

The Taxation Laws (Refund of Excess Penalty) Rules, 1964

UNION OF INDIA

India

The Taxation Laws (Refund of Excess Penalty) Rules, 1964

Rule

THE-TAXATION-LAWS-REFUND-OF-EXCESS-PENALTY-RULES-1964 of 1964

- Published on 28 October 1964
- Commenced on 28 October 1964
- [This is the version of this document from 28 October 1964.]
- [Note: The original publication document is not available and this content could not be verified.]

The Taxation Laws (Refund of Excess Penalty) Rules, 1964 Published vide Notification Gazette of India, Extraordinary, 1964, Part 2, Section 3 (2), Part 1031.

2176.

S.O. 3797, dated the 28th October, 1964. - In exercise of the powers confd sub-section (1) of Section 7 of the Taxation Laws (continuation and Validation Recovery Proceedings) Act, 1964 (11 of 1964) the Central Board of Direct Taxes hereby makes the following rules, namely:-

1. Short title and commencement.

(1) These rules may be called the Taxation Laws (Refund of Excess Penalty) Rules, 1964. (2) They shall come into force on the 1st day of November, 1964.

2. Definition.

(a)(b) "Form" means a form specified in the Schedule to these rules.

3. Application for refund of excess penalty.

(1) An application for refund of excess penalty in respect of Government dues (other than annuity deposit) under the first proviso to sub-section (1) of Section 3 of the Act shall be made by an assessee entitled to such refund in Form No. I to the Taxing Authority-(a) in a case where the final

order reducing such Government dues is received by the assessee before the 1st day of November, 1964, not later than the 30th day of April, 1965;(b)in any other case, within a period of six months from the date on which the final order reducing such Government dues is received by the assessee.(2)An application for refund of excess penalty in respect of annuity deposit under the second proviso to sub-section (1) of Section 3 of the Act, shall be made by an assessee entitled to such refund in Form No.2 to the Taxing Authority within a period of six months from the date on which the final order reducing the annuity deposit required to be made by him is received by him. Form No.1[See rule 3(1)]Application For Refund Of Excess Penalty Imposed For Default In Payment Of Government Dues (Other Than Annuity Deposit)I/We of (address).....do hereby state that I/We have paid a penalty of Rs.....which was imposed on me/us for default in payment of Government dues determined as payable by me/us under the.....Act [.....] [[Here mention the scheduled Act under which Government dues were determined as payable.]] for the assessment year/chargeable accounting period.....in the case...of in respect of the estate of

2. I/We further state that as a result of a final order dated.which was received be me/us on.....such Government dues have been reduced to Rs.....which is less than the amount of penalty recovered from me/us.

3. I/We therefore request that a sum of Rs...../being the excess amount of penalty recovered from me/us over the amount of Government dues as finally reduced, may be refunded to me/us.

Dated.....Signature(s)Delete inapplicable wordsForm No. 2[See rule 3(2)]Application For Refund Of Excess Penalty Imposed For Default In Payment Of Annuity DepositI/We.....of (address).....do hereby state that I/We have paid a penalty ofRs.....which was imposed on me/us for default in payment of Annuity Deposit under the Annuity Deposit Scheme, 1964, for the assessment year.....in the case of.....

2. I/We further state that as a result of a final order dated.....which was received by me/us on.....such Annuity Deposit has been reduced to Rs..... and the penalty recovered from me/us exceeds one half of the amount of Annuity Deposit as finally required to be made by me/us.

3. I/We therefore request that a sum of Rs being the excess amount of penalty recovered from me/us over one-half of the amount of Annuity Deposit as finally required to be made by me/us, may be refunded to me/us.

Dated.....Signature(s)Delete inapplicable words.