



PROCEEDINGS OF THE COMMISSIONER OF STATE GOODS AND SERVICES TAX DEPARTMENT, TAX TOWERS, KARAMANA, THIRUVANANTHAPURAM

Present: Ajit Patil I. A. S.

Sub: Kerala State Goods and Services Tax Department- Procedure for disposal of confiscated goods under Kerala General Sales Tax Act, 1963- Orders issued:

Pursuant to Section 30E of the Kerala General Sales Tax Act, 1963, read with Rule 35B of the Kerala General Sales Tax Rules 1963 (herein after referred to as the Act and the Rules respectively), any officer not below the rank of Assistant State Tax Officer is empowered to confiscate consignment of goods, conveyance, or both that are transported or stored as part of transit or otherwise in contravention of the provisions of sub-section (1) or (2) of Section 29A of the Act, if the owner of the goods, subsequent to the detention or seizure fails to opt payment of fine in lieu of confiscation as per sub-section (5) of section 30E. In such circumstances wherein the confiscation of goods, conveyance or both are finalised, the officer shall issue the order of confiscation as per sub-section (11) of section 30E of the Act and the same is to be sold or disposed to recover the penalty payable. Sub-rule (10) of Rule 35B of the KGST Rules, vests the Commissioner of state tax to authorize an officer to dispose of the confiscated goods, conveyance, or both adhering to the procedures outlined by him by an order.

In the circumstances, to streamline the procedure of confiscation in the revenue interests, the following orders are issued.

Order No SGST/958/2025-PLC1-Part(1) Dated: 16-06-2025

In exercise of the powers vested in me under sub-section (13) of Section 30E of the Act read with sub-rule (10) of Rule 35B of the Rules, I hereby authorize all the Deputy Commissioners of Enforcement wing of the Department to dispose/sale the confiscated goods, conveyance or both in the manner prescribed below.

(1) If the goods confiscated are foreign liquor mentioned in explanation (b) to sub-section (1) of Section 5 of the Act, the same shall be handed over to the Excise Department with immediate effect and proper acknowledgment shall be obtained in this regard.

(2) If the goods confiscated are proved to be petroleum products falling under Sl. No. 1 of the Schedule under sub-section (1) of Section 5 of the Act, as per the results obtained consequent to the lab test conducted as per the instructions issued vide Instructions No. 09/2025- Kerala SGST dated 16-06-2025 to determine the product's quality and authenticity, the same shall be handed over to M/s BPCL, the oil company functioning in Kerala, within 15 working days from the date of confiscation for realizing the penalty. Arrangements shall be made to receive the receipt of the payment from M/s. BPCL through the Bank account of the Arrear recovery wing of the concerned district or through e- treasury.

(3) If the confiscation is made with goods and conveyance, after disposal of the goods in the manner mentioned above, the conveyance confiscated shall be disposed in the following manner.

(a) The officer authorized to dispose/sale the confiscated vehicle shall obtain a valuation certificate issued by an engineer not below the rank of an Assistant Executive Engineer of the department of Government qualified to assess the value of vehicle or vessel. For this purpose the authorized officer may give a request in writing to such Engineer to issue the valuation certificate.

(b) The vehicle shall be sold through public auction procedure for which notice indicating the place and time of the auction, details of vehicle to be sold and the purpose of sale shall be displayed in the notice board of the officer authorized and published in not more than two daily newspapers having wide circulation in the area in which the vehicle is detained.

(c) The vehicle shall be sold by the officer authorized to the highest bidder and the sale proceeds shall be remitted in the Government treasury.

(4) This order shall come into effect immediately and shall be applicable to all confiscations made under the KGST Act, 1963.



AJIT PATIL I A S
COMMISSIONER

To

The Joint Commissioner (Int & Enf), Tvm/ EKM/ KKD
All zonal Deputy Commissioners (Enf)
All Enforcement units