

2022 (8) TMI 163 - CESTAT AHMEDABAD

ALICID ORGANIC INDUSTRIES LIMITED AND SHRI MANISH C PATEL VERSUS C.C.E. & S.T. - AHMEDABAD-III

Excise Appeal No.11487 of 2017 with Excise Appeal No.11488 of 2017

Order No. - A/10908-10909/2022

Dated: - 2-8-2022

Process amounting to manufacture or not - conversion of waste oil/used oil/sludge obtained from various sources into reclaimed fuel oil / re-refining used oil amounts - classifiable under Central Excise Tariff Sub-heading No. 27101990 or classifiable under Chapter heading 27109900 as claimed by the Appellant? - Time Limitation - suppression of facts or not - HELD THAT:- The basic fact that is not disputed is that the Appellant purchasing waste/ sludge oil from vessels and other sources. This is sold as waste oil/sludge oil and is purchased by the appellant also as waste oil /sludge oil. For removing impurities from said waste oil Appellant undertake various processes. The processing undertaken by the appellant is in form of filtering distillation, dehydration, centrifuging etc. The entire tenor of the Adjudicating Authority while confirming the demands is only on the ground that the used oil which was unfit for use as fuel Oil were made fit for use by the appellant by refining or reprocessing the same and hence, characteristic and the use has changed. Due to which Chapter Note No. 4 of Chapter 27 gets attracted and the said activity becomes manufacture. It is observed that the purifying of the sludge/used oil would not amount to manufacture. Manufacture implies a change, but every change is not manufacture.

The Apex Court in the landmark decision in the case of UNION OF INDIA VERSUS DELHI CLOTH AND GENERAL MILLS CO. LTD. [[1962 \(10\) TMI 1 - SUPREME COURT](#)], held that "The word 'manufacture' used as a verb is generally understood to mean as 'bringing into existence a new substance,' however, minor in consequence the change may be." The true test for determining whether manufacture can be said to have taken place is whether the commodity which is subjected to the process of manufacture can no longer be regarded as the original commodity but is recognized in trade as a new and distinct commodity. In the present case, the appellant bring used waste oil /sludge oil and by removing impurities, it is made again useable as oil. Both before and after the processing, the product remains as only oil. That being so, it cannot be said that a new and distinct commodity has come into existence consequent to the process undertaken by the appellant.

From Circular dated 11-4-2016, it can be held that the process of cleaning of waste oil to yield reclaimed fuel oil does not amount to manufacture as defined under Section 2(f) of the Central Excise Act, 1944. Once it is held that the activity is not manufacture all the demands including duty, interest, penalties and personal penalty in the impugned shall not sustain on merit.

Extended period of Limitation - suppression of facts or not - HELD THAT:- The department was aware of the Appellant's activity in respect of Waste Oil/ Sludge/Used Oil. The Appellant have not suppressed anything from the department. It is also noticed that CBEC vide circular No. 1024/12/2006-CX dated 11.04.2006 also instructed that " the issue is interpretational in nature and therefore where a demand is raised pursuant to this circular, it should be raised for normal period of limitation only. SSI

M S C E Agriculture2015

**Petrus Johannes Christoffel
Kuun, Jacobus Dürr
Bezuidenhout, Peter Thomas Oberem**

M S C E Agriculture 2015:

The Ecology of Agricultural Landscapes Stephen K. Hamilton, Julie E. Doll, G. Philip Robertson, 2015-04-07 The latest volume in the Long Term Ecological Research series presenting two decades of research on the sustainability of temperate row crop ecosystems in the Midwestern United States **Canadian Almanac & Directory, 2015** Tannys Williams, 2014-10 The Canadian Almanac Directory is the most complete source of Canadian information available cultural professional and financial institutions legislative governmental judicial and educational organizations Canada's authoritative sourcebook for all

Annual Report University of Texas at Austin. Bureau of Economic Geology, 2015 **Malawi**, 2017 **Public Health Reports**, 2015 Engineering News-record, 1977 **D&B Reference Book of Corporate Managements**, 1998

Who's who in Engineering, 1991 Who's Who in Science and Engineering 2008-2009 Who's Who Marquis, Marquis Who's Who, 2007-12 Who's who in the Midwest, 2004 **Who's who in Finance and Business**, 2008 *Brinkman's cumulatieve catalogus van boeken*, 2001 Voorts een alphabetische lijst van Nederlandsche boeken in België uitgegeven

