

Thirteenth Kerala Legislative Assembly
Bill No. 281

THE KERALA FINANCE BILL, 2014

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BILL

to give effect to certain financial proposals of the Government of Kerala for the Financial Year 2014-2015.

Preamble.—WHEREAS, it is expedient to give effect to certain financial proposals of the Government of Kerala for the Financial Year 2014-2015;

BE it enacted in the Sixty-fifth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Finance Act, 2014.

2. *Amendment of Act XII of 1955.*—In the Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (XII of 1955);—

(1) in section 6, in sub-section (4), for the words “fifty rupees for every day during which the non-compliance continues”, the words “ten rupees for every day during which the non-compliance continues, subject to a maximum of fifty rupees” shall be substituted;

(2) in section 7, in sub-section (5), for the words “not exceeding one thousand rupees”, the words “of twenty rupees for every day during which the default continues, subject to a maximum of two hundred rupees” shall be substituted;

(3) in section 12, in sub-section (2), for the words “not exceeding one thousand rupees”, the words “of twenty rupees for every day during which the default continues, subject to a maximum of two hundred rupees” shall be substituted;

(4) in section 13, in sub-section (5), for the words “not exceeding one thousand rupees”, the words “of twenty rupees for every day during which the non-compliance continues, subject to a maximum of two hundred rupees” shall be substituted;

(5) in section 15, in sub-section (2), for the words “one hundred rupees for every day during which the default continues”, the words “twenty rupees for every day during which the default continues, subject to a maximum of two hundred rupees” shall be substituted;

(6) in section 22, in sub-section (2), for the words "one hundred rupees for every day during which the default continues", the words "twenty rupees for every day during which the default continues, subject to a maximum of two hundred rupees" shall be substituted.

3. *Amendment of Act 17 of 1959.*—In the Kerala Stamp Act, 1959 (17 of 1959),—

(1) in section 28A,—

(a) after sub-section (1), the following sub-sections shall be inserted, namely:—

"(1A) Subject to such rules as may be prescribed, the fair value of land fixed under sub-section (1) may be revised by the Revenue Divisional Officer every five years or earlier if so directed by the Government, if in the opinion of the Government any substantial change of the fair value of land has taken place.

(1B) Notwithstanding anything contained in this Act or the Rules made thereunder, the Government may, by notification published in the Official Gazette, make an increase of a fixed percentage in the fair value of land fixed as per sub-section (1), from time to time, before revision is made under sub-section (1A).";

(b) in sub-section (3), after the words, brackets and figure "under sub-section (1)", the words, brackets, figure and letter "and the revised fair value of land fixed under sub-section (1A)" shall be inserted;

(c) in sub-section (4), after the words, brackets and figure "under sub-section (1)", the words, brackets, figure and letter "or the revision of fair value under sub-section (1A)" shall be inserted;

(2) in the SCHEDULE,—

(a) in serial number 5, the clause (d) shall be renumbered as clause (g) and before clause (g) as so renumbered, the following clauses shall be inserted, namely:—

"(d) if relating to monthly deposit scheme (MDS) One hundred rupees in similar to that of chitties, of whatever name respect of each depositor. called, between a co-operative Bank/Society and a depositor

- (e) if relating to installation of ATM machine, Two thousand and five hundred rupees per renewal thereof year.
- (f) if relating to installation of Mobile Tower, Five thousand rupees between a company and the land owner or per year.”; renewal thereof

(b) for serial number 10, and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be substituted, namely:—

“10. Articles of Association of a Company,—

- (a) if relating to companies having paid up capital up to Rs. 10 lakhs Two thousand rupees.
- (b) if relating to companies having paid up capital above Rs. 10 lakhs and up to Rs. 25 lakhs Five thousand rupees.
- (c) if relating to companies having paid up capital above Rs. 25 lakhs 0.5 per cent of the paid up capital.”;

(c) in serial number 19, in the entry in column (3), for the words “Twenty five rupees”, the words “fifty rupees” shall be substituted;

(d) in serial number 21, in clause (i), in the entry in column (3), for the words “five rupees”, the words “six rupees” shall be substituted;

(e) in serial number 22, in clause (II), in the entries in column (3), for the words “Seven rupees”, the words “Six rupees” shall be substituted;

(f) after serial number 36 and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—

- “36A. Memorandum of association and rules and regulations of a charitable society under the Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (Act XII of 1955) Five hundred rupees.”;

(g) in serial number 37,—

(i) after clause (c) and the entries against it in columns (2) and (3), the following clause and entries shall, respectively, be inserted, namely:—

“(d) when executed in favour of commercial banks for securing loans	0.5 per cent for the amount secured subject to a maximum of rupees 20,000.”;
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(ii) the existing Exemption shall be numbered as 1, and after Exemption 1, as so numbered, the following Exemption shall be inserted, namely:—

2. Instruments executed for securing agricultural and educational loans granted by commercial banks”.

4. *Amendment of Act 17 of 1960.*—In the Kerala Plantation Tax Act, 1960 (17 of 1960), in section 3, to sub-section (1), the following proviso shall be inserted, namely:—

“Provided that no plantation tax shall be charged on any person cultivating coconut, arecanut and pepper and persons other than companies coming under the Plantation Labour Act, 1951 (Central Act 19 of 1951).”.

5. *Amendment of Act 15 of 1963.*—In the Kerala General Sales Tax Act, 1963 (15 of 1963),—

(1) in section 7,—

(a) for the words, letters and brackets “clauses (a) or (b) of items (i) and (ii) respectively, whichever is higher”, the words, letters and brackets “in item (i) or (ii), as the case may be” shall be substituted;

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

“(i) in respect of a bar attached hotel of and below two star, at one hundred and sixty per cent of the purchase value of such liquor.”;

(c) in item (ii), after the words “hotel of three stars”, the words, letters and brackets “as per clause (a) or (b) below, whichever is higher” shall be inserted;

(d) the proviso shall be omitted;

(2) in section 23B,—

(a) in sub-section (3), for the words and figures “31st December, 2013”, the words and figures “31st March, 2014”, shall be substituted;

(b) in sub-section (4), for the words and figures “31st December, 2013”, the words and figures “31st March, 2014”, shall be substituted;

“*Note*:—The items (a) and (b) above shall be deemed to have come into force on the 1st January, 2014.”;

(3) in section 23BA,—

(a) the words “and Co-operative Societies” in the marginal heading and the words “or co-operative society”, wherever they occur, shall be omitted;

(b) in sub-section (2), for the words and figures “before 30th September, 2011”, the words and figures “before 31st July, 2014” shall be substituted;

(c) in sub-section (3), for the words and figures “before 30th September, 2011”, the words and figures “31st December, 2014” shall be substituted;

(d) the Note shall be omitted;

(4) in the SCHEDULE, in serial number “2 Foreign Liquor”, for item (ii) and the entries against it, the following items and entries shall, respectively, be substituted, namely:—

“(ii) other than Beer and Wine, for which purchase value incurred is rupees 400 per case or more;	115
“(iii) other Foreign Liquor, not covered under items (i) and (ii) above	105.

Explanation.—For the purpose of this Schedule,—

(i) “case” means, 48 bottles of 180 ml each, or 24 bottles of 375 ml. each, or 18 bottles of 500 ml. each or 12 bottles of 750 ml. each, or 9 bottles of 1000 ml. each or 6 bottles of 1500 ml. each;

(ii) "purchase value" means the value at which the Kerala State Beverages (Manufacturing and Marketing) Corporation Limited purchases such liquor from the suppliers and in case any liquor is not purchased by the Kerala State Beverages (Manufacturing and Marketing) Corporation Limited, such value as fixed by the Commissioner of Excise, for the purpose of levy of duties as per the Abkari Act, 1077 (1 of 1077)."

6. *Amendment of Act 7 of 1975.*—In the Kerala Building Tax Act, 1975 (7 of 1975),—

(1) in section 3,—

(a) in clause (b) of sub-section (1), after the word "workshops", the words and symbols "or cattle/pig/poultry farms or poly houses" shall be inserted;

(b) the existing *Explanation* shall be numbered as "*Explanation P*" and after *Explanation I* as so numbered, the following *Explanations* shall be inserted, namely:—

"*Explanation II.*—For the purpose of this sub-section,—

(i) "cattle/pig/poultry farms" shall have the same meanings as assigned to them in clauses (d), (m) and (n) respectively in rule 2 of the Kerala Panchayat Raj (Licensing of Live stock farms) Rules, 2012, but shall not include the farms exclusively used for the purpose of sale.

(ii) Cattle/pig/poultry farms shall have the minimum number of animals or birds, as the case may be, as provided in sub-rule (1) of rule 3 of the said Rules.

Explanation III.— "poly house" means any building erected for cultivation purposes under controlled climatic conditions.";

(2) in section 5A, for the words "two thousand rupees", the words "four thousand rupees" shall be substituted;

(3) in the SCHEDULE, for the existing TABLE except the Notes thereunder, the following Table shall be substituted, namely:—

"TABLE
Rate of Building tax

<i>Plinth Area</i>	<i>Grama Panchayat other than Special Grade Grama Panchayat (Rupees)</i>	<i>Special Grade Grama Panchayat/ Town Panchayat/ Municipal Council (Rupees)</i>	<i>Municipal Corporation (Rupees)</i>
(1)	(2)	(3)	(4)
Residential Buildings:			
Not exceeding 100 square metres	Nil	Nil	Nil
Above 100 square metres but not exceeding 150 square metres	1500	2700	4050
Above 150 square metres but not exceeding 200 square metres	3000	5400	8100
Above 200 square metres but not exceeding 250 square metres	6000	10800	16200
Exceeding 250 square metres	6000 plus Rs.1200 for every additional 10 square metres	10800 plus Rs. 2400 for every additional 10 square metres	16200 plus Rs. 3000 for every additional 10 square metres

(1)	(2)	(3)	(4)
Other Buildings:			
Not exceeding 50 square metres	Nil	Nil	Nil
Above 50 square metres but not exceeding 75 square metres	1500	3000	6000
Above 75 square metres but not exceeding 100 square metres	2250	4500	9000
Above 100 square metres but not exceeding 150 square metres	4500	9000	18000
Above 150 square metres but not exceeding 200 square metres	9000	18000	36000
Above 200 square metres but not exceeding 250 square metres	18000	36000	54000
Exceeding 250 square metres	18000 plus Rs. 1800 for every additional 10 square metres	36000 plus Rs. 3600 for every additional 10 square metres	54000 plus Rs. 4500 for every additional 10 square metres."

7. *Amendment of Act 19 of 1976.*—In the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976),—

(1) in section 2,—

(a) the existing clause (aa) shall be renumbered as clause (ab) and before clause (ab) as so renumbered, the following clause shall be inserted, namely:—

“(aa) “e-payment” means remittance of tax using e-payment gateway by transfer of the amount to the account of Motor Vehicles Department from the account of a registered owner or any other person in any Bank or by using Credit/Debit Cards.”;

(b) after clause (c), the following clause shall be inserted, namely:—

“(ca) “Luxury taxi” means a motor cab or a tourist motor cab constructed or adapted to carry more than two passengers but not more than six passengers and having cubic capacity of one thousand five hundred and above.”;

(2) in section 3,—

(a) in sub-section (1),—

(i) for the second proviso, the following proviso shall be substituted, namely:—

“Provided further that in respect of a new motor vehicle of any of the classes specified in items 1, 2, 6, 7(i)(b), 7(i)(c), 7(i)(d), 10(iii) and 11(i) of the Schedule, there shall be levied, from the date of purchase of the vehicle, one time tax at the rate specified in Annexure I, at the time of first registration of the vehicle and thereafter tax shall be levied at the time of renewal of registration of such vehicle or on the expiry of the life time tax already paid at the rate specified in the Schedule as per fourth proviso to sub-section (1) of section 4.”;

(ii) the third proviso shall be omitted;

(iii) for the fourth proviso, the following proviso shall be substituted, namely:—

“Provided also that in respect of old motor cycles specified in item (1), old three wheelers specified in item (2), goods carriages specified in item (3)(i)(a) to (3)(i)(e) and 3(ii)(a) to 3(ii)(e), new autorickshaws specified in item 7(i)(a), old motor cabs specified in item 7(i)(b), old tourist motor cabs specified in item 7(i)(c), and old motor cars specified in item 11(i) of the Schedule, there shall be levied a tax in advance for a period of five years at the rate specified in Annexure II,—

(a) in the case of new vehicles, from the date of purchase, at the time of first registration and thereafter for every five years; and

(b) in the case of old vehicles, after the expiry of existing tax period, for every five years.”;

(b) in sub-section (5), in the existing proviso, for the words, brackets and figure “under sub-section (9)”, the words, brackets and figures “under sub-sections (8) and (9)” shall be substituted;

(3) in section 4,—

(a) in sub-section (1),—

(i) in the fourth proviso, for the words, figures, brackets and letters, after the words, brackets and figure “or passengers specified in item 2 of the Schedule”, the following words, figures, brackets and letters, shall be substituted, namely:—

“or goods carriages specified in items 3(i)(a) to 3(i)(e) and 3(ii)(a) to 3(ii)(c) or motor vehicle specified in items 6 or new autorickhaws specified in item 7(i)(a) or motor cabs specified in item 7(i)(b) or tourist motor cabs specified in item 7(i)(c) or motor cars specified in item 11(i) of the Schedule, shall pay tax in respect of those vehicles in advance for a period of five years in lump sum upon a licence for such period.”;

(ii) for the fifth proviso, the following proviso shall be substituted, namely:—

“Provided also that the registered owner or a person liable to pay tax in respect of Private Service Vehicle (Non-Transport Vehicle) for personal use specified in item 6, luxury taxi specified in item 7(i)(d) and Construction equipment vehicles specified in item 10(iii) of the Schedule, shall remit tax in lump sum for 2 years after the expiry of existing tax period at the rate specified in column (3) of the respective items in the Schedule.”;

(iii) for the sixth proviso, the following proviso shall be substituted, namely:—

“Provided also that the registered owner or a person liable to pay tax in respect of vehicle specified in items 1, 2, 3(i)(a) to 3(i)(e), 3(ii)(a) to 3(ii)(c), 6, 7(i)(a) to 7(i)(d), 10(iii) and 11(i) of the Schedule for which one time or lump sum tax has been paid, shall not be liable to pay any periodical increase in tax during the period for which he has paid tax for such vehicle.”;

(iv) in the seventh proviso, for the figures, brackets and letter “7(i)(b)” in both the places where they occur, the figures, brackets and letter “7(i)(a)” shall be substituted;

(b) in sub-section (3), after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that clause (b) of this sub-section shall not be applicable to c-payment of tax.”;

(4) section 8 shall be omitted;

(5) for section 11, the following section shall be substituted, namely:—

“11. *Power to seize, detain and sell motor vehicles.*—(1) Any officer of the Motor Vehicles Department not below the rank of Assistant Motor Vehicles Inspector authorised in this behalf by the Government or any Police Officer not below the rank of Sub-Inspector may, if he has reason to believe that a taxable motor vehicle is used or kept for use in the State without paying tax, seize and detain that vehicle and make necessary arrangements for the safe custody of that vehicle pending production of proof of payment of tax.

(2) Where the tax due, in respect of the vehicle seized and detained under sub-section (1), is not paid within 30 days from the date of such seizure and detention, the officer authorised by the Government in this behalf may serve a notice in such manner as may be prescribed to the registered owner or the person who had the possession or control of the vehicle, immediately before such seizure and detention. After considering the objections, if any, filed by such person, if the authorised officer is satisfied that, the tax due has not been paid so far, he shall recover the tax due by sale of such vehicle in the manner as may be prescribed:

Provided that no such vehicle shall be sold if the tax due is paid at any time before the completion of the sale.

(3) Where the registered owner or the person having possession or control of the vehicle does not raise any objection to the notice served in sub-section (2), the authorised officer shall conduct sale of such vehicle as provided in sub-section (2).

