



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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No. 359 Dispur, Thursday, 29th June, 2017, 8th Asadha, 1939 (S.E.)

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

NOTIFICATION

The 29th June, 2017

No.FTX.90/2016/70.- WHEREAS in pursuance of Industrial and Investment Policy of Assam, 2014, tax exemptions were granted to eligible manufacturing units under the Assam Industries (Tax Exemption) Scheme, 2015, hereinafter referred to as the Scheme;

AND WHEREAS in pursuance to Constitution (One Hundred and First Amendment) Act, 2016 and the decision of the Goods and Services Tax Council, the Goods and Services Tax (GST), shall be introduced in Assam with rest of the nation with effect from 1st of July, 2017 replacing various indirect taxes levied by the State;

AND WHEREAS under the Scheme, an eligible manufacturing unit has been allowed to charge and collect tax as per the applicable rates of taxes but full amount of tax so charged and collected does not actually accrue to the Government exchequer as the eligible manufacturing unit is entitled to partial exemption of VAT & Central Sales Tax on sale of goods manufactured by an eligible unit in Assam linked to fixed capital investment and such exemption is available for 15 years from the date of commencement of commercial production in staggered manner based on capacity utilization;

AND WHEREAS the existing system of exemption is not compatible to GST regime and hence the GST Council constituted under Article 279A decided that all entities exempted from payment of indirect tax under any existing tax incentive scheme shall pay tax in the GST regime;

Now, therefore, the Governor of Assam hereby notifies that:

- (a) the provisions of the Assam Industries (Tax Exemption) Scheme, 2015 shall cease to operate on and from the date of coming into force of the Assam Goods and Services Tax Act, 2017 (Assam Act No. XXVIII of 2017) in the State:

Provided that the scheme shall be deemed to have remained in force for limited purpose of issuing Eligibility Certificate and Certificate of Entitlement in respect of those manufacturing units eligible for tax exemption under the Scheme, which have commenced their commercial production on or after 1st March, 2014, but before the coming into force of the Assam Goods and Services Tax Act, 2017 and which have not yet been issued the Eligibility Certificate by the concerned authority as per para 4 of the scheme.

- (b) all eligible industrial units, which have either commenced or would commence their commercial production/operation during the period of validity of Industrial and Investment Policy of Assam, 2014, shall be liable to pay tax under the Assam Goods and Services Tax Act, 2017 from the date of its coming into force:

Provided that appropriate GST compatible Scheme shall be framed for reimbursement of the eligible amount of tax to such units, out of the tax collected from them under the Assam Goods and Services Tax Act, 2017.

This notification shall come into force on the date of its publication in the Official Gazette.

V. B. PYARELAL,

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