IN THE CUSTOMS, EXCISE & SERVICE TAX
APPELLATE TRIBUNAL
SOUTH ZONAL BENCH AT CHENNAI

E/459/2009

(Arising out of Order-in-Appeal No. 136/2008 (MII) dated 04.05.2009 passed by the Commissioner of Central Excise (Appeals), Chennai).

M/s. Sundaram Fasteners Ltd. : Appellant

Vs.

CCE, Chennai-II : Respondent

Appearance

Shri M. Kannan, Advocate
for the Appellant

Shri A. Cletus, ADC (AR)
for the Respondent.

CORAM :

Hon'ble Ms. Sulekha Beevi, Member (Judicial)
Hon'ble Shri Madhu Mohan Damodhar, Member (Technical)

Date of Hearing/Decision: **09.04.2018**

FINAL ORDER No**.** **41066 /2018**

Per Bench

The dispute in this appeal concerns eligibility or otherwise of certain input credits availed by the appellant for the following services:-

i) Premium for Baggage Cover Policy

ii) Premium for Aircraft Policy

iii) Pilot loss of License Policy

iv) Car Insurance Policy

v) Executive Club Expenses

vi) Out station Travel Services

vii) Out station Boarding & Lodging

viii) Foreign Travel Service

ix) Hotel services for Executives

The period of dispute is from December 2005 to October 2006.

2. Today when the matter came up for hearing, Ld. Advocate, Shri M. Kannan submits that the appellant is not contesting the availment of input credit in respect of the following services:-

i) Premium for Baggage Cover Policy

ii) Premium for Aircraft Policy

iii) Pilot loss of License Policy

iv) Executive Club Expenses

v) Hotel services for Executives

He however, contends that the remaining services are very much eligible input services for the purposes of Rule 2 (l) of the Cenvat Credit Rules 2004, as it stood during the period of dispute.

3. On the other hand, Ld. AR supports the impugned order.

4. Heard both sides.

5. The only contumacious areas of issues are Car Insurance Policy (Rs.7,691/-), Out station travel services (Rs. 86,193/-),

Out station Boarding & Lodging (R.s 3,167/-) and Foreign Travel Service (Rs. 1,00,543). There are a gamut to Tribunal decisions which have consistently held eligibility of these services as eligible input services for the purpose of availing credit under Rule 2 (l) ibid. Therefore, we find in favour of the appellant. Appeal is allowed to the extent in respect of credit availed against these four input services.

(Order dictated and pronounced in the open Court)

(MADHU MOHAN DAMODHAR) MEMBER (TECHNICAL)	(SULEKHA BEEVI C.S.) MEMBER (JUDICIAL)

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