

পঞ্জীভুক্ত নম্বৰ - ৭৬৮ /৯৭

Registered No.-768/97



# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

---

নং 26 দিশপুৰ, শুক্ৰবাৰ, 6 ফেব্ৰুৱাৰী, 2015, 17 মাঘ, 1936 (শক)  
No. 26 Dispur, Friday, 6th February, 2015, 17th Magha, 1936 (S.E.)

---

GOVERNMENT OF ASSAM  
ORDERS BY THE GOVERNOR  
LEGISLATIVE DEPARTMENT : : : LEGISLATIVE BRANCH

## NOTIFICATION

The 6th February, 2015

**No. LGL.36/2005/100.**— The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

### ASSAM ACT NO. I OF 2015

(Received the assent of the Governor on 6th January, 2015)

**THE ASSAM TAXATION (LIQUIDATION OF ARREAR DUES)  
(AMENDMENT) ACT, 2014**

## AN ACT

further to amend the Assam Taxation (Liquidation of Arrear Dues) Act, 2005.

**Preamble**

Whereas it is expedient further to amend the Assam Taxation (Liquidation of Arrear Dues) Act, 2005, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Assam  
Act XI  
of 2005.

It is hereby enacted in the Sixty-fifth Year of the Republic of India as follows: -

**Short title, extent and commencement**

1. (1) This Act may be called the Assam Taxation (Liquidation of Arrear Dues) (Amendment) Act, 2014.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

**Amendment of Preamble**

2. In the principal Act, for the existing Preamble, the following shall be substituted, namely:-

**\*Preamble** Whereas it has become expedient to provide for liquidation of long outstanding dues relating to tax, penalty and interest, as the case or cases as may be, under the Assam Value Added Tax Act, 2003, the Central Sales Tax Act, 1956, the Assam Amusement and Betting Tax Act, 1939, the Assam Tax on Luxuries (Hotel, Lodging Houses and Hospitals) Act, 1989, the Assam Taxation( On Specified Lands) Act, 1990, the Assam Agricultural Income Tax Act, 1939, and the repealed tax Acts as referred to in sub-section( 1) of section 107 of the Assam Value Added Tax Act, 2003 by offering one time incentive in the form of waiver of the balance portion of qualifying arrear dues remaining after payment of the prescribed percentage of the total dues within the stipulated dateline:”

Assam Act  
No. VIII of  
2005,  
Central Act  
74 of 1956,  
Assam Act  
VI of 1939,  
Assam Act V  
of 1989,  
Assam Act  
No. XII of  
1990, Assam  
Act No. IX of  
1939 and  
Assam Act  
No. VIII of  
2005.

**Amendment of section 1**

3. In the principal Act, in section 1, in sub-section (3), for the word, figures and punctuation mark, “31<sup>st</sup> March, 2009”, the word, figures and punctuation mark. “31<sup>st</sup> March, 2015” shall be substituted.

**Amendment of section 2**

4. In the principal Act, in section 2, in sub-section (1),—

(i) for the existing clause (b), the following clause shall be substituted, namely :—

“(b) “Outstanding dues of arrear tax, penalty and interest” means unpaid amounts as on the date of coming into force of this Act on account of tax, interest and penalty by an applicant as per statutory orders for periods upto 31<sup>st</sup> March 2009 under any provision of the relevant Acts passed on or before 31<sup>st</sup> March 2014 or by such later date as the State Government may, by notification in the Official Gazette, specify from time to time and also includes further calculable interest on the involved principal amounts upto the date of application within the meaning of section 5 of this Act;”

(ii) for the existing clause(d), the following clause shall be substituted, namely :—

“(d) “Relevant Acts” means any one or more of the following Acts, namely:-

- (i) the Assam Value Added Tax Act, 2003, (Assam Act No. VIII of 2005);
- (ii) the Central Sales Tax Act, 1956, (Central Act 74 of 1956);
- (iii) the Assam Amusement and Betting Tax Act, 1939, (Assam Act VI of 1939);
- (iv) the Assam Tax on Luxuries (Hotels, Lodging Houses and Hospitals) Act, 1989, (Assam Act V of 1989);
- (v) the Assam Taxation ( On Specified Lands) Act, 1990, (Assam Act No. XII of 1990);
- (vi) the Assam Agricultural Income Tax Act, 1939, ( Assam Act No. IX of 1939);
- (vii) the repealed tax Acts as mentioned in sub-section( 1) of section 107 of the Assam Value Added Tax Act, 2003(Assam Act No. VIII of 2005).”

**Amendment of section 3**

5. In the principal Act, in section 3, for the words “The Senior Superintendent of Taxes”, the words “The Assistant Commissioner of Taxes” shall be substituted.

**Amendment of section 4**

6. In the principal Act, for the existing section 4, the following shall be substituted, namely:-

**“Eligibility condition.**

4. Subject to other provisions of this Act, an applicant shall be eligible to make an application under this Act for all his outstanding dues in respect of amounts assessed for the periods upto 31<sup>st</sup> March, 2009 and levied against him on or before 31<sup>st</sup> March, 2014 but not lying in dispute before any statutory forum or the Hon’ble Gauhati High Court or the Hon’ble Supreme Court of India as on the date of application under the Act.”

**Substitution of Schedule.** 7. In the principal Act, for the existing Schedule, the following shall be substituted, namely:—

“Schedule  
(See Section 6)”

Sl. No.	Description of the outstanding dues	Payment to be made under the Act on the date to avail the benefit as per column (4)	Amount to be paid for filing application to avail benefit under the Act
(1)	(2)	(3)	(4)
1	Amount of total outstanding dues.	On or before 31 <sup>st</sup> March, 2015.	100% of arrear tax and 10% of the total arrear interest. Total penalty will be waived: Provided that if total outstanding dues consist of only interest and penalty then 25% of interest. Total penalty will be waived: Provided further that if total outstanding dues consist of only penalty amount, then 50% of the penalty.

**S. M. BUZAR BARUAH,**  
Secretary to the Govt. of Assam,  
Legislative Department.