

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT – FINANCE DEPARTMENT

Notification
Jammu, the 7th May, 2007

SRO -173. - Whereas, the Government is of the opinion that for the reasons recorded in the sub-joined schedule, it is necessary so to do in the public interest:-

Now, therefore, in exercise of the powers conferred by Section 25-D of the Jammu and Kashmir General Sales Tax Act, 1962 the Government hereby order-

- (1) That there shall be remission of 100% of interest and penalty in respect of the dealers under the provisions of the Jammu and Kashmir General Sales Tax Act, 1962 who pay the arrears of Sales Tax assessed/ re-assessed upto the accounting year 2004-05 in six equal monthly installments, with the first installment to be paid within one month of the publication of this notification.

That the said remission of interest and penalty shall also be available to such dealers who have paid their assessed tax, for all the accounting years upto 2004-05 in full or in part and deposit the balance payable amount of tax in six equal monthly installments with the first installment to be deposited within one month from the issuance of this notification.

That such dealers who are yet to be assessed as per the provisions of the Jammu and Kashmir General Sales Tax Act, 1962 for any of the accounting years shall file the returns/revised returns along with trading account etc. as provided under section 7 of the Jammu and Kashmir General Sales Tax Act, 1962 and the proof of payment of 1/6th of the total amount of admitted tax along with the declaration of self-assessment as may be prescribed by the Commissioner Sales Tax for the purpose.

- (4) That if any dealer makes a default in payment of 2nd or any subsequent installment under the above arrangements, he shall stand disqualified from the scheme and shall be liable to pay the entire amount of tax determined to be due along with the interest and penalty unless with the next installment, he furnishes proof of payment of the missed installment along with penalty equivalent to 5% of the unpaid installment amount. However, all the installments shall have to be deposited within six months of the issuance of this notification.

Provided that if any dealer wishes to pay the entire amount of arrears due in one installment he may do so by paying the same within one month from the date of issuance of this notification.

- (5) That such dealers, who have been assessed upto the accounting year 2004-05, shall simply file a declaration as may be prescribed by the Commissioner Sales Tax for that particular year(s) along with proof of payment of 1/6th of the assessed tax arrears.

- particular year(s) along with proof of payment of 1/6th of the assessed tax arrears.
- (6) That a dealer who opts for the scheme shall make a declaration that no legal proceeding on the subject is pending before any competent legal fora.
 - (7) That the detailed guidelines covering acceptance or rejection of cases, fixing time limits for scrutiny of declarations/returns, communication of shortcomings, time limit for finalization of cases, the mechanism for redressal of grievances and other matters relating to implementation of the scheme shall be issued by Commissioner Sales Tax.
 - (8) That the benefit of remission under this notification can also be availed by the industrial unit holders whose products figure in the negative list or who are not entitled to any sales tax exemption.
 - (9) That any amount already paid towards interest/penalty before the issuance of this notification shall neither be refunded nor adjusted in any manner.

This notification shall come into force on 07.05.2007.

By order of the Government of Jammu and Kashmir.

Sd/-
(B.B Vyas)IAS
Commissioner/Secretary to Government
Finance Department
Dated: 07.05.2007

No:ET/Estt/37/2000-II

Copy to the:-

1. Principal Secretary to Government, General Administration Department.
2. Commissioner/ Secretary to Government, Law Department (w.7.s.c).
3. Excise Commissioner, J&K, Jammu.
4. Commissioner Commercial Taxes, J&K, Jammu.
5. Additional Commissioner, Commercial Taxes, (Admn.) Jammu/Kashmir,
6. Additional Commissioner, Commercial Taxes (Tax Planning)J&K, Jammu.
7. Deputy Commissioner, Commercial Taxes. (Appeals /Recovery /Audit/Vigilance Inspections, Jammu/Srinagar.
8. Deputy Commissioner Commercial Taxes (Checkpost) Lakhapur.
9. President, Chamber of Commerce and Industry, Jammu.
10. Chairman, Federation Chamber of Industry, Kashmir.
11. Kashmir Traders and Manufacturers Association.
12. Stock file.


(Shakeel Ul Rehman)
Deputy Secretary to Government
Finance Department