(4) Where the tax due in respect of the vehicle seized and detained by the Police Officer under sub-section (1) is not paid within 30 days from the date of such seizure and detention, the Police Officer concerned shall transfer such vehicle to the Motor Vehicles Department along with a report thereon. After the receipt of such report, the authorised officer shall conduct the sale of such vehicle under sub-section (2).”;

(6) after section 12, the following section shall be inserted, namely:—

“12A. *Interest on tax payable when tax is not paid.*—Where any person fails to pay the tax payable under section 3 within a period of six months from the date of expiry of the prescribed period for payment of the same, he shall be liable to pay interest on such tax at the rate of twelve per cent per annum, in addition to the additional tax payable under section 12, until the realisation of the amount:

Provided that the interest payable under this section shall not exceed the amount of tax payable.”;

(7) in the SCHEDULE,—

(a) for serial numbers 1 and 2 and the entries against them in columns (2) and (3), the following serial numbers and entries shall, respectively, be substituted, namely:—

1. Motor Cycles (including Motor Scooters and cycles with attachment for propelling the same by mechanical power)	45.00
2. Three wheeler (including tri-cycles and cycle rickshaws with attachment for propelling the same by mechanical power) not used for transport of goods or passengers.	45.00

(b) in serial number 7, for item (i) and the entries thereunder in columns (2) and (3), the following items and entries shall respectively, be substituted, namely:—

(i) Vehicles permitted to ply solely as contract carriage

(a) and to carry not more than 3 passengers (Autorickshaw)	125.00
(b) and to carry more than 2 passengers but not more than 6 passengers other than tourist motor cabs (motor cab)	350.00
(c) Tourist Motor Cabs	425.00
(d) Luxury Taxi	1500.00
(e) Vehicles permitted to operate within the State	
(i) Ordinary Contract Carriage permitted to carry more than 6 passengers but not more than 12 passengers-for every passenger	310.00
(ii) Ordinary Contract Carriage permitted to carry more than 12 passengers but not more than 20 passengers-for every passenger	530.00
(iii) Ordinary Contract Carriage permitted to carry more than 20 passengers-for every passenger	750.00
(iv) Contract Carriages with push back seats and permitted to carry more than 6 passengers-for every passenger	1000.00
(v) Contract Carriages with sleeper berths and permitted to carry more than 6 passengers	2000.00

- (f) Vehicles registered in Kerala and operating inter-state
- | | |
|---|---------|
| (i) Ordinary Contract Carriage permitted to carry more than 12 passengers-for every passenger | 1540.00 |
| (ii) Contract Carriage with push back seats and permitted to carry more than 6 passengers-for every passenger | 2000.00 |
| (iii) Contract Carriage with sleeper berths and permitted to carry more than 6 passengers-for every passenger | 3000.00 |
- (g) Vehicles registered in other States and entering Kerala after obtaining permit under sub-sections (8) and (9) of section 88 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988)
- | | |
|--|---------|
| (i) Ordinary Contract Carriage permitted to carry more than 6 passengers-for every passenger | 4000.00 |
| (ii) Contract Carriages with push back seats and permitted to carry more than 6 passengers-for every passenger | 6000.00 |
| (iii) Contract Carriages with sleeper berths and permitted to carry more than 6 passengers-for every passenger | 7000.00 |
- (ii) Motor Vehicles permitted to ply as Contract Carriages and solely used as Educational Institution Bus

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|---|-----------|
| (a) Vehicles with 20 or less seats including driver | 500.00 |
| (b) Vehicles with more than 20 seats | 1000.00"; |

(c) in serial number 11, after item (ii) and the entries against it, in columns (2) and (3), the following item and entries shall respectively, be inserted, namely:—

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|---|-----------|
| "(iii) Caravan/Camping Trailer-for every square metre or part thereof of the floor area | 1000.00"; |
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(d) in serial number 13, for item "1 Educational Institution Bus", and the entries thereunder in columns (2) and (3), the following item and entries shall, respectively, be substituted, namely:—

"1. Generator Van/Compressor/Rig

- | | |
|--------------------------|-----------|
| (a) Light Motor Vehicle | 1000.00 |
| (b) Medium Motor Vehicle | 1500.00 |
| (c) Heavy Motor Vehicle | 2000.00"; |

(e) in ANNEXURE 1,—

(i) for serial number A and the entries thereunder, in columns (2) and (3), the following serial number and entries shall respectively be substituted, namely:—

“A. New Motor Cycles (including Motor Scooters and Cycles with attachments for propelling the same by mechanical power) and three wheelers (including tricycles and cycle rickshaws with attachment for propelling the same by mechanical power) not used for transport of goods or passengers and Private Service Vehicle for personal use (NTV), Motor Cars, Motor Cabs, Tourist Motor Cabs, Luxury Taxis and Construction Equipment Vehicles

- | | | |
|---|---|---|
| 1 | Motor Cycles (including motor scooters and cycles with attachments for propelling the same by mechanical power) and bicycles of all categories with or without side car or drawing a trailer having purchase value up to rupees 1 lakh | 7% of the purchase value of the vehicle. |
| 2 | Imported Motor Cycles (including motor scooters and cycles with attachments for propelling the same by mechanical power) and bicycles of all categories with or without side car or drawing a trailer having purchase value up to rupees 1 lakh | 13% of the purchase value of the vehicle. |
| 3 | Motor Cycles (including motor scooters and cycles with attachments for propelling the same by mechanical power) and bicycles of all categories with or without side car or drawing a trailer having purchase value above rupees 1 lakh | 10% of the purchase value of the vehicle. |
| 4 | Imported Motor Cycles (including motor scooters and cycles with attachments for propelling the same by mechanical power) and bicycles of all categories with or without side car or drawing a trailer having purchase value above rupees 1 lakh | 22% of the purchase value of the vehicle. |

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| 5 Three Wheelers (including tricycles and cycle rickshaws with attachment for propelling the same by mechanical power) not used for transport of goods or passengers | 7% of the purchase value of the vehicle. |
| 6 Motor Cars and Private Service Vehicle for personal use (NTV) having purchase value up to rupees 5 lakhs | 7% of the purchase value of the vehicle. |
| 7 Imported Motor Cars and Private Service Vehicle for personal use (NTV) having purchase value up to rupees 5 lakhs | 13% of the purchase value of the vehicle. |
| 8 Motor Cars and Private Service Vehicle for personal use (NTV) having purchase value more than rupees 5 lakhs and up to rupees 10 lakhs | 10% of the purchase value of the vehicle. |
| 9 Imported Motor Cars and Private Service Vehicle for personal use (NTV) having purchase value more than rupees 5 lakhs and up to rupees 10 lakhs | 18% of the purchase value of the vehicle. |
| 10 Motor Cars and Private Service Vehicle for personal use (NTV) having purchase value more than rupees 10 lakhs and up to rupees 15 lakhs | 12% of the purchase value of the vehicle. |
| 11 Imported Motor Cars and Private Service Vehicle for personal use (NTV) having purchase value more than 10 lakhs and up to rupees 15 lakhs | 22% of the purchase value of the vehicle. |
| 12 Motor Cars and Private Service Vehicle for personal use (NTV) having purchase value more than rupees 15 lakhs | 17% of the purchase value of the vehicle. |
| 13 Imported Motor Cars and Private Service Vehicle for personal use (NTV) having purchase value more than rupees 15 lakhs | 33% of the purchase value of the vehicle. |
| 14 Motor cabs having cubic capacity below 1500 cc | 7% of the purchase value of the vehicle. |

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| 15 Imported Motor Cabs having cubic capacity below 1500 cc | 13% of the purchase value of the vehicle. |
| 16 Tourist Motor cabs having cubic capacity below 1500 cc and having purchase value up to rupees 10 lakhs | 7% of the purchase value of the vehicle. |
| 17 Imported Tourist Motor Cabs having cubic capacity below 1500 cc and having purchase value up to rupees 10 lakhs | 13% of the purchase value of the vehicle. |
| 18 Tourist Motor cabs having cubic capacity below 1500 cc and having purchase value above rupees 10 lakhs | 12% of the purchase value of the vehicle. |
| 19 Imported Tourist Motor Cabs having cubic capacity below 1500 cc and having purchase value above rupees 10 lakhs | 22% of the purchase value of the vehicle. |
| 20 Luxury Taxis having purchase value up to rupees 15 lakhs | 12% of the purchase value of the vehicle. |
| 21 Imported luxury Taxis having purchase value up to rupees 15 lakhs | 22% of the purchase value of the vehicle. |
| 22 Luxury Taxis having purchase value above rupees 15 lakhs | 17% of the purchase value of the vehicle. |
| 23 Imported luxury Taxis having purchase value above rupees 15 lakhs | 33% of the purchase value of the vehicle. |
| 24 Construction Equipment Vehicles such as excavators, loaders, backhoe, compactor rollers, road rollers, dumpers, motor graders, mobile cranes, dozers, forklift trucks, self loading concrete mixers etc | 7% of the purchase value of the vehicle. |
| 25 Imported Construction Equipment Vehicles such as excavators, loaders, backhoe, compactor rollers, road rollers, dumpers, motor graders, mobile cranes, dozers, forklift trucks, self loading concrete mixers etc. | 13% of the purchase value of the vehicle."; |

(ii) after serial number D and the entries against it in columns (2) and (3), the following serial number and entries shall respectively be inserted, namely:—

- "E. Motor cabs, Tourist motor cabs and Luxury Taxis which are originally registered in other State on or after 1st April, 2014 and migrated to the Kerala State As per the Table below.
- F. Motor cabs, Tourist Motor Cabs and Luxury Taxis which were registered on or after 1st April, 2014 and reclassified from the category of Non-Transport Vehicle As per the Table below.";

(f) for ANNEXURE II, the following ANNEXURE shall be substituted, namely:—

"ANNEXURE II

Lump sum Tax

[See proviso to section 3(1) and section 4(1)]

Sl. No.	Class of Vehicle	Rate of tax for 5 years (in Rupees)
(1)	(2)	(3)
A.	Old Motor cycles (including motor scooters and cycles with attachments for propelling the same by mechanical power) and bicycles of all categories with or without side car or drawing a trailer.	900
B.	Three Wheelers (including tricycles and cycle rickshaws with attachments for propelling the same by mechanical power) not used for transport of goods or passengers	900
C.	New autorickshaws and autorickshaws which were originally registered in other States on or after 1st April, 2010 and migrated to the State of Kerala.	2000
D.	Motor cabs	7000
E.	Tourist Motor cabs	8500
F.	Motor cars having ULW not exceeding 750 Kg.	6400

(1)	(2)	(3)
G. Motor cars having ULW more than 750 Kg. but not more than 1500 Kg.		8600
H. Motor cars having ULW more than 1500 Kg.		10600
I. Goods carriages having GVW up to 3000 Kg.		
(i) Motor Cycle trucks not exceeding 300 Kg.		2700
(ii) Goods Carriages with GVW not exceeding 1000 Kg.		4400
(iii) Goods Carriages with GVW exceeding 1000 Kg. but not exceeding 1500 Kg.		8400
(iv) Goods Carriages with GVW exceeding 1500 Kg. but not exceeding 2000 Kg.		11000
(v) Goods Carriages with GVW exceeding 2000 Kg. but not exceeding 3000 Kg.		14100."

8. *Amendment of Act 32 of 1976.*—In the Kerala Tax on Luxuries Act, 1976 (32 of 1976),—

(1) in section 2, after clause (i), the following clause shall be inserted, namely:—

“(ia) “Serviced apartment” means a furnished apartment available for short-term stay for guests, which provides amenities and services for daily use for monetary consideration as an alternative for hotel accommodation.”;

(2) in section 4,—

(a) in sub-section (1), after item (ii), the following item shall be inserted, namely:—

“(iia) in a serviced apartment”;

(b) in sub-section (2),—

(i) in clause (a), after the second proviso, the following proviso shall be inserted, namely:—

“Provided also that for the accommodation made in the months of June, July and August of every year, the rate of tax mentioned in items (i) and (ii) shall be five per cent.”;

(ii) to clause (c), the following provisos shall be inserted, namely:—

“Provided that any amount paid to the proprietor along with the charges for accommodation, by whatever name called, shall not be excluded from levy of tax under this clause:

Provided further that the rate of tax mentioned in item (iii) shall be ten per cent with respect to National and International Conventions, seminars and exhibitions approved by the Tourism Department of the Government of Kerala as per the scheme formulated by them for this purpose. Such approval shall be filed in the format specified in such scheme, before the assessing authority along with the returns filed under this Act.”;

(iii) after clause (c), the following clause shall be inserted, namely:—

“(d) in respect of serviced apartment, for the charges of accommodation and other amenities and services provided at the rate of twelve and a half per cent.”;

(3) after section 4F, the following section shall be inserted, namely:—

“4G. *Registration of serviced apartments.*—Every proprietor of a serviced apartment in a district shall get his serviced apartment registered with the authority under this Act along with a registration fee of one thousand rupees per apartment. Other procedures relating to registration of hotels shall be applicable in this case. The registration shall be for a period of one year and shall be renewed annually”.

9. *Amendment of Act 15 of 1991.*—In the Kerala Agricultural Income Tax Act, 1991 (15 of 1991), in section 37C,—

(1) in sub-section (3), for the figures and words “31st December, 2010”, the figures and words “31st July, 2014” shall be substituted;

(2) in sub-section (4),—

(a) for the figures and words “31st December, 2010”, the figures and words “31st December, 2014” shall be substituted;

(b) the proviso shall be omitted.

10. *Amendment of Act 30 of 2004.*—In the Kerala Value Added Tax Act, 2003 (30 of 2004),—

(1) in section 4, in sub-section (4), after clause (iii), the following clauses shall be inserted, namely:—

“(iv) The Chairman or any other member of the Appellate Tribunal nominated by him, may, sitting singly, dispose of any case where the amount of tax or penalty disputed in appeal does not exceed fifty thousand rupees and the order of assessment or penalty appealed against is issued by an officer of and below the rank of a commercial tax officer.

(v) A Bench constituting of two or more members other than the Chairman may dispose of any case where the amount of tax or penalty disputed in appeal does not exceed five lakhs rupees.”;

(2) after section 4, the following section shall be inserted, namely:—

“4A. *Appellate Tribunals appointed under the Kerala General Sales Tax Act, 1963.*—Notwithstanding anything contained in this Act, the Appellate Tribunals appointed under the Kerala General Sales Tax Act, 1963 (Act 15 of 1963) shall have the power to hear and dispose of appeals filed under this Act, in such manner as may be prescribed, as if they are appointed under this Act;

(3) in section 6,—

(a) in sub-section (1),—

(i) in the Table, in serial number 1, for the figure “20” in column (4), the figure “22” shall be substituted;

(ii) for the fifth proviso, the following proviso shall be substituted, namely:—

“Provided also that, where,—

(a) the sale is to or by Canteen Stores Department, Central Police Canteen, Indian Naval Canteen Service and National Cadet Corps Canteen; and

(b) the sale is by Military, Naval, Air force or by the one subsidiary canteen each that may be established by the Kerala Police in each District of the State and affiliated to the Central Police Canteen, of the goods purchased from Canteen Stores Department, Central Police Canteen or from their approved dealers, as the case may be; and

(c) in case of motor vehicles, the sale is to Defence personnel or ex-servicemen on production of authorization duly issued by the authorized officer of the Canteen Stores Department, Indian Naval Canteen Stores or Air Force Canteen, as the case may be;

the tax payable under (a), (b) or (c) above shall, subject to such conditions and restrictions as may be prescribed, be half the rate applicable to such goods.”;

(iii) after the fifteenth proviso, the following provisos shall be inserted, namely:—

“Provided also that the rate of tax for the sale of furnace oil to Coastal Cargo Vessel as fuel, shall, subject to such conditions and restrictions as may be prescribed, be 5 per cent:

Provided also that the tax on the sale of goods to be incorporated in works of Kochi Metro Project, awarded by Kochi Metro Rail Corporation, shall subject to such conditions and restrictions as may be prescribed, be exempted.”;

(b) in sub-section (5), the existing Explanation shall be numbered as Explanation I and after Explanation I as so numbered, the following Explanation shall be inserted, namely:—

“*Explanation II.*—For the purpose of this sub-section, total turnover of a dealer shall not include the turnover of sale of medicines sold under first proviso to clause (e) of section 8 and the turnover of sale of goods covered under the Schedule to the Kerala General Sales Tax Act, 1963 (15 of 1963).”;

(c) in sub-section (7), to clause (b), the following proviso shall be inserted, namely:—

“Provided that the exemption covered by this clause shall be applicable to a deemed sale involved in a works contract executed through a sub-contractor also.”;

(4) after section 6, the following section shall be inserted, namely:—

“6A. *Payment of turnover tax of textile articles.*—Notwithstanding anything contained in section 6, every dealer whose total turnover for the previous year is above rupees one crore shall pay turnover tax at the rate of two per cent, on the turnover of sale of textile articles included in the First Schedule.”;

(5) in section 8,—

(a) for clause (a), the following clause shall be substituted, namely:—

“(a) (i) any works contractor who imports any goods into the State from other States or Country for incorporation in the works contracts and/or who is registered under the provisions of the Central Sales Tax Act, 1956 (Central Act 74 of 1956), may, at his option, instead of paying tax in accordance with the provisions of section 6, pay tax at the rate of six per cent of the whole contract amount along with tax under sub-section (2) of section 6:

Provided that the compounded tax payable under this sub-clause by such works contractor in respect of works contract awarded by Government of Kerala, Kerala Water Authority or Local Authorities shall be four per cent of the whole contract amount, along with tax under sub-section (2) of section 6:

(ii) any works contractor not falling under the description in clause (i) above may, at his option, instead of paying tax in accordance with the provisions of the said section, shall pay tax at three per cent of the whole contract amount along with tax under sub-section (2) of section 6:

Provided that the provisions of this clause shall not apply to any works contract in which the transfer of material is in the form of goods:

Provided further that notwithstanding anything contained in this Act, a works contractor who intends to pay tax at compounded rate in accordance with this clause in respect of all works undertaken by him during an year, may, instead of filing separate application for compounding for individual works, file a single option for payment of tax under this clause before 30th day of April of the year to which the option relates, subject to eligibility:

Provided also that in the case of any work compounded under this clause, and which remains unexecuted fully or partly as on 31st March, 2014, the contractor may continue to pay tax in respect of such works in accordance with the provisions of this clause as existed when he had opted for compounding up to 31st March, 2015.

