



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
FINANCE (TAXATION) DEPARTMENT

NOTIFICATION

The 19th June, 2020

No.FT.22/2018/60.- WHEREAS Govt. vide Notification No.FTX.110/2005/104 dated 21st October, 2009 of the Finance (Taxation) Department, Government of Assam, published in the Assam Gazette Extraordinary vide No.333 dated 21st October, 2009 granted partial exemption of ninety-nine percent of the tax payable on finished Goods produced by Brahmaputra Cracker and Polymer Limited, for a period of fifteen years from the date of commercial production i.e. 02/01/2016;

AND WHEREAS the Assam Value Added Tax, 2003 (Assam Act XII of 2005) and the Central Sales Tax Act, 1956 (Act 74 of 1956) have been subsumed under GST and as such exemption granted vide Notification dated 21st October, 2009 is no longer compatible with the GST regime introduced in Assam with the rest of the country with effect from 1st of July, 2017;

AND WHEREAS the GST Council constituted under Article 279A of the Constitution of India decided that all entities exempted for payment of indirect tax under any existing tax incentive scheme shall have to pay tax in the GST regime and in case the Central or the State Government decides to continue any existing exemption scheme, then it shall be administered by way of reimbursement mechanism through the budgetary route/support to such unit;

Now, having considered it necessary in the public interest so to do, the Governor of Assam is hereby pleased to grant reimbursement of 100% of net State Goods and Services Tax (SGST) paid to Brahmaputra Cracker and Polymer Limited under the Assam GST Act, 2017, for the residual period subject to the conditions and manner specified below:-

The unit shall, in respect of intra state supplies made within the State, be entitled to reimbursement of 100% of the State Tax (SGST) paid through debit in the electronic cash ledger account maintained by the unit in terms of sub section (1) of section 49 of the Assam Goods and Services Act, 2017 after utilization of the input tax credit of the State Tax (SGST) and Integrated Tax (IGST) available till the expiry of the residual period.

The provisions of the Assam Industries (Tax Reimbursement for eligible units) Scheme, 2017 relating to definitions, scope of operation, determination of the amount reimbursable, separate GST registration for availing reimbursement, blocked input tax credit on inter-state supplies, eligible unit-furnishing of one time information, application for tax reimbursement, manner of reimbursement, audit assessment and special audit, budgetary provision and placing adequate fund at the disposal of Commissioner of State tax, repayment by claimant/recovery and dispute resolution, procedure for recovery and termination of Eligibility Certificate as well as the Certificate of Entitlement for violation of or non-compliance with any of the conditions laid down in the scheme shall *mutatis mutandis* apply to the unit.

However, as there is no cap on quantum of monetary ceiling, the provision of para 4(i) & 4(ii) of the Assam Industries (Tax Reimbursement for Eligible Units) Scheme, 2017 relating to extension of period of eligibility shall not apply to the unit.

This Notification shall be deemed to have come into force w.e.f. 1st day of July, 2017.

RAJIV KR. BORA,
Additional Chief Secretary to the Government of Assam,
Finance Department.