section 3.</del>
8			<b>Default surcharge.-</b> If a person does not pay the duty due or any part thereof within the prescribed time or receives a refund of duty or drawback or makes an adjustment which is not admissible to him, he shall, in addition to the duty due, pay default surcharge at the rate of “KIBOR plus three per cent <b>per annum,</b> ” of the duty due, refund of duty or drawback.
14			<b>Recovery of unpaid duty or of erroneously refunded duty or arrears of duty, etc.—</b>
	1		Where any person has not levied or paid any duty or has short levied or short paid such duty or where any amount of duty has been refunded erroneously, such person shall be serviced with notice requiring him to show cause for payment of such duty provided that such notice shall be issued within <del>three</del> <b>five</b> years from the relevant date.
	2		The Federal Excise Officer, empowered in this behalf, shall after considering the objections of the person served with a notice to show cause under sub-section (1), determine the amount of duty payable by him and such person shall pay the amount so determined along with default surcharge and penalty as specified by such officer under the provisions of this Act.  <b>Provided that an order under this section shall be made within one hundred and twenty days of issuance of show cause notice or within such extended period as the Commissioner may, for reasons to be recorded in writing, fix, provided that such extended period shall in no case exceed sixty days:</b>

			Provided further that any period during which the proceedings are adjourned on account of a stay order or Alternative Dispute Resolution proceedings or the time taken through adjournment by the petitioner not exceeding thirty days shall be excluded from the computation of the periods specified in the first proviso.”;
26			<b>Power to seize.-</b>
	1		The counterfeited cigarettes or beverages or cigarettes or beverages which have been manufactured unlawfully or on which duty has not been paid as required under this Act and rules made there under, shall be liable to seizure besides the conveyance which has been used for the movement, carriage or transportation of such cigarettes or beverages.
27			<b>Confiscation of cigarettes.-</b>
	(1),(2) and (3)		in the marginal note, after the word “cigarettes”, the words “or beverages” shall be inserted; and  in sub-sections (1), (2) and (3), after the word “cigarettes”, wherever occurring the words “or beverages” shall be inserted;
29			<b>Appointment of Federal excise officers and delegation of powers.—</b>
	2	a	in section 29, in sub-section (2) in clause (a), for the acronym “CBR”, the words “Inland Revenue” shall be substituted;
34			<b>Appeals to the Appellate Tribunal and Reference to High Court.—</b>
			in section 34, in the marginal note, the words “and Reference to High Court” shall be omitted;
38			<b>Alternative dispute resolution.—</b>
	4		The Board may, on the recommendation of the Committee, pass such order, as it may deem appropriate, within forty-five days of the receipt thereof.
<b>First Schedule – Table I (Excisable goods)</b>			

S.No	Description of goods	Heading/sub-heading Number	Rate of duty
Col.(1)	Col. (2)	Col.(3)	Col.(4)
4	Aerated water	2201.1020	<del>Twelve</del> Six per cent of retail price
5	Aerated water containing added sugar or other sweetening matter or flavored	2202.1010	<del>Twelve</del> Six per cent of retail price
6	Aerated waters if manufactured wholly from juices or pulp of indigenous vegetables, food grains or fruits and which do not contain any other ingredient, indigenous or imported, other than sugar, coloring materials, preservatives or additives in quantities prescribed under the West Pakistan Pure Food Rules, 1965.	Respective headings	<del>Ten</del> Six per cent of retail price.
7	Un-manufactured tobacco	24.01	<del>Five</del> Ten rupee per kilogram