Explanation 1.—For the purpose of this clause “whole contract amount” shall not include the amount paid to sub-contractors for execution of the portion of works contracted if the sub-contractor is a registered dealer liable to pay tax under sub-section (1) or sub-section (1A) of section 6, and the contractor claiming deduction in respect of such amount furnishes certificates in such form as may be prescribed.

Explanation 2.—Notwithstanding anything contained in any other Act, a dealer surrenders his registration and unused declaration forms under the Central Sales Tax Act, 1956 (Central Act 74 of 1956), before the assessing authority on or before 31st March of an year and who does not have any closing stock of materials purchased interstate as on that date or who pays tax on such closing stock at scheduled rates, shall be eligible for paying compounded tax under sub-clause (ii) of this clause, for the next year;

(b) in clause (b),—

(i) in sub-clause (i), for the letters, figures and words “Rs. 40,000 per annum”, the letters, figures and words “Rs. 1,20,000 per annum” shall be substituted;

(ii) in sub-clause (ii), for the letters, figures and words “Rs. 1,60,000 per annum”, the letters, figures and words “Rs. 4,80,000 per annum” shall be substituted;

(iii) in sub-clause (iii), for the letters, figures and words “Rs. 3,20,000 per annum”, the letters, figures and words “Rs. 9,60,000 per annum” shall be substituted;

(iv) in sub-clause (iv), for the letters, figures and words “Rs. 18,00,000 per annum”, the letters, figures and words “Rs. 54,00,000 per annum” shall be substituted;

(v) the first proviso shall be omitted;

(c) in clause (c), for sub-clause (i), the following sub-clause shall be substituted, namely:—

(i) any dealer in cooked food and beverages, including fresh fruit juices and sweets prepared by him, other than,—

(a) a dealer supplying cooked food or beverages to any airline service company or institution or shipping company for serving in aircraft, ships or steamer or served in aircraft, ship, steamer ;

(b) a bar attached hotel or a dealer for serving cooked food in a bar attached hotel ;

(c) a star hotel or a dealer serving cooked food in a star hotel ;

(d) a dealer making interstate purchase of goods, other than capital goods or packing materials ; or

(e) hotels or restaurants using a brand name or a trade mark registered under the Trade Marks Act, 1999 (Central Act 47 of 1999);

may, at his option, instead of paying tax in accordance with the provisions of sub-section (1) of section 6 but subject to payment of tax, if any, payable under sub-section (2) thereof, pay tax at half per cent of the turnover of cooked food and beverages prepared by him and also on the turnover of other goods in respect of which he is not the dealer effecting first taxable sale, as provided in the Explanation under sub-section (5) of section 6.”;

(d) in clause (e), the third proviso shall be omitted;

(e) for clause (f), the following clause shall be substituted, namely:—

“(f) (i) any dealer in bullion or ornaments or wares or articles of gold, silver or platinum group metals including diamond may at his option, instead of paying tax on their sale in the State in respect of such goods in accordance with the provisions of section 6, may pay tax at,—

(a) one hundred and fifteen per cent, in case the total turnover of the dealer opting to pay tax under this clause, for the preceding year was rupees ten lakhs or below;

(b) one hundred and twenty per cent, in case the total turnover of the dealer opting to pay tax under this clause, for the preceding year was above rupees ten lakhs and up to rupees forty lakhs;

(c) one hundred and thirty five per cent, in case the total turnover of the dealer opting to pay tax under this clause, for the preceding year was above rupees forty lakhs and up to rupees one crore;

(d) one hundred and fifty per cent, in case the total turnover of the dealer opting to pay tax under this clause, for the preceding year was above rupees one crore and above;

of the highest tax payable by him as conceded in the return or accounts, or tax paid by him under this Act, whichever is higher, for an year during any of the three consecutive years preceding that to which such option relates.

Explanation 1.—A dealer shall not be allowed to opt for the payment of tax under this clause unless he has conducted business up to a full year as on the first day of April of the year to which the option relates. Where a dealer had not transacted any business for the last three years consecutively, the highest tax paid or payable for the year during the year or years he transacted

business shall be considered for the above purpose and where during any such preceding year, the dealer had not transacted business for any period in that financial year, the tax payable for the twelve months shall be calculated proportionately on the basis of the tax payable or the total turnover conceded, as applicable, for the period during which such dealer had transacted business.

Explanation 2.—Dealers opting for payment of tax under this clause shall pay compounded tax in respect of all their branches existing in the year to which the option relates, except the newly started branch or branches started during the year under option. Such branch or branches will be treated as a separate place of business for the purpose of this clause, for that year.

Explanation 3.—Where a dealer paying tax under this clause, closes a branch during the year under option, proportionate reduction considering the number of business places, in the payment shall be granted in the next monthly instalment onwards, for the remaining months of the year.

Explanation 4.—Where a dealer is opting for payment of tax under this clause for the first time and had only business in the previous year and the tax payable as per return or accounts during such previous year is less than the output tax payable, then the tax payable for the year under option shall be notionally re-determined on the basis of output tax, for determining the tax liability for the year under option.

Explanation 5.—Tax payable as conceded in the accounts includes the tax payable on suppressed or assessed turnover also.

Explanation 6.—For the purpose of this clause, “branch” does not include any place of business which is exclusively engaged in job work, manufacturing of ornaments/articles or polishing, and where there is no buying and/or selling of goods,

(ii) save as otherwise provided in this clause, the compounded tax payable under this clause shall be determined for an year and shall be payable in 12 monthly instalments.

(iii) a dealer who opts for payment of tax under this clause may collect tax at the rate as shown in the Table below, but where the tax so collected during the year is in excess of the tax payable for the year under this clause, the tax collected in excess shall be paid over to Government in addition to the tax payable under this clause.

TABLE

<i>Compounded tax payable for the year under option of the tax paid or payable under this clause for the previous year/ years in percentage</i>	<i>Percentage of tax permitted to be collected on the sale of goods covered under this clause for the year under option</i>
103	1.03
104	1.04
105	1.05
109	1.09
112	1.12
115	1.15
120	1.20
125	1.25
135	1.35
150	1.50

(iv) The assessing authority, for valid and sufficient reasons, such as shifting of place of business, furnishing of false information, suppression of relevant information, failure to furnish such information demanded, may refuse permission to pay tax under this section and cancel the permission, if any, granted:

Provided that no orders under this sub-clause shall be issued without giving the dealer an opportunity of being heard and without prior approval of the District Deputy Commissioner.

(v) Notwithstanding anything contained in section 55 or section 60 of this Act, orders under sub-clause (ii) shall be appealable only to the Appellate Tribunals.

(vi) In case where permission has been cancelled, the amount, if any paid based on the permission, shall be apportioned against the output tax due from the dealer.

(vii) Where a dealer had paid tax under this clause for the previous year, the tax payable,—

(a) by a dealer whose total turnover for the previous year was rupees ten lakhs or below, shall be at the rate of one per cent on the turnover of sales in the State, during the year under option; and,

(b) by the class of dealers mentioned in column (1) of the Table below for the succeeding year under this clause shall be calculated at the appropriate rates mentioned in column (2) or column (3) of the Table below, whichever is higher.

TABLE

(1)	(2)			(3)		
Total turnover of the dealer	Compounded tax payable for the year under option of the tax paid or payable under this clause for the previous year (in per cent)			Percentage of the turnover of sale of goods covered under option within the State, for the previous year, payable as compounded tax		
opting to pay tax under this clause, for the previous year	If a dealer had paid compounded tax under this clause continuously for last five years	If a dealer had paid compounded tax under this clause continuously for last three years	Others	If a dealer had paid compounded tax under this clause continuously for last five years	If a dealer had paid compounded tax under this clause continuously for last three years	Others
Above rupees ten lakhs and up to rupees forty lakhs	103	104	105	1.03	1.04	1.05
Above rupees forty lakhs and up to rupees One Crore	109	112	115	1.09	1.12	1.15
Rupees One Crore and above	115	120	125	1.15	1.20	1.25;

(f) after clause (h), the following clause shall be inserted, namely:—

“(i) Any dealer producing manufactured sand with the aid of mechanized machines namely, vertical shaft impactor/horizontal shaft impactor may, at his option, instead of paying tax in accordance with the provisions of the said sections, pay tax at the following rates, namely:—

<i>Production capacity of the machine</i>	<i>Annual compounded tax (in rupees)</i>
For every machine with capacity up to 50 MT per hour	25 Lakhs
For every machine with capacity above 50 MT up to 100 MT per hour	45 Lakhs
For every machine with capacity above 100 MT up to 150 MT per hour	65 Lakhs
For every machine with capacity above 150 MT up to 200 MT per hour	90 Lakhs
For every machine with capacity above 200 MT per hour	1.40 Crores.”;

(6) in section 12, in the second proviso before the word “plywood”, the words “rubber latex, rubber wood” shall be inserted:

(7) in section 18B,—

(a) for the figures and words “30th September, 2013”, the figures and words “31st August, 2014” shall be substituted;

(b) in the first proviso, for the figures and words “1st April, 2013”, the figures and words “1st April, 2014” shall be substituted;

(c) the second and third provisos shall be omitted;

(8) after section 18B, the following section shall be inserted, namely:—

“18C. *Special provisions for hospitals.*—(1) Notwithstanding anything contained in section 6 and section 18B, hospitals run by charitable institutions shall be exempted from tax on the sale of medicines, laboratory store items and

consumables to their patients during the course of treatment, subject to the following conditions, namely:—

(a) they shall, on payment of a fee of ten thousand rupees, obtain a certificate from the Commissioner for an year, based on the orders of exemption applicable to charitable institutions under the Income Tax Act, 1961 (Central Act 43 of 1961).

(b) the hospitals availing exemption as per this sub-section shall purchase only medicines which had suffered tax on the maximum retail price as per clause (e) of section 8 of this Act and with regard to other laboratory store items and consumables, only from dealers registered under this Act:

Provided that for the period up to 31st March, 2013, the exemption would be made operative only based on the certificate issued by the Commissioner considering the orders of income tax exemption:

Provided further that such charitable hospitals shall not be liable to take registration or file returns under this Act.

(2) Notwithstanding anything contained in section 6 and section 18B, hospitals not covered under sub-section (1), shall be exempted from further tax liability on their sale of medicines and other consumables subject to the following conditions:—

(i) all the purchases of medicines shall be from dealers paying compounded tax as per clause (e) of section 8;

(ii) all the purchases of other consumables are made from dealers registered under this Act at the maximum retail price; and

(iii) they shall file option for availing this exemption before 30th April of every year:

Provided that if such hospitals pay the entire tax assessed/determined on or before 31st March, 2014, they shall not be liable to pay any penalty and/or interest under this Act.”;

(9) in section 20A, the existing provision shall be numbered as sub-section (1) and after sub-section (1), as so numbered, the following sub-section shall be inserted namely:—

“(2) With respect to works contracts awarded by Government of Kerala, Kerala Water Authority or Local Authorities, the Commissioner may, for valid and sufficient reasons to be recorded in writing, condone delay for filing of option under section 8 up to the date of filing of annual returns as prescribed under this Act. The application for condonation of delay shall be submitted along with the order of rejection of the option citing the reasons, of the assessing authority.”;

(10) after section 25B, the following section shall be inserted, namely:—

“25C. Special provision regarding assessment of dealers paying presumptive tax.—Notwithstanding anything contained in sub-section (4) of section 11 or sub-section (2) of section 12, if any assessment or other proceeding is initiated by the assessing authority denying the eligibility of a dealer to pay presumptive tax for the violation of conditions enumerated in sub-section (5) of section 6, such dealer shall be granted input tax credit or special rebate, as the case may be.”;

(11) in section 30, to sub-section (1), the following proviso shall be inserted, namely:—

“Provided that notwithstanding anything contained in this section, no dealer shall collect any sum by way of turnover tax leviable under section 6A.”.

(12) in section 31, in sub-section (5), after the words “twelve per cent per annum” the words “and in the case of tax collected by dealers from persons who had purchased goods from him, at the rate of thirty six per cent per annum shall be inserted ;

(13) in section 42, in sub-section (1), after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that the Khadi and Village Industries Units shall, in lieu of the Statement and Certificate mentioned above, submit copy of the audited statement of accounts and certificate issued by the Kerala Khadi and Village Industries Board.”;

(14) in section 55,—

(a) in sub-section (1),—

(i) for the words, brackets and figures “other than those under sub-section (3), sub-section (8) or sub-section (9) of section 16, sub-section (8) of section 19;” the words, brackets and figures “other than those under section 16, section 19, sub-sections (8) and (9) of section 44, section 49, section 67, section 68, section 69 and section 70” shall be substituted ;

(ii) in the first proviso, for the figures and words “48, 49, 67, 69, 70, 70A and 72”, the figures and words “48, 70A and 72” shall be substituted ;

(iii) after, the second proviso, the following proviso shall be inserted, namely:—

“Provided also that where an order of the assessing authority which has become not appealable with effect from 1st April, 2014 by virtue of the Kerala Finance Bill, 2014, is pending in appeal under this section, such appeal shall stand transferred to the appropriate authority under this Act and such authority shall consider the same as if it is an appeal filed before it.”;

(b) in sub-section (5), after the existing proviso, the following proviso shall be inserted, namely:—

Provided that the power of the Deputy Commissioner (Appeals) to remand a case is limited to ex-parte orders only.”;

(15) in section 57, to sub-section (3), the following proviso shall be inserted, namely:—

Provided that the power of the Deputy Commissioner to remand a case is limited to ex-parte orders only.”;

(16) in section 67, for the existing proviso, the following proviso shall be substituted, namely:—

Provided that in the case of item (c) above, a minimum penalty of rupees One Thousand shall directed to be paid.”;

(17) in the SCHEDULES,—

(a) in the First Schedule,—

(i) after serial number 18 and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—

“18A. Flour

(1) Wheat or meslin flour	1101.00.00
(2) Maida	****;

(ii) in serial number 35A, in the entry in column (2), the words “paper cups” shall be added at the end ;

(iii) in serial number 42, for the entry against it in column (2), the following entry and Note shall be substituted, namely:—

“Rice issued from Central/State Government depots or sold by Food Corporation of India for sale by authorized ration dealers

Note:—This entry shall be deemed to have come into force on the 1st day of April, 2005”;

(iv) after serial number 42A and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—

"42B. Rice bran oil ***";

(v) after serial number 48 and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—

"48A. Soaps manufactured in which oil used is ***";
exclusively coconut oil

(b) in the Second Schedule,—

(i) for serial number 2B and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be substituted, namely:—

"2B. Chillies dried 0904.20.10";

(ii) for serial number 2C and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be substituted, namely:—

"2C. Flour other than those specifically mentioned in the First Schedule

(1) Rye flour	1102.10.00
(2) Maize (corn flour)	1102.20.00
(3) Rice flour (puttu podi and the like)	1102.30.00
(4) Sooji	***
(5) Other cereal flour	1102.90.00";

