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

Appeal No.ST/92/2006

[Arising out of Order-in-Appeal No.93/2005-ST dt. 11.11.2005 passed by the Commissioner of Central Excise (Appeals), Coimbatore]

Commissioner of Central Excise,
Coimbatore — Appellant

Versus

Sakthi Finance Ltd. — Respondent

Appearance:

Shri S. Govindarajan, AC (AR)
For the Appellant

Shri Raghavan Ramabhadran, Advocate
For the Respondent

CORAM :

Hon'ble Shri D.N. Panda, Judicial Member
Hon'ble Shri Madhu Mohan Damodhar, Technical Member

Date of hearing / decision : 13.03.2017

FINAL ORDER No. 40489/2017

Per D.N. Panda

Show cause notice does not show what is the service intended to be taxed.

2. Ld. D.R says that Revenue intended to tax 'refinancing service charges' received by the respondent under section 65 (105) (zm) of the Finance Act,1994 read with the definition of "Banking and Other Financial

Customs, Excise & Service Tax Appellate Tribunal

Services" provided by Section 65 (12) thereof. In absence of any foundation in the SCN, it is very difficult to agree with the Revenue to levy tax arbitrarily. Accordingly Revenue's appeal is dismissed.

(Dictated and pronounced in open court)

16.03.2017

15/3/2017

(Madhu Mohan Damodhar)
Technical Member

(D.N. Panda)
Judicial Member

gs

Customs, Excise & Service Tax Appellate Tribunal

प्रमाणित प्रति / Certified True Copy

27/3

सहायक पंजीकार / Asst. Registrar
सीमाशुल्क उत्पादशुल्क एवं सेवा कर
अपील अधिकरण / (CESTAT)
चेन्नै / Chennai