

ASSAM PURCHASE TAX (AMENDMENT) ACT, 1977

168 163 Registered No. A— 12 The Assam Gazette EXTRAORDINARY PUBLISHED BY AUTHORITY 15 t7.5R4, 1977, 24 1809 Dispur, Tharsday, Decenber 15, 1977, 24th Agrahayana, 1899 (S. E.) GOVERNMENT OF ASSAM ORDERS BY THE GOVERNOR LEGISLATIVE DEPARTMENF NOTIFICATION The 15th December 1977 No.LGL.17ã/77j3.—The Following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information. 536 THE ASSAM GAZETTE, EXTRAORDINERY, DEC. 15, 1977 ASSAM ACT XXII OF 1977 (Received the assent of the Governor on 13th December, 1977) THE ASSAM PURCHASE TAX (AMENDMENT) ACT, 1977 An Act, further to amend the Assam Purchase Tax Act, 1967 Preamble Short title, extent and commence- meat. Whereas it is expedient further to amend the Assam Purchase Tax Act, 1957, hereinafter referred t as the principal Act in the manner hereinafter appearing • It is hereby enacted in the nty- eighth year of the Republic of India as follows :— (1) This Act may be called the Assam 1. Purchase Tax (Amendment) Act, 1977. (2) It shall have the like extent as the principal Act. (3) It shall come into force at once. Assam Act XIX of 1967

2. In Section 2 of the principal Act, A m endmen t of Section 2 after clause (I), the following shall be of 1967. inserted as cla se (IA), namely:— s' (IA) 6' Business includes— (i) any trade, commerce or manufac. ture or any acli enture or concern in the nature of trade, commerce or manufacture, whcther or not such trade, commerce, manufacture,advcn- ture or concern—is carried on with the motive to make gain or profit and whether or not any gain or profit accrues from sach trade, commerce, manu- facture adventure or concern ; and (ii) any transaction in connection with, or inciden tal or ancillary to, such trade, commerce, manufacture, adventure or concern • THE ASSAM GAZE VIE, EXTRAORDINERY, DEC. 15, 1977 Am endmen t 3. For Section 21 of the principal of Section 21 of Assam Act Act, the following shall be substituted, XIX of 1967. namely " 21. Interest payable by if any dealer does not pay into a Government Treasury full the amount of tax payable by him under this ACJ by the due date simple interest at the rate of twelve per centum per annum from the first day of the month next fol!owing Che said date shall be payable by him on the amount by which the tax paid, if any, by the due date falls short of the tax payable. No inte:est under this sub-section shall bc payable if the amount, of tax paid by the due date is nct less than ninety per centum of the tax payable. (2) If such tax is not paid within a period of sixty days from the due date, then in addition to interest payable under sub-sect ion (1), the dealer shall bc liable to pay simple interest at the rate of twenty-four per centum PCI annum from the day commencing after the said period of sixty days on the amount by which the tax paid, if any, before the expiry of the said period falls short of the amount of tax payable. (3) If any dealer does not pay the full amount of tax payable by him under this Act in respect of . any poriod between the 1st day of January, 1968 and the 30th September, 1977 before the commencement of the Assam Purchase Tax (Amendment) Act, 1977 he shall be liable to pay simple interest at the rate of twenty-four per centum per annum from the said date of commencement on the amount by which the tax paid, if any, beoore such commencement falls short of the tax payable. 967 .1 THE ASSAM GAZETTE, EXTRAORDINF,RY, DEC. (4) Interest under this Section shall be payable till the tax payable is paid in full: Provided that where a dealer pays a part of the tax Payable after the due date or, in a case covered by sub-section (3), after the commencement of the Assam Püi•chase Tax (Amendment) Act, 19 / 7 he shall be liable to pay interest at the appropriate ratc on the whole of the tax payable upto the date of part pav ment and thereafter on the balance tax payable. (5) W he, e any interest becomes payable under this Section, tho officer competent to assesS the dealer under Section 8 shall record aiã order to that effect specifying the amount of interest payable and the amount on which and the period for which the interest is payable. Notwithstanding anything contained in this Act, an order under this sub-section can, be passed at any timo when interest under this Section is found to bc due. (6) Where an order is passed under sub- section (3) of Section 23 in respect of any dues, any intorcest relatable to the same düo's and accrued under this Section up- to tho date of such order and any further interest accruing after such date shall be recovered in the course of proceedings initia- in accordance with the said sub-section (3 In 1 espect of the said dues and for that +urposes no order under sub-section (5) of thii Section or notice under Section 19 shall be necessary in respect of such interest. Explanation I—For the purposes of this Section "tax payable" means the amount of tax finally assessed under this Act. Explanation 11—

For the purposes of this Section tax payable shall 15, 1977 THE ASSAM GAZETTE, EXTRAORDINARY, DEC, be deemed to be due for payment as follows ; For any period 15, 1977 31st 31st 969 (a) (b) (c) (d) from 1st April to 30th June {Yom 1st July to 30th September, from 1st October to 31st December, from 1st January to 31st March, by July, by October, 31st by January, 30th April, U, TAHBILDAR, Secretary to the Govt. of Assam, Legislative Assembly. G AUHATI—Printed and published by the Supdt, i/c., Assam Govt. Printing Press (Ex-Gazette)