(iii) after serial number 5A and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—

"5B. Orid dhal powder ***";

(c) in the Third Schedule,—

(i) in serial number 3, sub-item (j) of item (1) and the entries against it in columns (2) and (3) shall be omitted;

(ii) after serial number 7 and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—

"8. Bakery products like cakes, halwa, mixture, laddu and jelabi ****";

(iii) in serial number 30A, in the entry in column (2), for the words "bar attached hotels and star hotels", the words "and five star hotels" shall be substituted;

(iv) in serial number 36, to item (27), the following Note shall be inserted, namely:—

"Note:—This entry shall be deemed to have come into force on the 13th day of November, 2009.";

(v) after serial number 37 and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—

"38. Edible oils

(1) Soyabean oil	1507.90.10
(2) Groundnut oil	1508.90.91
(3) Olive oil	1509.90.10
(4) Palm oil	
(a) Refined bleached deodorized palm oil	1511.90.10
(b) Refined bleached deodorized palmolein	1511.90.20
(5) Sunflower oil	1512.19.10
(6) Saffola oil	1512.19.30
(7) Cottonseed oil	1512.29.10
(8) Babassu oil	1513.29.20
(9) Refined coiza oil	1514.19.10

(10) Refined rapeseed oil	1514.19.20
(11) Refined mustard oil	1514.99.20
(12) Linseed oil	1515.19.10
(13) Maize (corn) oil	1515.29.10
(14) Castor oil	1515.30.10
(15) Sesam oil	1515.50.91
(16) Fixed vegetable oils of edible grade namely, mango kernel oil, mahua oil	1515.90.40
(17) Other edible oils	1515.90.91
(18) Other partly or wholly hydrogenated vegetable oils	
(a) Cottonseed oil	1516.20.11
(b) Groundnut oil	1516.20.21
(c) Castor oil	1516.20.31
(d) Others including Vanaspati	1516.20.91
(19) Vegetable edible oils excluding HSN heading No. 1516	
(a) Linseed oil	1518.00.11
(b) Castor oil dehydrated	1518.00.21
(c) Other vegetable oils edible grade	1518.00.31
(20) Palm kernel oil	1513.21.10";

(vi) in serial number 69, item (27) and the entries against it in columns (2) and (3) shall be omitted;

(vii) in serial number 79A, for the entries against it in columns (2) and (3), the following entries shall, respectively, be substituted, namely:--

"All types of lamps using LED as the source
of light

****";

(viii) serial number 82A and the entries against it in columns (2) and (3) shall be omitted;

(ix) in serial number 93, to sub-item (c) of item (1), the following Note shall be inserted, namely:—

*Note:—*The entry shall be deemed to have come into force on the 1st day of April, 2005.”;

(x) to entry 98A, the following Notes shall be inserted, namely:—

*Note 1.—*For the sale of Domestic LPG by Indian Oil Corporation Limited, Hindustan Petroleum Corporation Limited, Bharat Petroleum Corporation Limited and their agencies, no tax shall be levied on the amount of subsidy granted by the Central Government to such Corporations and passed on to the consumers during the sale of the same by the said Corporations and agencies;

Note 2.— This shall be deemed to have come into force on the 1st day of January, 2014.”;

(d) in the List A, after serial number 135A and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—

“135B. Rubber spray oil

***”

11. *Amendment of Act 29 of 2013.—* In the Kerala Finance Act, 2013 (29 of 2013), in section 11,—

(1) in sub-section (1), the words “including that of dining halls” shall be omitted;

(2) to sub-section (2), the following proviso shall be inserted, namely:—

“Provided that cess shall be levied only once for wedding and connected celebrations in respect of the same bride and bridegroom.”.

**DECLARATION UNDER THE KERALA PROVISIONAL COLLECTION OF
REVENUES ACT, 1985 (ACT 10 OF 1985)**

It is hereby declared that it is expedient in the public interest that all the provisions of this Bill shall have effect on and from the 1st day of April, 2014 under the Kerala Provisional Collection of Revenues Act, 1985 (10 of 1985).

STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend the following enactments to give effect to the financial proposals of the Government of Kerala for the financial year 2014-2015 as announced in paragraphs 13, 310 to 316, 318, 319, 326 to 334, 336 to 379, 381 to 386, 388, 390, 393, 395 to 397 of the Budget Speech 2014-2015, namely:—

1. The Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (XII of 1955);
2. The Kerala Stamp Act, 1959 (17 of 1959);
3. The Kerala Plantation Tax Act, 1960 (17 of 1960);
4. The Kerala General Sales Tax Act, 1963 (15 of 1963);
5. The Kerala Building Tax Act, 1975 (7 of 1975);
6. The Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976);
7. The Kerala Tax on Luxuries Act, 1976 (32 of 1976);
8. The Kerala Agricultural Income Tax Act, 1991 (15 of 1991);
9. The Kerala Value Added Tax Act, 2003 (30 of 2004);
10. The Kerala Finance Act, 2013 (29 of 2013).

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-section (2) of section 11 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976) proposed to be substituted by sub-clause (5) of clause 7 of the Bill seeks to empower the Government to prescribe the details and the manner of serving the notice to the registered owner or the person having control of the vehicle, by the authorised officer who had seized and detained such vehicle and the manner of conducting the sale of such vehicle on non-payment of the tax due.

2. Section 4A of the Kerala Value Added Tax Act, 2003 (30 of 2004) proposed to be inserted by sub-clause (2) of clause 10 of the Bill seeks to empower the Government to prescribe the manner in which the appeals filed before the existing Appellate Tribunals under the Kerala Value Added Tax Act, 2003 are to be heard and disposed of by the Appellate Tribunals appointed under Kerala General Sales Tax Act, 1963.

3. Proviso to sub-section (1) of section 6 of the Kerala Value Added Tax Act, 2003 (30 of 2004) proposed to be amended by item (a)(ii) of sub-clause (3) of clause 10 of the Bill seeks to empower the Government to prescribe such conditions and restrictions subject to the issue of authorisation by the authorised officer for tax reduction in the sale of goods to defence personnel, ex-service men etc.

4. Sub-section (1) of section 6 of the Kerala Value Added Tax Act, 2003 (30 of 2004) proposed to be amended by item (a)(iii) of sub-clause (3) of clause 10 of the Bill seeks to empower the Government to prescribe the conditions and restrictions subject to which tax shall be reduced for the sale of furnace oil to coastal cargo vessel and also to prescribe the conditions and restrictions subject to which tax shall be exempted for the sale of goods to be incorporated in works of Kochi Metro Project under the Kochi Metro Rail Corporation.

5. Explanation I of clause (a) of section 8 of the Kerala Value Added Tax Act, 2003 (30 of 2004) proposed to be amended by sub-clause (5) of clause 10 of the Bill seeks to empower the Government to prescribe the form of the certificate to claim deduction in respect of amount paid to sub-contractors for execution of a portion of the work contracted, while paying tax at the rate of six per cent of the whole contract amount in a works contract.

6. The matters in respect of which notifications may be issued or rules are to be made are either administrative in nature or matters of procedure and are of routine nature. Further, the rules after they are made, will be subject to the scrutiny of the Legislative Assembly. The delegation of legislative power is, thus, of a normal character.

K. M. MANI.

12. *Books of accounts to be kept by society.*—(1) The general body of a society shall cause to be kept proper books of account with respect to—

(a) all sums of money received and expended for and on behalf of the society and the matters in respect of which the receipt and expenditure take place; and

(b) the assets and liabilities of the society.

(2) If default is made in complying with the requirements of this section, every member of the governing body who has knowingly by his act or omission, been the cause of such default, shall be liable to a fine not exceeding one thousand rupees.

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13. *Annual Balance Sheet.*—(1) The governing body of every society shall at some date not later than eighteen months after the registration of the society and subsequently once at least in every calendar year lay before the society in general meeting a balance sheet and income and expenditure account for the period in the case of the first account since the registration of the society and in any other case since the preceding account made up to a date earlier than the date of the meeting by more than six months.

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(5) If the requirements of this section are not complied with, the society and every member of its governing body, who knowingly and wilfully authorises or permits the default, shall be liable to a fine not exceeding one thousand rupees.

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15. *Society to keep a register of members.*—(1) Every society shall have a register of its members wherein the following particulars are entered.—

(a) the names and addresses and the occupation, if any, of the members;

(b) the date on which each person became a member;

(c) the date on which any person ceased to be a member;

(2) If default is made in complying with the requirements of this section the society and every member of the governing body, who knowingly and wilfully authorises or permits the default, shall be liable to a fine not exceeding "one hundred rupees" for every day during which the default continues.

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22. *Amendments to memorandum or the rules and regulations of a society.*—(1) When any amendment is made in the provisions of the memorandum or the rules and regulations of a society, a copy of the resolution effecting the amendment, certified to be a correct copy by not less than three members of the governing body shall be filed with the Registrar within fourteen days from the date of the general meeting at which the resolution was passed.

(2) If delay is made in so filing with the Registrar a copy of the resolution, mentioned in sub-section (1) of this section, the society and every member of its governing body, shall be liable to a fine not exceeding one hundred rupees for every day during which the default continues.

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EXTRACT FROM THE RELEVANT PORTIONS OF THE
KERALA STAMP ACT, 1959
(17 OF 1959)

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28A. *Fixation of fair value of land.*—(1) Every Revenue Divisional Officer shall, subject to such rules as may be made by the Government in this behalf, fix the fair value of the lands situate within the area of his jurisdiction, for the purpose of determining the duty chargeable at the time of registration of instruments involving lands.

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(3) The fair value of the land fixed under sub-section (1) shall be published in such manner as may be provided in the rules made under this Act.

(4) Any person aggrieved by the fixation of fair value under sub-section (1) may within one year of its publication under sub-section (3), appeal to the Collector :

Provided that the Collector may admit an appeal preferred after the said period of one year if he is satisfied that the appellant had sufficient cause for not preferring the appeal within the said period.

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THE SCHEDULE

<i>Sl. No.</i>	<i>Description of instrument</i>	<i>Proper Stamp Duty</i>
(1)	(2)	(3)
	Acknowledgement of a debt exceeding twenty rupees in amount or value written or signed by, or on behalf of, a debtor in order to supply evidence of such debit in any book (other than a banker's pass book) or on a separate piece of paper when such book or paper is left in the creditor's possession ; provided that such acknowledgement does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property :	

(1)	(2)	(3)
When the amount or value does not exceed Rs. 1,000		Five rupees
When it exceeds Rs. 1,000		Ten rupees
**	**	**
**	**	**
**	**	**
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5. Agreement or memorandum of an agreement—		
(a) if relating to the sale of a bill of exchange :		One rupee
(b) if relating to the sale of Government security or share in an incorporated company or other body corporate		One rupee for every Rs. 10,000 or part thereof the value of the security or share
(c) if relating to giving authority or power to a promoter or developer, by whatsoever name called, for construction, development or sale or transfer (in any manner whatsoever) of any immovable property.		The same duty as a conveyance (under 21 or 22 as the case may be) on the value or the estimated cost of proposed construction/development of such property, as the case may be.
(d) if not otherwise provided for :		One hundred rupees
**	**	**
10. Articles of association of a Company		Ten Thousand rupees
**	**	**
19. Chitty or Kuri Variola, where the total amount subscribed exceeds Rs. 100 part thereof of the total		Twenty five rupees for every Rs. 1,000 or amount subscribed.
**	**	**

(1)	(2)	(3)
21. (i) Conveyance as defined in section 2(d) other than a conveyance specified in No. 22, not being a transfer charged or exempted under No. 55		Five rupees for every rupees 100 or part thereof of the fair value of the land or the amount or value of the consideration for such conveyance, whichever is higher.
**	**	**
22. Conveyance as defined in section 2(d) not being a transfer charged or exempted under No. 55 of immovable property situated,—		
	(I) Within the Municipalities/Townships/Cantonments other than Corporations.	Six rupees for every rupees 100 or part thereof of the fair value of the land or the amount or value of the consideration for such conveyance, whichever is higher.
**	**	**
**	**	**
**	**	**
	(II) Within the Municipal Corporations	Seven rupees for every rupees 100 or part thereof of the fair value of the land or the amount or value of the consideration for such conveyance, whichever is higher.
**	**	**

(1)	(2)	(3)
36.	Memorandum of association of a company—	
	(a) if accompanied by articles of association under the Companies Act, 1956 (Central Act 1 of 1956):	Five hundred rupees
	(b) if not so accompanied	One thousand rupees
**	**	**
37.	Mortgage deed, not being an agreement relating to deposit of title deeds, pawn or pledge (No. 6), Bottomry Bond (No. 14), Mortgage of a crop (No. 38) Respondentia Bond (No. 49) or Security Bond (No. 50)	
	(a) When possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given :	The same duty as a conveyance (No. 21 or 22 as the case may be) for a consideration equal to the amount secured by such deed.
**	**	**
	(c) When a collateral or auxiliary or additional or substituted security, or by way of further assurance for the above mentioned purpose where the principal or primary security is duly stamped, for very sum secured not exceeding Rs. 1,000 :	Five rupees
	Exemption	
	Instruments executed by persons taking advances from Government to secure the re-payment of such advances.	

EXTRACT FROM THE RELEVANT PORTIONS OF THE
KERALA PLANTATION TAX ACT, 1960
(ACT 17 OF 1960)

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3. *Charge of plantation tax.*—(1) Subject to the other provisions contained in this Act, for every financial year commencing on and from the first day of April, 1960, there shall be charged in respect of the lands comprised in plantations held by a person on the corresponding valuation date an additional tax (hereinafter referred to as 'plantation tax') at the rates specified in Schedule I; and the person holding such plantations shall be liable to pay the plantation tax.

(2) The plantation tax assessed under this Act shall be payable by the assessee for every financial year until the extent of plantations held by him is revised and the plantation tax is assessed on the basis of the revised extent under sub-section (3), and from the financial year immediately following the revision the plantation tax assessed on the basis of such revision shall be payable.

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EXTRACT FROM THE RELEVANT PORTIONS OF THE
KERALA GENERAL SALES TAX ACT, 1963
(15 OF 1963)

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7. *Payment of tax at compounded rates.*—Notwithstanding anything contained in sub-section (2) of section 5, any bar attached hotel, not being a star hotel of and above four star hotel, heritage hotel or club, may, at its option, instead of paying turnover tax on foreign liquor in accordance with the said sub-section, pay turnover tax on the turnover of foreign liquor calculated at the rates in clauses (a) or (b) of items (i) and (ii), respectively, whichever is higher,—

(i) in respect of a bar attached hotel of and below two star,

(a) at one hundred and forty per cent of the purchase value of such liquor, in the case of those situated within the area of a municipal corporation or a municipal council or a cantonment, and at one hundred and thirty five per cent of the purchase value of such liquor, in the case of those situated in any other place; or

(b) at one hundred and fifteen per cent of the highest turnover tax payable by it as conceded in the return or accounts or the turnover tax paid for any of the previous consecutive three years; and

(ii) in respect of a bar attached hotel of three stars,

(a) at one hundred and eighty per cent of the purchase value of such liquor, in the case of those situated within the area of a municipal corporation or a municipal council or a cantonment, and at one hundred and seventy per cent of the purchase value of such liquor, in the case of those situated in any other place; or

(b) at one hundred and twenty five per cent of the highest turnover tax payable by it as conceded in the return or accounts or the turnover tax paid for any of the previous consecutive three years:

Provided that the rate of tax mentioned under clause (b) of item (i) above shall be one hundred and ten per cent of the tax paid for the previous year for those bar hotels who have paid compounded tax under this Act continuously for the last five years and one hundred and twelve per cent of the tax paid for the previous year for those who have paid compounded tax continuously for the last three years.

