GRAM : CEGCANAL REGISTERED/A.D

THE CUSTOMS, EXCISE & GOLD (CONTROL) APPELLATE TRIBUNAL,

West Block No. 2, R.K. Puram, New Delhi - 110066.

BENCH - NB(SM)

Appeal No. E/1218/2000/NB(SM) Dated : 15/2/2001.

CEGAT
NEW DELHI
To,

M/s JCT Ltd
(Steel Division)
Vill & PO Chohal
Distt - Hoshiarpur (Punjab)

In the matter of :

M/s JCT Limited Appellant

vs.

CCE Chandigarh - II Respondent

I am directed to transmit herewith a certified copy of Final Order No. A/251/01/NB(SM) Dated : 7/2/2001. passed by the Tribunal under Section 35-C(1) of Central Excise & Salt Act, 1944/Section 129 (B) of the Customs, Act, 1962.

Asstt. Registrar
NB(SM)

Copy to :

1. CCE Chandigarh - II
2. CCE / CC / (Appeal)
3. Chief Commissioner of Central Excise / Customs.
4. Adv. / ~~Consult.~~ Sh Jitender Singh, Adv
   D-9, Jangpura Extn.
   New Delhi - 14
5. S.D.R - NB(SM)
6. JCDR
7. Bar Association, CEGAT, New Delhi
8. Library, CEGAT, New Delhi
9. Director (Review), C.B.E.C. North Block, New Delhi
10. Guard File.
11. M/s Deeparchic Publications, M-93, Marg-46, Saket, New Delhi.
12. M/s Centax Publications (P) Ltd., 1512-E, Bhishm Pitamah Marg, opp. Sachdeva P.T. College of Defence Colony, New Delhi-110003
13. M/s Lex Site Com. Ltd., Mumbai
14. Office Copy
15. Com-Cus

Asstt. Registrar NB(SM)

CUSTOMS EXCISE AND GOLD (CONTROL) APPELLATE TRIBUNAL, NEW DELHI

E/Appeal No. 1218/2000-NB (SM)

(Arising out of Order-in-Appeal No. 322/CE/CHD/99 dated 3.3.1999 passed by the Commissioner of Central Excise, (Appeals), Chandigarh.)

M/s. JCT Limited — Appellants,
Reptd. by Sh. Jitender Singh, Advocate

Versus

CCE, Chandigarh-II — Respondent,
Reptd. by Sh. Pushkarna, JDR

FINAL ORDER NO. A/251/01/NB C(S/M) DATED 23.1.2001

Per V.K. Agrawal:

The issue involved in this appeal filed by M/s. JCT Ltd. is whether Lead Ash and Residue obtained in the process of galvanised steel wires can be removed under the provisions of Rule 57F(3) of the Central Excise Rules.

2. Shri Jitender Singh, learned Advocate, submitted that Commissioner (Appeals) while rejecting their appeal has only relied upon the earlier Order-in-Appeal No. 35/CE/CHD/96 dated 30-1-96 in their own case; that the Appellate Tribunal vide Final Order No. 1793/2000-B dated 16.10.2000 has remanded the matter to the Asstt. Commissioner for afresh decision in the light of the ratio of the law laid down by the Larger Bench of the Tribunal in Wyeth Laboratories Ltd. vs. CCE, Bombay, 2000 (39) RLT 745 (CEGAT-LB). He, therefore, requested that this appeal may also be remanded to the Asstt. Commissioner for afresh adjudication.

Contd...../2nd

3. Shri S.C. Pushkarna, learned D.R. has no objection, if the matter is remanded to the Asstt. Commissioner.

4. I have considered the submissions of both the sides. As the Commissioner (Appeals) passed the impugned Order following his earlier Order No. 35/96 which has been remanded to the Asstt. Commissioner, the present appeal is also allowed by way of remand to the Asstt. Commissioner for afresh decision in the light of the law laid down by the Larger Bench of the Tribunal in the case of Wyeth Laboratories.

(V.K. AGRAWAL)
MEMBER (TECHNICAL)

Dated 7th February, 2001

RK