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The 3rd October 1967

No.LJL 15/67/17.—The following Act of the Assam Legislative Assembly which received the assent of the President is hereby published for general information.

ASSAM ACT XV OF 1967

(Received the assent of the President on the 2nd October 1967)

THE ASSAM (SALES OF PETROLEUM AND PETROLEUM PRODUCTS, INCLUDING MOTOR SPIRIT AND LUBRICANTS) TAXATION (AMENDMENT) ACT, 1967

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Act

further to amend the Assam (Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants) Taxation Act, 1956

Preamble. Whereas it is expedient further to amend the Assam (Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants) Taxation Act, 1956, Assam Act hereinafter called the principal Act, in the manner IX of 1956. hereinafter appearing;

It is hereby enacted in the Eighteenth Year of the Republic of India as follows:—

Short title, extent and commencement. 1. (1) This Act may be called the Assam (Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants) Taxation (Amendment) Act, 1967.
(2) It shall have the like extent as the principal Act.
(3) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

Amendment of section 3 of Assam Act IX of 1956. 2. In section 3 of the principal Act, in subsection (1),—

(1) against item (i), for the words "Thirteen paise" the words "Fifteen paise" shall be substituted.

(2) against item (ii), for the words "Nine paise" the words "Eleven paise" shall be substituted.

Ameudment of section 11 of Assam Act, IX of 1956.

3. In section 11 of the principal Act, for sub-section (1), the following shall be substituted, namely:—

“(1) At the close of the quarter or at the closure of the business during that quarter, if the Commissioner is satisfied that the returns furnished under section 10 in respect of that quarter are correct and complete, he shall, by an order in writing, assess the dealer and determine the tax payable by him on the basis of such returns.”

Insertion of section 20A in Assam Act 1956.

4. After section 20 of the principal Act, the following shall be inserted as section 20A, namely:—

“Interest payable by dealer.

20A. (1) If any registered dealer does not pay into a Government Treasury the full amount of tax due from him under this Act on the basis of the return or his account books within the prescribed date, simple interest at the rate of six per cent per annum from the first day of the month next following the said date shall be payable by the dealer upon the amount by which the tax so paid falls short of the amount of tax payable as per his return or account books. If such amount of tax and interest are not paid within thirty days from the date from which the interest is due, simple interest upto a maximum of twenty-four per cent per annum shall be payable as may be prescribed.

(2) Where on making the assessment, the Commissioner finds that a dealer has not maintained the account books properly and thereby he has suppressed the sale of goods in any period the Commissioner may direct him to pay interest as prescribed in sub-section (1). If the amount of tax payable under the Act has been reduced in appeal or revision, the interest may be calculated on the reduced amount.

(3) If any registered dealer does not pay into the Government Treasury the amount of tax within the date as provided in sub-section (4) of section 20 or any instalment of the tax within the extended date as per proviso thereto, interest as provided in sub-section (1) shall be payable from the first day of the month next following the said date by the dealer upon the amount by which the tax, if any, paid falls short of the amount of tax payable under the Act.”

B. SARMA,
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