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23B. *Reduction of arrears in certain cases.*—(1) Notwithstanding anything contained in this Act, or in any Judgement, decree or order of any court, tribunal or appellate authority, an assessee who is in arrears of tax or any other amount due under the Act relating to the period ending on 31st March, 2005, may opt for settling the arrears by availing reduction at the following rates:

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(3) A Dealer who wishes to opt for payment of arrears under sub-section (1) shall make an application to the assessing authority in the prescribed form before "31st December, 2013"

(4) On receipt of an application under sub-section (3), the assessing authority shall verify the same and intimate the amount due to the assessee and thereupon the assessee shall remit the amount in lump sum or in three equal instalments on or before 31st "December, 2013"

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23BA. *Reduction of arrears in respect of Public Sector Undertaking and Co-operative Societies.*—(1) Notwithstanding anything contained in this Act, or in any judgment, decree or order of any court, tribunal or appellate authority, an assessee which is a Public Sector Undertaking or a Co-operative Society and which is in arrears of tax or any other amount due under this Act or the Central Sales Tax Act, 1956 (Central Act 74 of 1956) relating to the period ending on 31st March, 2005, may opt for settling the arrears by availing reduction at the following rates:—

(a) a complete reduction of the interest on the tax amount and for the amount of penalty and interest thereon; and

(b) in the case of Public Sector Undertakings or Co-operative Societies which are running in profit, reduction in fifty per cent of the principal amount; and

(c) in the case of Public Sector Undertakings or Co-operative Societies which are running at loss, reduction in seventy-five per cent of the principal amount:

Provided that Public Sector Undertakings or Co-operative Societies, the landed properties of which are likely to be sold in execution of any judgment, decree or order of any court, tribunal or other authority shall not be eligible to opt under this scheme.

THE SCHEDULE

[Section 5 (1)]

Goods in respect of which tax is leviable under section 5

<i>Sl. No.</i>	<i>Sub-entry</i>	<i>Description of Goods</i>	<i>Rate of tax (per cent)</i>
1		Petroleum products:	
	(i)	Aviation turbine fuel	34
	(ii)	High Speed Diesel Oil	40
	(iii)	Motor Spirit (including light diesel oil but excluding petrol, naphtha, aviation turbine fuel and high speed diesel oil)	50
	(iv)	Petrol other than naphtha	44
2		Foreign Liquor:	
	(i)	Beer and Wine	50
	(ii)	Other than Beer and Wine	105
		**	**

EXTRACT FROM THE RELEVANT PORTIONS OF THE
KERALA BUILDING TAX, ACT, 1975
(7 OF 1975)

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3. *Exemptions.*—(1) Nothing in this Act shall apply to—

- (a) buildings owned by the Government of Kerala or the Government of India or any local authority; and
- (b) buildings used principally for religious, charitable or educational purposes or as factories or workshops.

Explanation.—For the purposes of this sub-section, “charitable purpose” includes relief of the poor and free medical relief.

(2) If any question arises as to whether a building falls under sub-section (1) or under Section 3A, it shall be referred to the Government and the Government shall decide the question after giving the interested parties an opportunity to present their case.

(3) A decision of the Government under sub-section (2) shall be final and shall not be called in question in any Court of law.

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5A. *Charge of luxury tax.*—(1) Notwithstanding anything contained in this Act, there shall be charged a luxury tax of two thousand rupees annually on all residential buildings having a plinth area of 278.7 square metres or more and completed on or after the 1st day of April, 1999.

(2) The luxury tax assessed under this Act shall be paid in advance on or before the 31st day of March, every year.

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THE SCHEDULE

[See section 5]

Rate Of Building Tax

<i>Plinth Area</i>	<i>Grama Panchayat other than Special Grade Grama Panchayat (Rs.)</i>	<i>Special Grade Grama Panchayat/ Town Panchayat/ Municipal Council (Rs.)</i>	<i>Municipal Corporation (Rs.)</i>
(1)	(2)	(3)	(4)
Residential Buildings			
Not exceeding 100 square metres	Nil	Nil	Nil
Above 100 square metres but not exceeding 150 square metres	750	1,350	2,025

(1)	(2)	(3)	(4)
Above 150 square metres but not exceeding 200 square metres	1,500	2,700	4,050
Above 200 square metres but not exceeding 250 square metres	3,000	5,400	8,100
Exceeding 250 square metres	3,000 plus Rs. 600 for every additional 10 square metres	5,400 plus Rs. 1,200 for every additional 10 square metres	8,100 plus Rs. 1,500 for every additional 10 square metres
Other Buildings			
Not exceeding 50 square metres	Nil	Nil	Nil
Above 50 square metres but not exceeding 75 square metres	750	1,500	3,000
Above 75 square metres but not exceeding 100 square metres	1,125	2,250	4,500
Above 100 square metres but not exceeding 150 square metres	2,250	4,500	9,000
Above 150 square metres but not exceeding 200 square metres	4,500	9,000	18,000
Above 200 square metres but not exceeding 250 square metres	9,000	18,000	27,000
Exceeding 250 square metres	9,000 plus Rs. 900 for every additional 10 square metres	18,000 plus Rs. 1,800 for every additional 10 square metres	27,000 plus Rs. 2,250 for every additional 10 square metres

Note.—(1) In the case of buildings referred to in the Explanation 2 to clause (e) of Section 2, the rate of building tax shall be increased by 15%.

(2) In the case of buildings certified by a competent authority such as Nirmithi Kendras and the like as may be specified by Government in this behalf to be low cost residential building, the rate of building tax shall be reduced by 12.5%

(3) In the case of buildings having a plinth area of 185.87 square metres or more and completed on or after the 1st day of April, 2013 in which there are installations for rainwater harvesting, waste treatment at source and solar panels having such measurements and specifications as may be specified by the Government by notification in the Gazette, the rate of building tax shall be reduced by 50 per cent.

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EXTRACT FROM THE RELEVANT PORTIONS OF THE KERALA
MOTOR VEHICLES TAXATION ACT, 1976
(19 OF 1976)

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2. *Definitions.*—In this Act, unless the context otherwise requires:

(a) "cubic capacity" in respect of any motor vehicle mentioned in items 1 and 2 of the Schedule means cubic capacity recorded in the Certificate of Registration, and in case where cubic capacity is not recorded in the Certificate of Registration, the cubic capacity as determined by the registering authority taking into consideration the cubic capacity of a similar type of vehicle';

(aa) "fleet owner" means a person, an institution or the Government, who or which is the registered owner of more than one hundred and fifty transport vehicles used or kept for use in the state;

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(c) "local authority" includes a cantonment authority within the meaning of the cantonments Act, 1924 (Central Act 2 of 1924);

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3. *Levy Tax.*—(1) Subject to the other provisions of this Act, on and from the date of commencement of this Act, a tax shall be levied on every motor vehicle used or kept for use in the state, at the rate specified for such vehicle in the Schedule:

Provided that no such tax shall be levied on a motor vehicle kept by a dealer in, or a manufacturer of, such vehicle, for the purpose of trade and used under the authorisation of trade certificate granted by the registering authority.

Provided further that in respect of a new motor vehicle of any of the classes specified in item numbers 1, 2, 6, 10(iii) and 11 of the Schedule to this Act, there shall be levied from the date of purchase of the vehicle one-time tax at the rate specified in Annexure I, at the time of first registration of the vehicle and thereafter tax shall be levied at the time of renewal of such vehicle at the rate specified in the Schedule as per fourth proviso to sub-section (1) of section 4:

Provided further that in respect of new motor vehicle of any of the descriptions specified in item No. 1(a) of the Schedule to this Act, there shall be levied from the date of purchase of the vehicle a tax in advance for a period of five years at the rate specified in the Schedule, at the time of first registration of the vehicle, and thereafter tax shall be levied at the rate specified in the Schedule in accordance with the fourth proviso to sub-section (1) of Section 4:

Provided also that in respect of new autorickshaws specified in item number 7(i)(b) of the Schedule to this Act, there shall be levied from the date of purchase of the new vehicle, a tax in advance for a period of five years at the rate specified in Annexure II, at the time of first registration of the vehicle and thereafter tax shall be levied for 5 years or for one year at the rate specified in the seventh proviso to sub-section (1) of section 4.

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(5) The tax payable for temporary licence in respect of a motor vehicle shall be,—

(a) Where the temporary licence is for a period not exceeding seven days, at the rate of one-tenth of quarterly tax on that motor vehicle; and

(b) where the temporary licence is for a period exceeding seven days but not exceeding thirty days, at the rate of one-third of the quarterly tax on that motor vehicle.

Provided also that in the case of vehicles covered with permit under sub-section (9) of section 88 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988) and registered in any State other than the State of Kerala and entering the State of Kerala and staying therein, then, the tax payable for such vehicle shall be—

(a) if such stay does not exceed seven days one tenth of the quarterly tax; and

(b) if such stay exceeds seven days but does not exceed 30 days one third of the quarterly tax;

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4. *Payment of Tax and issue of licence.*—(1) The tax levied under sub-section (1) of Section 3 shall be paid in advance within such period and in such manner as may be prescribed by the registered owner or person having possession or control of the motor vehicle for a quarter or year, at his choice, upon a quarterly or annual license to be taken out by him.

Provided that in the case of a fleet owner, the Government may direct that the tax shall be paid in monthly instalments before such date, in such manner and subject to such conditions as may be specified in the direction.

Provided further that where the tax payable in respect of a motor vehicle other than as motor cycle (including a motor scooter and cycle with attachment for propelling the same by mechanical power) or a three wheeler as specified in items 1 and 2 of the Schedule or a motor car as specified in item 11 of the Schedule, for a year does not exceed Rupees one thousand five hundred, the tax shall be paid yearly upon an annual licence:

Provided also that a registered owner or person having possession or control of the motor vehicle may, at his/her choice, pay the yearly tax payable under the second proviso in advance for any period up to 5 years, upon a licence for such period:

Provided also that the registered owner or a person having possession or control of a motor cycle (including motor scooters and cycles, with attachment for propelling the same by mechanical power), specified in item 1 of the Schedule or three wheelers (including tricycles and cycle rickshaws with attachment for propelling the same by mechanical power) not used for transportation of goods or passengers specified in item 2 of the Schedule or a motor vehicle specified in item 6 of the Schedule or a motor car specified in item 11 of the said Schedule shall pay tax in respect of those vehicles in advance for a period of two years in lump sum upon a licence for such period:

Provided also that a registered owner or person liable to pay tax for a period of two years in respect of motor vehicles specified in serial numbers 1 and 2 of the Schedule may at his choice pay tax in advance for any period exceeding two years at the rates specified in the schedule:

Provided also that the owner or a person liable to pay tax in respect of vehicle specified in item numbers 1, 2, 6, 7(i)(b), 10(iii) and 11 of the Schedule to this Act shall not be liable to pay any periodical increase in tax during the period for which he has paid tax for such vehicle:

Provided also that the owner or a person liable to pay tax in respect of autorickshaws specified in item number 7(i) (b) of the Schedule shall have an option to remit tax in lump sum for 5 years at the rate specified in Annexure II or to remit tax for one year at the rate specified in item number 7(i) (b) of the Schedule.

Explanation: The tax for an annual licence shall not exceed four times, tax for two years' licence shall not exceed eight times, tax for five years' licence shall not exceed twenty times, tax for 10 years' licence shall not exceed forty times and tax for 15 years' licence shall not exceed sixty times, the tax for a quarterly licence.

(3) When any person pays the amount of tax in respect of a motor vehicle used or kept for use in the State or obtains an endorsement in the certificate of registration of the vehicle by the Regional Transport Officer concerned that no tax is payable in respect of such vehicle, the Taxation Officer shall—

(a) grant to such person a license in the prescribed form; and

(b) record that the tax has been paid for the specified period or that no tax is payable in respect of that vehicle, as the case may be, in the certificate of registration or, in the case of a vehicle not registered under the Motor Vehicles Acts, 1939 (Central Act 4 of 1939), in a certificate in such form as may be prescribed ;

Provided that no license shall be granted in respect of a motor vehicle which is exempt from payment of tax under sub-section (1) of section 5.

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8. *Production of certificate of insurance.*— Every registered owner or person having possession or control of a motor vehicle shall, at the time of making payment of the tax, produce before the Taxation Officer a certificate of insurance in respect of the vehicle, which is valid at the time of making such payment complying with the requirements of Chapter VIII of the Motor Vehicles Act, 1939 (Central Act 4 of 1939).

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11. *Seizure and detention of motor vehicles pending production of proof of remittance of tax.*— Any officer not below the rank of Assistant Motor Vehicle Inspector authorised in this behalf by the Government or any police officer not below the rank of a Sub-Inspector may, if he has reason to believe that a taxable motor vehicle is used or kept for use in the State without paying the tax, seize and detain that vehicle and make arrangements for the safe custody of that vehicle pending production of proof of payment of the tax.

12. *Additional tax payable when tax not paid.*— (1) When any registered owner or any person who has possession or control of any motor vehicle used or kept for use in the State has not paid the tax within the prescribed period, shall pay, in addition to the tax, an additional tax of such amount as may be specified by the Government by notification in the Gazette, not exceeding the amount of the tax due.

(2) The additional tax under sub-section (1) shall be paid along with the arrears of tax.

(1)	(2)	(3)
	(b) Three Passengers (Autorickshaw)	Petrol driven 120.00 Diesel driven 130.00
	(c) More than 3 passengers but not more than 6 passengers other than Tourist motor cabs (Motor cab)	Petrol driven 240.00 Diesel driven 260.00
	(d) More than 6 passengers but not more than 12 passengers for every passenger	310.00
	(e) Vehicles permitted to operate within the State-more than 12 passengers but not more than 20 passengers -for every passenger	530.00
	More than 20 passengers,-for every passenger	750.00
	(f) Vehicles operating Inter-State more than 12 passangers, for every passenger	1540.00
	(g) Tourist Motor Cabs	Petrol driven 320.00 Diesel driven 340.00
	(ii) Vehicles permitted to ply solely as Stage Carriages:	
	(a) Ordinary services-for every seated passenger (other than driver and conductor) which the vehicle is permitted to carry	600.00
	(b) Fast Passenger and Express Services for every seated passenger other than driver and conductor which the vehicle is permitted to carry	690.00
	(c) For every standing passenger the vehicle (whether Ordinary, Fast Passenger or Express Service) is permitted to carry	210.00
	(d) For every standing passenger if the vehicle with only city/town permit (whether ordinary, fast passenger or Express service) is permitted to carry	150.00
**	**	**
11. (i) Motor Car (payable every two years)		
	(a) Weighing not more than 750 Kg. in unladen weight	320.00

(1)	(2)	(3)
(b)	Weighing more than 750 Kg. but not more than 150. Kg. in unladen weight	430.00
(c)	Weighing more than 1500 Kg. in unladen weight	530.00
(ii) Tax payable in respect of trailers drawn by any of the vehicles specified in (a) to (c) above and used solely for carrying luggage or personal effects-		
(a)	for each trailer not exceeding 1000 Kg. in Gross Vehicle weight	35.00
(b)	For each trailer exceeding 1000 Kg. in Gross vehicle weight	55.00
**	**	**
13. 1 Educational Institution Bus		
(a)	Vehicles with 20 or less seats including that of the driver	500.00
(b)	Vehicles with more than 20 seats	1000.00
2.	Ambulance	550.00
3.	Tractor	220.00
4.	Vehicles exclusively used for imparting instructions in driving of motor vehicles,—	
(a)	Light motor vehicles excluding Motor Car	550.00
(b)	Medium goods/passenger vehicles	1100.00
(c)	Heavy goods/passenger vehicles	1650.00;

ANNEXURE I
ONE TIME TAX

[See proviso to section 3(1)]

<i>Sl. No.</i>	<i>Class of Vehicle</i>	<i>Rate of one time tax</i>
(1)	(2)	(3)
A	<p>New Motor Cycles (including Motor Scooters and Cycles with attachments for propelling the same by mechanical power) and three wheelers (including tricycles and cycle rickshaws</p> <p>with attachment for propelling the same by mechanical power) not used for transport of goods or passengers and Private Service Vehicle for personal use (NTV), Motor Cars and construction equipment vehicle</p>	
	1. Motor Cycles (including motor scooters and cycles with attachments for propelling the same by mechanical power) and bicycles of all categories with or without side car or drawing a trailer.	6% of the purchase value of the vehicle
	2. Three Wheelers (including tricycles and cycle rickshaws with attachment for propelling the same by mechanical power) not used for transport of goods or passengers.	6% of the purchase value of the vehicle
	3. Motor cars and Private Service Vehicles for personal use (NTV) having purchase value up to rupees five lakhs	6% of the purchase value of the vehicle

(1)	(2)	(3)
4.	Motor cars and Private Service Vehicles for personal use (NTV) having purchase value of more than rupees five lakhs and up to rupees ten lakhs	8% of the purchase value of the vehicle
5.	Motor cars and Private Service Vehicles for personal use (NTV) having purchase value of more than rupees ten lakhs and up to rupees fifteen lakhs	10% of the purchase value of the vehicle
6.	Motor cars and Private Service Vehicles for personal use (NTV) having purchase value of more than rupees fifteen lakhs	15% of the purchase value of the vehicle
7.	Costruction Equipment Vehicles such as excavators, loaders, backhoe, compactor rollers, road rollers, dumpers, motor graders, mobile cranes, dozers, forklift trucks, self loading concrete mixers etc.	6% of the purchase value of the vehicle
**	**	**
**	**	**
D.	Construction Equipment Vehicles which are originally registered in other States on or after 1st April, 2010 and migrated to the Kerala State.	As per the Table below

TABLE

Sl. No.	<i>Age of vehicle from the month of original registration</i>	<i>Percentage of one time tax leviable under A above</i>
(1)	(2)	(3)
1	Not more than 1 year	100%
2	more than 1 year but not more than 2 years	93%

(1)	(2)	(3)
3	more than 2 years but not more than 3 years	87%
4	more than 3 years but not more than 4 years	80%
5	more than 4 years but not more than 5 years	73%
6	more than 5 years but not more than 6 years	67%
7	more than 6 years but not more than 7 years	60%
8	more than 7 years but not more than 8 years	53%
9	more than 8 years but not more than 9 years	47%
10	more than 9 years but not more than 10 years	40%
11	more than 10 years but not more than 11 years	33%
12	more than 11 years but not more than 12 years	27%
13	more than 12 years but not more than 13 years	20%
14	more than 13 years but not more than 14 years	13%
15	more than 14 years but not more than 15 years	7%

ANNEXURE II

LUMP SUM TAX

[See proviso to sections 3(1) and 4(1)]

<i>Class of vehicle</i>	<i>Rate of tax</i>
New autorickshaws and autorickshaws which were originally registered in other states on or after five, years] 1st April, 2010 and migrated to Kerala State with seating capacity three, excluding driver seat.	Rs. 2000 for

(11) at the rate of twelve and a half per cent for hotels in respect of rooms where the gross charges of accommodation for residence and other amenities and services provided above rupees five hundred or more per day :

Provided that no luxury tax shall be payable, for such charges received in respect of service rendered outside the hotel premises, such as vehicle hire, boat hire and trekking;

Provided further that the hire charges received in respect of house boats owned or possessed with right to use it by the hotels shall be liable to tax under the Act.