Agricultural Science in Action Petrus Johannes Christoffel Kuun, Jacobus Dürr Bezuidenhout, Peter Thomas Oberem, 1995 **Sustainable Agriculture** Eric Lichtfouse, Mireille Navarrete, Philippe Debaeke, Souchere Véronique, Caroline Alberola, 2009-11-11 Sustainability rests on the principle that we must meet the needs of the present without compromising the ability of future generations to meet their own needs Starving people in poor nations obesity in rich nations increasing food prices on going climate changes increasing fuel and transportation costs flaws of the global market worldwide pesticide pollution pest adaptation and resistance loss of soil fertility and organic carbon soil erosion decreasing biodiversity desertification and so on Despite unprecedented advances in sciences allowing to visit planets and disclose subatomic particles serious terrestrial issues about food show clearly that conventional agriculture is not suited any longer to feed humans and to preserve ecosystems Sustainable agriculture is an alternative for solving fundamental and applied issues related to food production in an ecological way While conventional agriculture is driven almost solely by productivity and profit sustainable agriculture integrates biological chemical physical ecological economic and social sciences in a comprehensive way to develop new farming practices that are safe and do not degrade our environment In that respect sustainable agriculture is not a classical and narrow science Instead of solving problems using the classical painkiller approach that treats only negative impacts sustainable agriculture treats problem sources As most actual society issues are now intertwined global and fast developing sustainable agriculture will bring solutions to build a safer world This book gathers review articles that analyze current agricultural issues and knowledge then propose alternative solutions It will therefore help all scientists decision makers professors farmers and politicians who wish to build a safe agriculture energy and food system for future generations **Agricultural Science in Action** Petrus Johannes Christoffel Kuun, P. Oberem, 1994 **Sustainable Development of Agriculture** Jyoti K. Parikh, 2013-06-29 Food problems the efficient

production or procurement of food and its appropriate distribution among members of society are problems endemic to mankind Yet the nature and dimensions of these problems have been changing over time As economic systems have developed specialization has increased and this has led to increased interdependences of rural and urban areas of agricultural and nonagricultural sectors and of nations When the International Institute for Applied Systems Analysis IIASA began the Food and Agriculture Program FAP in 1976 we started with these objectives 1 To evaluate the nature and dimensions of the world food situation 2 To identify the factors that affect it 3 To suggest policy alternatives at national regional and global levels a To alleviate current food problems b To prevent food problems in the future To realize these objectives FAP was organized around two major tasks The first task was directed at national policy for food and agriculture in an international situation Here computable general equilibrium models were developed for nearly 20 major developed and developing countries and were linked together to examine food trade aid capital flows and how they affect hunger in addition to the effects of national government policies which were also considered in detail This approach however needed to be complemented by another approach that dealt with food production at the farm level

Instant Insights: Integrated crop-livestock systems Dr Alfredo J. Escribano, Dr J. Ryschawy, Dr Lindsay Whistance, Dr John N. Landers, Dr Pedro Luiz de Freitas, Dr Luiz Carlos Balbino, Dr Júlio César Salton, Dr Robélio Leandro Marchão, Dr Mark van Wijk, Dr James Hammond, Dr Simon Fraval, Dr Jannike Wichern, Dr Randall Ritzema, Dr Ben Henderson, Dr Katrien Descheemaeker, Dr Lindsay Bell, 2021-06-15 This collection features four peer reviewed literature reviews on integrated crop livestock systems in agriculture The first chapter reviews the use of integrated crop livestock systems to achieve balance in organic animal farming The chapter focusses primarily on the use of agroforestry systems their potential environmental and economic benefits as well as how they contribute to animal health and welfare The second chapter examines the different state of the art integrated crop livestock systems in various eco regions worldwide under Conservation Agriculture As a world leader in the adoption of integrated crop livestock systems a substantial part of the chapter is dedicated to the research and adoption of these systems in Brazil The third chapter illustrates how crop livestock systems contribute to improving global food security and diversifying the diets of smallholder livelihoods The chapter explores the climate resilience of these systems and the mitigation strategies developed and implemented by farmers to deal with climate variability The final chapter discusses the development of whole farm system models to understand the complexity of integrated crop livestock systems The chapter assesses the key processes governing interactions between farm components and provides two examples of common whole farm model applications from contrasting environments to demonstrate this

Food and Agriculture, 1989 Future Food Systems Rickey Y. Yada, Rene Van Acker, Martin Scanlon, David Gray, 2024-06-01 Future Food Systems Exploring Global Production Processing Distribution and Consumption provides an overview of food systems from farming through to logistics processing retail service and consumption with the intention of enabling more efficient development of policy and

implementation of food related practices The book presents the considerations which must be understood to develop effective and efficient policies and practices for any level of food system and along the continuum of those systems with attention being given to the academic public and private sector challenges and opportunities for progress efficiency effectiveness and sustainability Presented in parts to highlight key aspects of the subject area the book explores production practices including increasingly important programs in integrated farming systems vertical agriculture and urban farming processes value adding for commodities agricultural technology supply chain innovations and consumer considerations The book provides foundational insights into the underpinnings of today s food systems its challenges and its opportunities for the future

Food and Farming Peter Kent,Ian Richard Worsnop,1994

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