9	<del>Locally produced cigarettes if their retail price exceeds 2 [nineteen rupees and fifty paisa] per ten cigarettes.</del>  Locally produced cigarettes if their retail price exceeds twenty one rupees per ten cigarettes.	24.02	<del>Sixty Four</del> Sixty Five per cent of the retail price.
10	<del>Locally produced cigarettes if their retail price exceeds 4 [Ten rupees] per ten cigarettes but does not exceed nineteen rupees and fifty paisa per ten cigarettes.</del>  Locally produced cigarettes if their retail price exceeds eleven rupees and fifty paisa per ten cigarettes but does not exceed twenty one rupees per ten cigarettes.	24.02  24.02	<del>Four rupees and seventy Five paisas per ten cigarettes plus 5seventy per cent per incremental rupee or part thereof.</del>  Six rupees and four paisa per ten cigarettes plus seventy per cent per incremental rupee or part thereof
11	<del>Locally produced cigarettes if their retail price does not exceed 6 [Ten rupees] per ten cigarettes</del>  Locally produced cigarettes if their retail price does not exceed eleven rupees and fifty paisa per ten cigarettes.	24.02  24.02	<del>Four rupees and seventy five paisas per ten cigarettes.</del> Six rupees and four paisa per ten cigarettes”;
13	Who remains engaged on and after the 10th June, 1994, either directly or through any other arrangement, in the manufacture of any brand of cigarette in non-tariff areas.	25.23	<del>Seven</del> Five hundred rupees per metric ton.
17	<del>Solvent oil (non-composite)</del>	<del>2710.1150</del>	<del>Thirteen rupee per liter.</del>
18	<del>Others</del>	<del>2710.1190</del>	<del>Eighty eight pasa per liter</del>
21	<del>Other fuel oils</del>	<del>2710.1949</del>	<del>Rs. 185 / M.tone</del>
26	<del>Meneral greases</del>	<del>1710.1992</del>	<del>Rs. 25/kg</del>
28	<del>Transformer oil</del>	<del>2710.1997</del>	<del>Ten percent of the retail price or seven rupees and fifteen paisa per liter, which ever is higher.</del>
29	<del>Other mineral oil excluding sewing machine oil</del>	<del>2710.1990</del>	<del>15% ad Val.</del>
30	<del>Wast oil</del>	<del>2710.9100 And 2710.9900</del>	<del>Ten per cent of the retail price or seven rupees and fifteen paisa per liter whichever is higher.</del>
39	<del>Carbon black oil (carbon black feedstock) Including residue carbon oil</del>	<del>2707.9910; 2713.9010 and 2713.9020</del>	<del>Seven rupees and Fifteen paisa per liter.</del>
40	<del>Methyl tertiary butyl ether (MBTE)</del>	<del>2909.1910</del>	<del>Eighty Eight paisa per liter.</del>

46	<del>Greases</del>	<del>3403.1910</del>	<del>Twenty five rupees per kilogram</del>
47	<del>Organic composite solvents and thinners not elsewhere specified or included; prepared paint or varnish removers. (i) Solvent oil (composite) (ii) Other (excluding thinners)</del>	<del>3814.000</del>	<del>Thirteen rupee per liter. Ten per cent of retail price.</del>
48	<del>Viscose staple fiber</del>	<del>Respective heading</del>	<del>10% ad Val.</del>
49	<del>Motor cars and other ; motor vehicles principally designed for the transport of persons (other than those of heading 87.02), including station wagons and racing cars of cylinder capacity exceeding 850cc.</del>	<del>87.03</del>	<del>5% ad Val.</del>
51			<del>OMITTED</del>
52			<del>OMITTED</del>
50			<del>One rupee per filter rod Twenty per cent ad val.</del>
53	White Crystalline Sugar	1701.9910 and 1710.9920	Eight per cent ad val.”and
	Restriction.—For the purpose of levy, collection and payment of duty at the rates specified in column (4) against serial numbers 9, 10 and 11, no cigarette manufacturer shall reduce price from the level adopted on the day of the announcement of the Budget 2010-11. 2011-12”;		

**First Schedule – Table II (Excisable services)**

S.No	Description of goods	Heading/sub-heading Number	Rate of duty
12	Services provided by property developers or promoters for:-  (a) development of purchased or leased land for conversion into residential or commercial plots. (b) Construction of residential of residential or commercial units.	9814.3000	Rs. 100 per square yard.  Rs. 50 per square foot of covered area.

**Second Schedule –  
(Goods on which duty is collectable under sales tax mode with entitlement for adjustment with sales tax  
and vice versa [section 7])**

S.No	Description of goods	Heading/sub-heading Number Rate of duty
3	White Crystalline Sugar	170.9910 1710.9920