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(c) in respect of a convention centre, hall, Kalyanamandapam, auditorium including those attached to hotels, clubs or places of the like nature, for the charges for accommodation, amenities and services provided excluding food and beverage :

(i) at the rate of ten per cent where the gross charges of accommodation and other amenities and services provided is above rupees three thousand and up to rupees ten thousand per day;

(ii) at the rate of fifteen per cent where the gross charges of accommodation and other amenities and services provided is above rupees ten thousand and up to rupees twenty thousand per day;

(iii) at the rate of twenty per cent where the gross charges of accommodation and other amenities and services provided is above rupees twenty thousand per day.

(d) Omitted.

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4F. *Registration of homestays*.— Every proprietor of a homestay where the daily charges of accommodation including other amenities provided is rupees one thousand or more, shall get his homestay registered with such authority and in such manner as may be prescribed and the application for registration shall be accompanied by a registration fee of rupees one thousand. The registration shall be for a period of one year and shall be renewed annually.

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EXTRACT FROM THE RELEVANT PORTIONS OF THE KERELA
AGRICULTURAL INCOME TAX ACT, 1991 (15 OF 1991)

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37C. *Reduction of arrears in certain cases.*— (1) Notwithstanding anything contained in this Act, or in any judgement, decree or order of any court, tribunal or appellate authority, an assessee who is in arrears of tax or any other amount due under this Act relating to the period ending on 31st March, 2005, may opt for settling the arrears by availing reduction at the following rates:

(a) in the case of demands relating to the period up to and including 31st march, 1991, a reduction of twenty- five per cent for the principal tax amount, and complete reduction of the interest on the tax amount and for the amount of penalty and interest thereon;

(b) in the case of demands relating to the period from 1st April, 1991 to 31st March, 1996, a complete reduction of the interest on the tax amount and for the amount of penalty and interest thereon;

(c) in the case of demands relating to the period from 1st April, 1996 to 32st March, 2000, a reduction of ninety-five per cent of the interest on the tax amount and for the amount of penalty and interest thereon ;

(d) in the case of demands relating to the period from 1st April, 2000 to 31st March, 2005, a reduction of ninety per cent of the interest on the tax amount and for the amount of penalty and interest thereon;

(e) in cases where principal amount has already been remitted prior to coming into force of section 91 A of the Act, a reduction of ninety per cent of the interest amount.

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(3) An assessee who wishes to opt for payment of arrears under this section shall make an application to the assessing authority in the prescribed form before 31st December, 2010.

(4) On receipt of an application under sub-section (3), the assessing authority shall verify the same and shall intimate the amount due to the assessee and there upon the assessee shall remit the amount in lump sum or in three equal installments on or before 31st December, 2010:

Provided that notwithstanding anything contained in this section, where,

(a) after the last date for filing option, the Government have notified a further date under sub-section (3), and

(b) if an applicant had filed his option earlier and remitted at least one instalment, but had failed to remit the balance amount due and his earlier option was revoked by the assessing authority,

on furnishing of a fresh option, the amount paid under the earlier option shall be treated as the amount paid under the subsequent option."

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EXTRACT FROM THE RELEVANT PORTIONS OF THE
KERALA VALUE ADDED TAX ACT, 2003
(30 OF 2004).

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4. *Appellate Tribunal.*—(1) The Government shall appoint an Appellate Tribunal consisting of a Chairman and as many other members as they think fit and such additional Appellate Tribunals, as they think fit, with such members to perform the functions assigned to the Appellate Tribunal by or under this Act.

(2) The Chairman shall be a person who is or has been a Judicial Officer not below the rank of a District Judge and the other members shall possess such qualifications as may be prescribed.

(3) Any vacancy in the office of a member of the Appellate Tribunal shall be filled by the Government.

(4) The functions of the Appellate Tribunal may be performed,

- (i) by a Bench consisting of the Chairman and any other member; or
- (ii) by a Bench consisting of the Chairman and two other members; or
- (iii) by a Bench consisting of two or more members other than the Chairman

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6. *Levy of tax on sale or purchase of goods.*—(1) Every dealer whose total turnover for a year is not less than ten lakhs rupees and every importer or casual trader or agent of a non-resident dealer, or dealer in jewellery of gold, silver and platinum group metals or silver articles or contractor or any State Government, Central Government or Government of any Union Territory or any department thereof or any local authority or any autonomous body whatever be his total turnover for the year, shall be liable to pay tax on his sales or purchases of goods as provided in this Act. The liability to pay tax shall be on the taxable turnover,—

(a) In this case of goods specified in the second and third schedules at the rates specified therein and at all points of sale of such goods within the State

and in the case of goods specified below, mentioned in column (4), at all points of sale of such goods within the States namely;

<i>Sl. No.</i>	<i>Description of Goods</i>	<i>HSN Code</i>	<i>Rates of Tax in percentage</i>
(1)	(2)	(3)	(4)
(1)	Cigars, cheroots, cigarillos and cigarettes of Tobacco or of tobacco substitutes	2402	20
**	**	**	**

(f) In the case of transfer of goods involved in execution of works contract, where the transfer is not in the form of goods, but in some other form, at the rate of 13.5% and when the transfer is in the form of goods at the rates prescribed under the respective Schedules :

Provided that where the sale is to the Administrator, Union Territory of Lakshadweep, Laccadive Co-operative Marketing Federation, Kozhikode or the Lakshadweep Harbour Works and registered dealers certified by the Administrator, Union Territory of Lakshadweep, the tax payable under clause (d) shall be at the rate of five per cent, subject to such condition as may be prescribed :

Provided further that a bar attached hotel, as defined under explanation to clause (c) or section 8 or a dealer in petroleum products shall be liable to pay tax under this sub-section if his total turnover under this Act and the total turnover under the Kerala General Sales Tax Act, 1963 (15 of 1963) together is not less than the limit specified under this sub-section :

Provided also that where the total turnover of a dealer, other than an importer or casual trader or agent of a non-resident dealer or dealer in jewellery of gold, silver and platinum group metals and silver articles or contractor, exceeds ten lakh rupees for the first time during the course of an year, such dealer shall be liable to pay tax under this sub-section only on the turnover in excess of ten lakh rupee; but he shall be liable to pay tax irrespective of the total turnover in any subsequent year:

Provided also that in respect of works contracts executed,

(i) Under the Sampurna Gramin Rosghar yojana or the Beneficiary Committees using the Member of Parliament/Member of Legislative Assembly Funds or National Calamity Relief Funds or Sarva Siksha Abiyan Funds or Funds of Local Authorities or Command Area Development Authority and OFD Works through Beneficiary Farmer's Associations or Karshaka Samithy where the total amount in respect of individual contract dose not exceed ten lakhs rupees the tax payable under clause (f) above shall be five per cent;

(ii) Under the Jalanidhi Project (KRWSA), the tax payable under clause (f) above shall be four per cent irrespective of the total amount in respect of the individual contract;

and the Beneficiary Committees shall be entitled to receive payment even without taking registration Under the Act.

Provided also that where:

(a) the sale is to or by Military, Naval, Air Force or National Cadet Corps Canteen, Indian Naval Canteen Service, Canteen stores department, Central Police canteen and one subsidiary canteen each that may be established by the Kerala Police in each District of the State and affiliated to the Central Police Canteen; and

(b) in the case of motor vehicles, the sale is to Defense personnel or ex-servicemen on production of authorization duly issued by the authorised officer of the Canteen Stores Department Indian Naval Canteen Stores of Air Force canteen, as the case may be, the tax payable under (a) or (d) above shall subject to such condition and restrictions as may be prescribed be at half the rate applicable to such goods:

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Provided also that in respect of sale of fuel and lubricants to foreign-going vessels, other than fishing vessels, the tax payable under clause (a) or (d) above shall, subject to conditions and restrictions as may be prescribed, be half per cent:

Provided also that where sale of goods other than petroleum products, manufactured in the State is to Railways, Kerala State Electricity Board, Kerala State Road Transport Corporation or Kerala Water Authority, the tax payable under clause (d) above shall, subject to such conditions and restrictions as may be prescribed, be at five per cent:

Provided also that sculptural statues of national leaders and social reformers shall be exempted from tax payable under clauses (e) and (f) of sub-section (1) of section 6:

Provided also that the tax payable under clause (f), in respect of transfer of declared goods not in the form of goods but in some other form, shall be at the rate prescribed under the respective Schedules:

Provided also that the rate of tax on the sale of used motor vehicles shall be at 0.5 per cent and that no tax is payable under sub-section (2):

Provided also that, in respect of cinematographic films, turnover relating to sale of "copyright" under clause (a) and transfer of right to use under clause (c) shall be exempted:

Provided also that cooked food and beverages served in the house-boat paying compounded tax under the Kerala Tax on Luxuries Act, 1976 (32 of 1976) shall be exempted from tax :

Provided also that the tax payable on ayurvedic cosmetic products manufactured under a drug license granted under the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940) containing added medicaments having subsidiary therapeutic or prophylactic uses and those notified under clause (d) of sub-section (1) of section 6, for the period on and from the 1st day of April, 2005 to the 12th day of November, 2009 shall be at four per cent.

"Provided also that the tax on the sale of cardamom, at the point of auction only, conducted at the auction centre holding a valid license issued by the Spices Board under the Cardamom (Licensing and Marketing) Rules 1987, shall be at the rate of two per cent :

Provided also that cooked food and beverages sold by Milk Suppliers, Co-operative Society registered under the Kerala Co-operative Societies Act, 1969 (21 of 1969) through their canteens established at their places of business shall be exempted from tax with effect from 1st April, 2011.";

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(5) Notwithstanding anything contained in sub-section (1) but subject to sub-section (2), any registered dealer not being,

- (a) an importer ; or
- (b) a dealer making any sale in the course of interstate trade or commerce or export ; or
- (c) a dealer registered under the Central Sales Tax Act, 1956 (Central Act 74 of 1956) ; or
- (d) a dealer effecting first taxable sale of goods within the State ; or
- (e) a dealer covered by sub-section (1A) ; or
- (f) a contractor,

Whose total turnover for a year is below sixty lakh rupees, may, at his option, pay tax at rate of half per cent of the turnover of sale of taxable goods as presumptive tax instead of paying tax under sub-section (1) :

Provided that a dealer holding stock of goods purchased in the course of interstate trade on the date of coming into force of the Act, will have the option to pay tax under this sub-section from the beginning of the quarter following the quarter in which he has sold such goods in the state and paid tax under sub-section (1) of section 6 and his registration under the Central Sales Tax Act, 1956 (Central Act 74 of 1956) is cancelled :

Provided further that any dealer covered by sub-section (1A) may, at his option pay tax under this sub-section from such period as may be prescribed :

Provided also that a dealer shall not be eligible to opt for payment of tax under this sub-section if his total turnover in respect of goods to which this Act applies, whether under this Act or under the Kerala General Sales Tax Act, 1963 (15 of 1963) had exceeded sixty lakh rupees during the year preceding the year to which such option relates:

Provided also that a dealer shall not be liable to pay presumptive tax under this sub-section, if his total turnover is less than ten lakh rupees:

Provided also that dealers covered under this sub-section whose total turnover for a year is below rupees twenty lakhs, may pay a lump sum amount of rupees two thousand annually as presumptive tax, and the payment shall be at the rate of rupees seven hundred and fifty per quarter along with a statement as may be prescribed. Such dealers shall also file an annual declaration as may be prescribed :

Provided also that notwithstanding anything contained in the Act or rules made thereunder, if the turnover of a dealer, who opted for payment of tax under this sub-section, has exceeded the turnover limit during the course of an year, he shall be eligible for input tax credit on the turnover in excess of sixty lakh rupees.

Note :— The sixth proviso shall be deemed to have come into force on and from the 1st day of April, 2005 irrespective of any amendments made in the turnover limit specified in this sub-section.

Explanation :—"First taxable sale" for the purpose of this sub-section shall mean the sale of taxable goods effected by a registered dealer immediately after the import of such goods into the State or its manufacture in the State as the case may be, but shall not include the sale of goods in respect of which tax under section 5 or under sub-section (4) of section 59 of the Kerala General Sales Tax Act, 1963 (15 of 1963) had been paid and which are held as opening stock on the date of coming into force of the Act.

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(7) Notwithstanding anything contained in sub-section (1),—

(a) any authorized retail or wholesale distributor dealing in rationed articles namely, rice, wheat and kerosene under the Kerala Rationing Order, 1966 shall not be liable to pay tax on the turnover of such goods :

(b) sale of any building materials, industrial inputs, plant and machinery including components, spares tools and consumables in relation thereto to any developer or industrial unit or establishments situated in any Special Economic Zone in the State for setting up the unit or use in the manufacture of other goods shall, subject to such conditions or restrictions, as may be prescribed, be exempted from tax.

(c) sale of medicines and drugs falling under the Third Schedule, in respect of which tax had been paid under the Kerala General Sales Tax Act, 1963 (15 of 1963) and which are held as opening stock on the 1st day of April, 2005 shall, subject to conditions and restrictions, as may be prescribed, be exempted from tax.

Explanation :— For the purpose of this sub-section, Special Economic Zone shall mean a Special Economic Zone approved and notified as such by the Central Government and includes an existing Special Economic Zone.

(8) The Rules of Interpretation of the Schedules of this Act shall be as set out in the Appendix.

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8. *Payment of tax at compounded rates.*—Notwithstanding anything contained in section 6,—

(a) (i) any works contractor not being a dealer registered under the provisions of the Central Sales Tax Act, 1956 (Central Act 74 of 1956), and who is not an importer may, at his option, instead of paying tax in accordance with the provisions of the said section, pay tax at three per cent of the whole contract amount ;

(ii) any works contractor not falling under clause (i) above may, at his option, instead of paying tax in accordance with the provisions of the said section, shall pay tax at three per cent of the contract amount after deducting the purchase value of goods excluding freight and gross profit element consigned into the State on stock transfer or purchased from outside the State and for the purchase value of goods so deducted shall pay tax at the scheduled rate applicable to such goods:

provided that notwithstanding anything contained in sub-clause (ii) above, the compounded tax payable by any works contractor under this clause in respect of works contracts awarded by Government of Kerala, Kerala Water Authority or Local Authorities shall be four per cent of the whole contract amount:

Provided further that the provisions of this clause shall not apply to any works contract in which the transfer of material is in the form of goods.

