

অসম  ৰাজপত্ৰ
সত্যমেব জয়তে
THE ASSAM GAZETTE

অসাধাৰণ
EXTRAORDINARY
প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত
PUBLISHED BY THE AUTHORITY

নং 493 দিশপুৰ, শনিবাৰ, 17 ডিচেম্বৰ, 2011, 26 আঘোণ, 1933 (শক)
No. 493 Dispur, Saturday, 17th December, 2011, 26th Agrahayan, 1933 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
FINANCE (TAXATION) DEPARTMENT
DISPUR ::: GUWAHATI-06

NOTIFICATION

The 9th December, 2011

No. FTX.55/2005/Pt-V/233.-- Whereas the Government in exercise of the powers conferred by sub-section (3) of section 20 of the Assam Value Added Tax Act, 2003 (Assam Act VIII of 2005) vide Notification No. FTX.70/2007/Pt-I/9 dated 2nd February, 2008 framed a composition scheme (hereinafter referred to as scheme) permitting a registered pharmacy/chemist shop in the State whose annual net turnover does not exceed Rupees 10 (ten) lakhs as well as annual gross turnover does not exceed Rupees 40(forty) lakhs to pay at his option in lieu of the amount of tax payable by him under the provisions of the Act, by way of composition, an amount determined in the manner hereinafter fixed or to be computed as may be applicable in the case :-

- (a) For a dealer whose annual net turnover does not exceed rupees four lakhs ; the compounded amount of tax shall be as follows :-
- (i) Rs. 2,000/- per year when the annual net turnover does not exceed rupees 2(two)lakhs ;
- (ii) Rs. 4,000/- per year when the annual net turnover exceeds rupees 2(two) lakhs but does not exceed rupees 4(four) lakhs ;
- (b) For a dealer whose annual net tuenover exceeds rupees 4(four) lakhs but does not exceed rupees 10(ten) lakhs, the compounded amount of tax shall be calculated at the rate of 1 (one) per cent of the actually derived net turnover for a quarter of the year.

Explanation:- For the purpose of the scheme, the net turnover means gross turnover minus the turnover of the goods under entry at serial No. 21 of the Fourth Schedule appended to the Act on the condition that tax on such goods has already suffered within the State. ;

And whereas by subsequent amendment made by the Government serial number 21 with entries thereto of the Fourth Schedule under the Assam Value Added Tax Act, 2003, namely :- "Drugs and

medicines vaccines, disposable hypodermic syringes, hypodermic needles, catguts, sutures, surgical dressings, but excluding anti-malaria drugs mentioned in entry at serial 65 of the First Schedule (On Maximum Retail Price basis).

Explanation :- The expression 'drugs and medicines' shall not include products capable of being used as cosmetics and toilet preparations including tooth paste, tooth powder, cosmetics, toilet articles and soaps."

Was omitted vide Government Notification No. FTX. 55/2005/Pt-V/194 dated 31st October, 2009 ;

And whereas by the said Notification No. FTX.55/2005/Pt-V/194 dated 31st October, 2009 goods, namely : "Drugs and medicine, whether patent or proprietary, including vaccines, disposable hypodermic syringes, hypodermic needles, catguts, sutures, surgical dressings, medicated ointments produced under licence issued under Drugs and Cosmetic Act, 1940 (23 of 1940) but excluding anti-malaria drugs mentioned in entry at Sl. 65 of First Schedule" have been inserted at Sl. No. 111 of Part-A, General, of the Second Schedule under the Assam Value Added Tax Act, 2003 ;

And whereas in pursuance of the said amendments of the Schedule it has become difficult to implement the scheme as the dealer opting for the composition scheme has already paid due composition amount for the whole year i.e., 2009-2010 as per provision of the scheme.

Now, therefore, in exercise of the powers conferred by Section 110 read with section 54 of the Assam Value Added Tax Act, 2003 (Assam Act VIII of 2005), the Governor of Assam is hereby pleased to direct that-

- (a) The scheme shall be valid for the whole year of 2009-2010 ;
- (b) The dealers who opted for the scheme for the year 2009-2010 and made payment of composition amount before 31st October, 2009 shall be entitled to enjoy the benefit of the scheme for the whole of year 2009-2010. They would not be liable for payment of tax other than that paid under the scheme ;
- (c) The scheme shall stand withdrawn on and from 1st April, 2010.

This notification shall be deemed to have come into force on the 31st October, 2009.

H. S. DAS,
Principal Secretary to the Government of Assam,
Finance Department, Dispur.