Provided also that notwithstanding anything contained elsewhere in this Act, a works contractor who intends to pay tax at compounded rate in accordance with this clause in respect of all works undertaken by him during a year, may, instead of filing separate application for compounding for individual works, file a single option for payment of tax under this clause before 30th day of April of the year to which the option relates, subject to eligibility.

Provided also that in the case of any work covered under the above provisos which remains unexecuted fully or partly at the end of the year, the contractor shall continue to pay tax in respect of such works in accordance with the provisions of this clause :

Provided also that notwithstanding anything contained in this Act, in cases of works which commenced prior to 1st April, 2008 and which remains partly unexecuted as on 1st April, 2008, the contractor shall pay tax at the rates as it existed prior to 1st April, 2008 till the completion of work, or up to 31st March, 2009, whichever is earlier.

Provided also that notwithstanding anything contained in this Act, contractors who have opted for payment of tax under sub-clause (ii) of clause (a) of section 8 during the previous years shall continue to pay tax on that portion of the works remaining unexecuted as on 1st April, 2009, at the rates applicable as on 1st April, 2009.

Explanation 1:— For the purpose of this clause “whole contract amount” shall not include the amount paid to sub-contractors for execution of the portion of works contract if the sub-contractor is a registered dealer liable to tax under sub-section (1) or sub-section (A) of section 6, and the contractor claiming deduction in respect of such amount furnishes certificates in such form as may be prescribed.

Explanation 2:— Notwithstanding anything contained in any other Act, a dealer who had surrendered his registration and unused declaration forms under the Central Sales Tax Act, 1956 (74 of 1956), before the assessing authority on or before 31st March, 2008 and who does not have any closing stock of materials purchased interstate as on 31st March, 2008 or who pays tax on such closing stock at scheduled rates, shall be eligible for paying compounded tax under sub-clause (i) of this clause, for the year 2008-2009

(b) Any dealer producing granite metals with the aid of mechanized crushing machine may, at this option, instead of paying tax in accordance with the provisions of the said sections, pay tax at the following rates, namely:--

(i) for each crushing machine of size not exceeding 30.48 cm x 22.86 cm=Rs. 40,000 per annum;

(ii) for the each crushing machine of size exceeding 30.48 cm x 22.86 cm but not exceeding 40.64 cm x 25.40 cm=Rs. 1,60,000 per annum;

(iii) for the each crushing machine of size exceeding 40.64cm x 25.40 cm=Rs. 3,20,000 per annum;

(iv) for each cone crusher Rs. 18,00,000 per annum :

Provided that in the case of dealers, who opted to pay compounded tax under this clause, no separate assessment shall be made in respect of m-sand produced by them:

Provided further that notwithstanding anything contained in this clause, dealers with a single crushing machine of size not exceeding 30.48 cm x 22.86 cm shall pay rupees thirty thousand only per annum and those with a single crushing machine of size above 30.48 cm x 22.86 cm but not exceeding 40.64 cm x 25.40 cm shall pay rupees one lakh twenty thousand only per annum, as tax under this clause.

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(c) (i) Any dealer in cooked food and beverages, including beverages prepared by him, other than a dealer supplying cooked food or beverages to any airline service company or institution or shipping company for serving in aircraft, ships or steamer or served in aircraft, ship, steamer, bar attached hotel or star hotel may, at his option, instead of paying tax in accordance with the provisions of sub-section (1) of section 6 but subject to payment of tax, if any, payable under sub-section (2) thereof, pay tax at half per cent of the turnover of cooked food and beverages prepared by him and also on the turnover of other goods in respect of which he is not the dealer effecting first taxable sale, as defined in the explanation under sub-section (5) of section 6.

Explanation:— Cooked food for the purpose of this clause shall include sweets and fresh fruit juice prepared and served in the restaurants and hotels.

(ii) Any bar attached hotel, not being a star hotel of and above three star or a club or a heritage hotel may, at its option, instead of paying tax in accordance with the provisions of section 6, but subject to such conditions and restrictions as may be prescribed, pay tax at one hundred and twenty five per cent of the tax paid or payable under this Act, in respect of the highest turnover of cooked food and beverages prepared by them, and packaged water, aerated water, cigarettes, soft drinks and other goods purchased from registered dealers, for the previous three consecutive years, immediately preceding the year to which the option relates.

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(e) Any dealer, who is an importer or a manufacturer who is not entitled to any deferment of tax under section 32, of medicines and drugs falling under the Third schedule may, at his option, pay, in such manner and subject to such conditions and restrictions as may be prescribed, in lieu of the tax payable by him on such goods under sub-section (1) of section 6, tax at the rate of 5 per cent of the maximum retail price of such goods.

Explanation:— For the purpose of this clause, maximum retail price in respect of the goods mentioned means the maximum price printed on the package of any goods at which such goods may be sold to the ultimate consumer and in respect of supplies to Government of Kerala, where such price is not so printed on the package, the price charged on the sales to Government. This explanation shall have effect on and from the 1st day of April 2005:

Provided that where a registered dealer has purchased any goods,—

(a) from an importer or a manufacturer who has opted for payment of tax under this clause; or

(b) from another registered dealer where the tax on the maximum retail price of such goods was paid in the state on an earlier sale, such dealer shall, notwithstanding anything contained elsewhere in the Act, but subject to such conditions and restrictions as may be prescribed, be exempt from payment of tax under sub-section (1) of section 6 in respect of the sale of such goods and be entitled to recover from the buyers the amount of tax paid by him at the time of

purchase of such goods and the turnover of such goods shall not be included in the total turnover for the purpose of sub-section (5) of section 6 where the dealer opts for payment of tax in accordance with the said sub-section in respect of goods other than medicines and drugs:

Provided further that a dealer who opts payment of tax under this clause shall not allow any trade discount or incentive in terms of quantity, or goods in relation to any sale of goods covered under the clause, effected by him, for the purpose of calculating his tax liability:

Provided also that with respect to hospitals which have not taken any registration under this Act, but has purchased any goods,—

(a) from an importer or a manufacturer, who has opted for payment of tax under this clause: or

(b) from another registered dealer where the tax on the maximum retail price of such goods was paid in the State under this clause on an earlier sale; shall not be liable to pay tax on the sale of such goods for the period on from the 1st April, and 2005 to the 31st March, 2012.

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(f) (i) any dealer in ornaments or wares or articles of gold, silver or platinum group metals including diamond may at his option, instead of paying tax in respect of such goods in accordance with the provisions of section 6, pay tax at,—

(a) one hundred and fifteen per cent, in case their annual turnover for the above goods for the preceding year was rupees ten lakhs or below;

(b) one hundred and thirty five per cent; in case their annual turnover for the above goods for the preceding year was above rupees ten lakhs and up to rupees forty lakhs;

(c) one hundred and twenty five per cent; in case their annual turnover for the above goods for the preceding year was above rupees forty lakhs and up to rupees one crore; and at

(d) one hundred and fifty per cent; in case their annual turnover for the above goods for the preceding year exceeded rupees one crore;

of the highest tax payable by him as conceded in the return or accounts, or tax paid by him under this Act, whichever is higher, for a year during any of the three consecutive years preceding that to which such option relates.

Explanation 1:—Where a dealer had not transacted any business for the last three years consecutively, the highest, tax paid or payable for the year during the year or years he transacted business shall be considered for the above purpose.

Explanation 2:—Where during any such preceding year, the dealer had not transacted business for any period in that financial year, the tax payable for the twelve months shall be calculated proportionately on the basis of the tax payable or the turnover conceded, as the case may be, for the period during which such dealer had transacted business.

Explanation 3:—Dealers opting for payment of tax under this clause shall pay compounded tax in respect of all their branches existing in the year to which the option relates.

Explanation 4:—Where a dealer has not opted to pay compounded tax with respect to a new branch opened in 2008-09, the compounded tax payable for such branch for the year 2008-09 shall be notionally fixed as the average of the compounded tax paid for the principal place and branches in that year and if the new branch opened is the first branch, the compounded tax payable for it shall be the same as that payable for the principal place of business.

Explanation 5:—Where a dealer opens a new branch in the current year, the additional compounded tax payable under this clause in respect of such branch shall be the average of the tax payable by him in respect of his principal place of business and all branches.

Explanation 6:—Where a dealer has opted for payment of tax under this clause for the first time in 2011-12 and has commenced business only in 2010-11 and the tax payable as per return or account during 2010-11 is less than the output tax payable, then the tax payable for 2010-11 shall be notionally re-determined on the basis of output tax for determining the tax liability for 2011-12.

Explanation 7:—Tax payable as conceded in the accounts includes the tax payable on suppressed turnover subsequently detected also.

Explanation 8:—Where a dealer who had opted and paid tax under this clause during previous years with respect to a branch that had remained closed during the whole of the year 2009-10, for the purpose of determining the compounded tax payable for 2010-11, the tax paid in respect of that branch shall not be reckoned.

Explanation 9:— For the removal of doubts, it is clarified that for the purpose of this clause, "article of gold, silver of platinum group metals" shall also included bullion".

Provided that a dealer who opts for payment of tax under this clause may collect tax at the rate not exceeding 1.25 per cent for the commodity, but where the tax so collected during the year is in excess of the tax payable for the year under this clause, the tax collected in excess shall be paid over to Government in addition to the tax payable under this clause.

(ia) Notwithstanding anything contained in this clause, a dealer shall not be allowed to opt for the payment of tax under this clause unless he has conducted business up to a full year as on the first day of April of the year to which the option relates.

(ii) The assessing authority, for valid and sufficient reasons, such as shifting of place of business, furnishing of false information, suppression of relevant information, failure to furnish such information demanded, may refuse permission to pay tax under this section and cancel the permission if any granted:

Provided that no orders under this sub-clause shall be issued without giving the dealer an opportunity of being heard and without prior approval of the District Deputy Commissioner.

(iii) Notwithstanding anything contained in sections 55 or 60 of this Act, orders under sub-clause (ii) shall be appealable only to the Appellate Tribunals.

(iv) In case where permission has been cancelled, the amount, if any paid based on the permission, shall be apportioned against the output tax due of the dealer.

(v) Where a dealer had paid tax under this clause for the previous year, the tax payable for the succeeding year under this clause shall be calculated at the rates mentioned in item (i) or (ii) below which ever is higher.

(i) (a) at the same amount of tax paid during the previous year, in case their turnover for the above goods for the preceding year was rupees 10 lakh or below

(b) at one hundred and five per cent of such tax paid during the previous year, in case their turnover for the above goods for the preceding year was above rupees ten lakh and upto rupees forty lakh.

(c) at one hundred and fifteen per cent of such tax paid during the previous year, in case their turnover for the above goods for the preceding year was above rupees forty lakh and up to rupees one crore; and

(d) at one hundred and twenty five per cent, of such tax paid during the previous year, in case their turnover for the above goods for the preceding year exceeded rupees one crore.

Provided that the tax payable under this sub clause by the dealers covered under Explanation 6 of this clause shall be at the appropriate per centage of tax mentioned in (a), (b), (c) or (d) above, of the tax re-determined under the said Explanation.

(ii) 1.25% of the turnover of the sales of the goods covered under this clause, for the previous year

(e) Omitted

(f) Omitted

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(h) Any dealer, who is an importer or a manufacturer of cigarettes and similar products mentioned in serial number 1 of the Table in clause (a) of sub-section (1) of Section 6, may, at his option, pay, in such manner and subject to such conditions and restrictions as may be prescribed, in lieu of the tax payable by him on such goods under the said sub-section, tax at the rate of 20 per cent of the maximum retail price of such goods.

Explanation:—For the purpose of this clause, maximum retail price in respect of the goods means the maximum price printed on the package of any goods at which such goods may be sold to the ultimate consumer.

Provided that where a registered dealer has purchased any goods,—

(a) from an importer or a manufacturer who has opted for payment of tax under this clause; or

(b) from another registered dealer where the tax on the maximum retail price in respect of tax paid under the Kerala General Sales Tax Act, 1963 (15 of 1963) on medicines and drugs falling under the Third Schedule to this Act and turnover of sale of such medicines and drugs shall not be included in the taxable turnover of any dealer effecting sales of such medicines and drugs, subject to such conditions and restrictions as may be prescribed.

Explanation:—For the purposes of this sub-section "input tax" means tax paid by one registered dealer under the Kerala General Sales Tax Act, 1963 (15 of 1963) to another such dealer or, where the goods are liable to tax under the Kerala General Sales Tax Act, 1963 (15 of 1963) at the point of first purchase or last purchase or under section 5A, as the case may be, the tax paid by the dealer claiming input tax credit under this sub-section on the purchase or tax paid by such dealer under the Kerala Tax on Entry of Goods into Local Areas Act, 1994 (15 of 1994)

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12. *Special rebating in certain case.*— (1) In calculating the net tax payable by a dealer for a return period there shall be deducted from the tax payable for the return period, a sum equal to —

(a) the tax paid under sub-section (2) of section 6; and

(b) the tax paid under section 3 of the Tax on Entry of Goods into Local Areas Act, 1994 (15 of 1994) on the import of any goods, other than those included in the fourth schedule; where such goods are intended for re-sale or for use in the manufacture of taxable goods or for use in the execution of works contract or for use as containers or packing materials for the packing of taxable goods in the state:

Provided that where the special rebate respect of capital goods, the same shall be allowed over a period of three years and all the conditions and restrictions applicable to input tax credit under sub-section (2) of section 11 shall apply to the special rebate under this section also:

Provided also that where the goods except plywood, packing cases, splints and veneers in respect of which tax is payable under sub-section (2) of section 6 is sold in the State or in the course of interstate trade or used in the course of manufacture of taxable goods in the month in which it is purchased, the special rebate allowable in respect of such goods resold or sold in the course of interstate trade or used in the manufacture of goods liable to pay tax under this Act or Central Sales Tax Act, 1956 may be availed in the month itself.

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18B. Special provision for one - time incentive to new registrants:- Notwithstanding anything contained in this Act, dealers who were liable to take registration under this Act, but had not taken registration, may voluntarily take registration between 1st April 2013 and 30th September 2013 and such dealers shall not be liable to tax or penalties with respect to the transactions prior to 1st April 2013:

Provided that this section shall not be applicable to the transactions of dealers who were:

(a) Importers

(b) Works Contractors

- (c) Manufacturers, but excluding dealers coming under sub-clause, (i) of clause (c) of section 8
- (d) other dealers referred to in sub-section (1) of section 6
- (e) Companies; and
- (f) dealers against whom penal proceedings were initiated for non-registration and non-payment of tax under this Act, before 1st April 2013:

Provided further that hospitals run by charitable institutions which avail exemption under the Income Tax Act 1961 (Central Act 43 of 1961) and purchasing medicines from compounded dealer after paying tax under clause (C) of Section 8 shall be exempted from tax on their sale of such medicines and on the sale of laboratory store items and consumables to their patients:

Provided also that with regard to such hospitals which were liable to take registration under this Act, but had not taken registration till 31st March 2013 shall get itself register on or before 30th June 2013 to avail the concessions as per the foregoing proviso for the period from 1st April 2005 to 31st March 2013.

20A. Condonation of Delay.— The Deputy Commissioners having jurisdiction over the area may, for valid and sufficient reasons to be recorded in writing, condone delay:--

- (a) in applying for any refund under this Act and Rules made thereunder,
- (b) in filing options under section 8 of this Act upto 31st December, 2008 for the years 2005-06, 2006-07 and 2007-08:

Provided that the time limit for completion of any assessment under this Act shall be extended by a further period of three years from the date of condoning such delay, under this section.

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25 B. Extension of period of limitation for assessments in certain cases.— Notwithstanding anything contained in section 24 or in section 25, in cases where an investigation or inquiry is pending under this Act or any other law or where an assessment cannot be completed within the period specified under the said sections, the Deputy Commissioner may, for good and sufficient reasons, extend the period of completion of the assessment beyond the period specified in those sections.

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30. *Collection of tax by dealers.*— (1) A registered dealer may, subject to the provisions of sub-sections (2) and (3), collect tax rates specified under section 6 on the sale of any goods, from the person to whom he sells the goods and pay it over to Government in such manner as may be prescribed.

(2) Dealers registered under this Act, except those dealers paying presumptive tax under sub-section (5) of section 6 and those paying tax under clause (a) of section 8 by those undertaking works of Government of Kerala, Kerala Water Authority and Local Authorities and under clause (b) clause (c) (ii) and clause (d) of section 8 alone shall be eligible to collect any sum by way of, or purporting to be by way of tax under this Act:

Provided that the dealers who are paying tax under sub-section (5) of section 6 are entitled to recover from the buyers amount of tax paid by him on the purchase value of such goods at the time of purchase.

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31. *Payment and recovery of tax.*— (1) Every dealer liable to pay tax under this Act for any return period shall pay tax within such period as may be prescribed.

(2) In the case of a dealer from whom any tax or other amount is demanded shall pay tax in such manner and in such installments, if any, and within such time; as may be specified in the notice of demand, not being less than fifteen days from the date of service of the notice:

Provided that the time limit of fifteen days for a notice under this subsection shall not apply to casual traders.

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(5) If the tax or any other amount assessed or due under this Act is not paid by any dealer or any other person within the time prescribed therefore in this Act or in any rule made there under and in other cases within the time specified therefore in the notice of demand, the dealer or the other person, shall pay simple interest at the rate of twelve per cent per annum on the tax other amount defaulted.

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42. *Audit of accounts and certification of returns.*— (1) Every dealer whose total turnover in a year exceeds rupees sixty lakhs shall get his accounts audited annually by a Chartered Accountant or Cost Accountant and shall submit copy of the audited statement of accounts and certificate, in the manner prescribed:

Provided that a co-operative society registered or deemed to be registered under the Kerala Co-operative Societies Act, 1969 (21 of 1969), may in lieu of the statement and certificate mentioned above, submit a copy of the audited statement of accounts and certificate issued by the Registrar of Co-operative Societies on or before 31st day of December of the year succeeding to the year to which annual return relates.

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55. Appeals to the Deputy Commissioner (Appeals) and Assistant Commissioner (Appeals):— (1) Any person aggrieved by any order issued or proceedings recorded other than those under sub-section (3), sub-section (8) or sub-section (9) of section 16, sub-section (8) of section 19 passed by an authority empowered to do so under this Act not being an authority above the rank of an Assistant Commissioner may, within a period of 30 days from the date on which the order was served on him, appeal against such order,

(i) to the Deputy Commissioner (Appeals), if the order was passed by an authority of the rank of an Assistant Commissioner; and

(ii) to the Assistant Commissioner (Appeals), if the order was passed by an authority of an rank of a Commercial Tax Officer;

Provided that orders passed under sections 48, 49, 67, 69, 70, 70A and 72 shall be appealable only to the Deputy Commissioner (Appeals);

Provided further that the Deputy Commissioner (Appeals) and Assistant Commissioner (Appeals) may admit an appeal presented after the expiration of the said period if he is satisfied that the appellant had sufficient cause for not presenting the appeal within the said period:

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(5) In disposing of an appeal, the Deputy Commissioner (Appeals) and Assistant Commissioner (Appeals) may, after giving the appellant a reasonable opportunity of being heard,—

(a) in the case of an order of assessment or penalty, either confirm reduce, enhance or annul the assessment or the penalty or both;

(b) set aside the assessment and direct the assessing authority to make a fresh assessment after such further enquiry as may be directed;

(c) or pass such other orders as he may think fit; or

(d) in the case of any other order, confirm, cancel or vary such order.

Provided that at the hearing of any appeal against an order of the assessing authority, the assessing authority or the officer empowered by the Commissioner in this behalf shall be heard.

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57. Power of revision of Deputy Commissioner on application.— (1) Any person objecting to an order passed or proceedings recorded under this Act for which an appeal has not been provided for in Section 55 or section 60 may, within a period of thirty days from the date on which a copy of the order or proceeding was served on him in the manner prescribed, file an application for revision of such order or proceeding to the Deputy Commissioner:

Provided that the Deputy Commissioner may admit an application for revision presented after the expiration of the said period, if he is satisfied that the applicant has sufficient cause for not presenting the application within the said period.

(2) An application for revision shall be in the prescribed form and shall be verified in the prescribed manner, and be accompanied by a fee of five hundred rupees.

(3) On admitting an application for revision, the Deputy Commissioner may call for and examine the record of the order or proceeding against which the application has been preferred and may make such enquiry or cause such enquiry to be made and subject to the provisions of the Act, pass such order thereon as he think fit.

67. *Imposition of penalty by authorities.*—(1) Notwithstanding anything contained in section 71 if any authority empowered under this Act is satisfied that any person,—

- (a) being a person required to register himself as a dealer under this Act, did not get himself registered; or
- (b) has failed to keep true and complete accounts; or
- (c) has failed to submit any return as required by the provisions of this Act or the rules made there under; or
- (d) has submitted an untrue or incorrect return; or
- (e) has made any bogus claim of input tax credit, special rebate or refund; or
- (f) has continued the business during the period of suspension of registration; or
- (g) has failed to return the unused statutory Forms and Declarations under this Act after the cancellation or suspension of the registration; or
- (h) has not stopped any vehicle or vessel when required to do so; or
- (i) has failed to comply with all or any of the terms of any notice or summons issued to him by or under the provisions of this Act or the rules made there under; or
- (j) has acted in contravention of any of the provisions of this Act or any rule made there under, for the contravention of which no express provision for payment of penalty or for punishment is made by this Act; or
- (k) has abetted the commission of the above offences; or
- (l) has abetted or induced in any manner another person to make and deliver any return or an account or a statement or declaration under this Act or rules made there under, which is false and which he either knows to be false or does not believe to be true,

Such authority may direct that such person shall pay, by way of penalty, an amount not exceeding twice the amount of tax or other amount evaded or sought to be evaded where it is practicable to quantify the evasion or an amount not exceeding ten thousand rupees in any other case:

Provided that the authority empowered under this section shall dispose off the case within three year from the date of detection of offence mentioned under this section except where the extension of time is granted by the Deputy Commissioner.

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SCHEDULES

FIRST SCHEDULE

Goods Exempted from tax under sub-section (4) of Section 6

<i>Sl. No.</i>	<i>Description of Goods</i>	<i>HSN Code</i>
(1)	(2)	(3)
1	Agricultural implements manually operated or animal driven	
	(1) Spades and shovels	8201.10.00
	**	**
18	Fishnet Fish net fabrics and accessories	
	(1) Made up fishing nets of nylon	5608.11.10
	(2) Fish nets of other materials	5608.11.90
	(3) Nylon fish net twine	5607.50.10
	(4) Nylon Rope	5607.50.40
	(5) Polyester Rope, Polyester twine	5607.50.90
	(6) Other fishing twines and ropes	5607.49.00
	(7) Fishing rids and tackles	****
	(8) Accessories such as fishing hooks, floats for fish nets, lead balls	****
	**	**
35A.	Paper bags including paper covers	
	**	**
42	Rice issued from Central/State Governments depots for sale by authorised ration dealers	
	**	**

(1)	(2)	(3)
"42A.	Rice including broken rice, puffed rice parched rice and beaten rice	
	(1) Rice other than paddy	1006
	(2) Puffed rice, parched and beaten rice	1904.20.00
	(3) Broken rice	1006.40.00";
	(ii) after serial number 61 and the entries against it in columns (2) and (3), the following serial number and entries shall, respectively, be inserted, namely:—	
**	**	**
48	Smokless country oven	6912.00.90
**	**	**

SECOND SCHEDULE

Goods in respect of which tax is leviable at all points of sale at the rate of 1% under sub-section (1) of Section 6

<i>Sl. No.</i>	<i>Description of Goods</i>	<i>HSN Code</i>
(1)	(2)	(3)
1	Bullions	
	(1) Silver	7106.91.00
	(2) Gold	7108.12.00
**	**	**
2B	Edible Oils	
	(1) Soyabean Oil	1507.90.10
	(2) Groundnut Oil	1508.90.91
	(3) Olive Oil	1509.90.10
	(4) Palm Oil	
	(a) Refined bleached deodorised Palm Oil	1511.90.10
	(b) Refined bleached deodorized palmolein	1511.90.20
	(5) Sun Flower Oil	1512.19.10
	(6) Saffola Oil	1512.19.30

(1)	(2)	(3)
7.	Cottonseed Oil	1512.29.10
8.	Babassu Oil	1513.29.20
9.	Refined Colza Oil	1514.19.10
10.	Refined Rapeseed	1514.19.20
11.	Refined Mustard oil	1514.99.20
12.	Linseed Oil	1515.19.10
13.	Maize (corn) Oil	1515.29.10
14.	Castor Oil	1515.30.10
15.	Seasam Oil	1515.50.91
16.	Fixed vegetable oils of edible grade namely: Mango Kernel Oil, Mahua Oil, Rice Bran Oil,	1515.90.40
17.	Other edible oils	1515.90.91
18.	Other partly or wholly hydrogenated vegetable oils	
	(a) Cottonseed oil	1516.20.11
	(b) Ground nut oil	1516.20.21
	(c) Castor oil	1516.20.31
	(d) Other including Vanaspati	1516.20.91
19.	Vegetable edible oils excluding HSN heading No.1516	
	(a) Linseed oil	1518.00.11
	(b) Castor oil dehydrated	1518.00.21
	(c) Other vegetable oils edible grade	1518.00.31
20.	Palm Kernal oil	1513.21.10
	**	**
	**	**
2C	Flour , Atta, Maida, Sooji	
	(1) Wheat or Meslin Flour	1101.00.00
	(2) Rye Flour	1102.10.10

(1)	(2)	(3)
3.	Maize (Corn Flour)	1102.20.20
4.	Rice Flour (Puttu podi and the like)	1102.30.00
5.	Other cereal Flour	1102.90.00
**	**	**
5A	Pulses	0713
**	**	**

THIRD SCHEDULE TAXABLE @5%

See Section 6(1)(a)

<i>Sl. No.</i>	<i>Description</i>	<i>HSN Code</i>
(1)	(2)	(3)
1	Agricultural and Horticultural implements not operated manually or not driven by animal, and parts thereof.	
(1)	Agricultural, horticultural or forestry machinery for soil preparations or cultivation, lawn or sports ground rollers	8432
(2)	Harvesting or threshing machinery, including straw or fodder balers, grass or hay mowers, machines for cleaning, sorting, or grading eggs, fruits, or other agricultural produce	8433
**	**	**
3.	Articles and other utensils aluminium, brass, bronze, copper, cadmium, lead, zinc, Iron or steel, nickel, Tin and other base metals other than those specified in any other Schedule	
(1)	Aluminium	
(a)	Bars, rods profiles including Aluminium Conductors Steel Reinforced (ACSR) and All Aluminium Conductors (AAC)	7604
(b)	Wire	7605

(1)	(2)	(3)
(c)	Plates, sheets and Strips	7606
(d)	Foil	7607
(e)	Structures (excluding pre-fabricated buildings of HSN heading No. 9406) and parts of Structures (for example, bridges and bridge-sections, towers, lattice masts, roofs, roofing frameworks, balustrades, pillars and columns); Aluminium plates, rods, profiles, tubes and the like, prepared for use in structures	
(i)	Structures	7610.90.10
(ii)	Parts of structures, not elsewhere specified	7610.90.20
(iii)	Aluminium plates, rods, profiles, tubes and the like, prepared for use in structure	7610.90.30
(iv)	Other	7610.90.90
(f)	Casks, drums, cans, boxes and similar containers (including rigid or collapsible tubular containers), for any material (other than compressed or liquified gas), of a capacity not exceeding 300L, whether or not lined or heat insulated, but not fitted with mechanical or thermal equipment.	7612
(g)	Stranded wire, cables, plaited bands and the like of aluminium, not electrically insulated	7614
(h)	Pot scourers and scouring or polishing pads, gloves	7615.11.00
(i)	Nails, tacks, staples (other than those of HSN heading No. 8305), screws, bolts, nuts, screw hooks, rivets, cotters, cotter pins, washers and similar articles	7616.10.00
(i)	Cloth, grill, netting and fencing, of aluminium wire	7616.91.00
(ii)	Expanded metal of aluminium and aluminium alloys	7616.99.10
(iii)	Chains	7616.99.20

(1)	(2)	(3)
	(iv) Bobbins	7616.99.30
	(v) Other	7616.99.90
	(j) Composite Panel	****
**	**	**
7.	Bakery products, sweets confectionery and other food products other than those sold under brand name registered under The Trade Marks Act, 1999	****
8.	****	**
**	**	**
30A	Cooked food other than those served to any airline service company or institution or shipping company for serving in aircraft, ship or steamer or served in aircraft, ship, steamer, bar attached hotels and star hotels.	****
**	**	**
36	Drugs, Medicines and Bulk Drugs including Ayurvedic, Unani, and Homoeopathic medicine but excluding mosquito repellants and those specifically mentioned in First Schedule [***]	
	(1) Pro-vitamins and vitamins, natural or reproduced by synthesis (including natural concentrates), derivatives thereof, used primarily as vitamins, and intermixtures of the foregoing, whether or not in any solvent	2936
	(2) Hormones, prostaglandins, thromboxanes and leukotrienes, natural or reproduced by synthesis; derivatives and structural analogues thereof, including chain modified polypeptides, used primarily as hormones	2937
**	**	**
(27)	Ayurvedic cosmetics containing added medicaments and manufactured under drug license granted under the Drugs and Cosmetics Act, 1940 (Central Act 23 of 1940)	***
**	**	**

(1)	(2)	(3)
37 Dry Fruits		
(1) Dried figs		0804.20.90
(2) Mangoes, sliced dried		0804.50.30
(3) Dried grapes (Raisins)		0806.20.10
(4) Dried apricots		0813.10.00
(5) Dried prunes		0813.20.00
(6) Dried apples		0813.30.00
(7) Dried Singoda whole (water nut)		0813.40.20
(8) Other Dried fruits		0813.40.90
(9) Mixtures of dried fruits		0813.50.20
38 Omitted		
**	**	**
69 IT Products		
(1) Word processing machines, Electronic typewriters.—		
(a) Word processing machines		8469.00.10
(b) Electronic typewriters		8469.00.20
(2) Microphones, multimedia speakers, headphones etc.—		
(a) Microphones		8518.10.00
(b) Multimedia speakers		8518.22.00
(c) Headphones etc.		8518.30.00
**	**	**
(27) Uninterrupted power supply		
**	**	**
79A Light Emitting Diode Lamps		
**	**	**

(1)	(2)	(3)
82A	Manufactured sand	***
**	**	**
93	Oil Cake	
(1)	Soyabean oil cake	
(a)	Oil-cake and oil-cake meal of soyabean expeller variety	2304.00.10
(b)	Other	2304.00.90
(c)	Edible soya chunks manufactured from soyabean oil cake/meal	****
**	**	**
98A	Domestic LPG	2711.19.00
**	**	**

List A

See Serial Numbers of the Third Schedule

Industrial inputs and Packing Materials

<i>Sl. No.</i>	<i>Description of Goods</i>	<i>HSN Code</i>
(1)	(2)	(3)
1	Acetals and hemiacetals	
(1)	Acetals and hemiacetals whether or not with other oxygen function	2911.00.10
(2)	Others	2911.00.90
**	**	**
135A	Rubber Latex dipped goods namely industrial gloves, agricultural gloves and finger caps only	****
**	**	**

EXTRACT FROM THE RELEVANT PORTIONS OF THE
KERALA FINANCE ACT, 2013
(29 OF 2013)

** ** ** **

11. *Levy and collection of cess on wedding celebrations.*— There shall be levied and collected a cess to be called *Mangalya Nidhi Cess* on every wedding and its connected celebrations conducted in hotels having the classification of three star and above or in auditoriums with a seating capacity of above five hundred including that of dining halls, at the rated specified in the Table below, namely:—

TABLE

(i)	Hotels of three star and above	Rs. 10,000
(ii)	Air conditioned auditorium situated in Municipality area	Rs. 10,000
(iii)	Air conditioned auditorium situated in Panchayat area	Rs. 7,500
(iv)	Other auditoriums situated in the area of Municipality	Rs. 5,000
(v)	Other auditoriums situated in Panchayat area	Rs. 3,000

(2) The cess shall be collected from the person from whom the charges or rent for such celebration are received by the proprietor of such hotel or auditorium, as the case maybe, and shall be remitted to Government Treasury in the Head of Account of *Mangalya Nidhi* on or before the 15th day of every month.

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