

The Repayment of Tax to Persons Registered in Azad Jammu and Kashmir Rules, 2008

**adapted and enforced
in
Azad Jammu and Kashmir
by
AJK Finance Act, 2009 & subsequent Finance Acts
of
AJK Legislative Assembly**

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**THE REPAYMENT OF SALES TAX
TO PERSONS REGISTERED IN AZAD JAMMU AND KASHMIR RULE, 2008**

**NOTIFICATION
(SALES TAX)**

S.R.O. 1295(I)/2008, dated 24.12.2008.--In exercise of the powers conferred by sections 50 and 61A of the Sales Tax Act, 1990 the Federal Board of Revenue is pleased to make the following rules, namely:-

**THE REPAYMENT OF SALES
TAX TO PERSONS REGISTERED IN
AZAD JAMMU AND KASHMIR RULES, 2008**

1. Short title, application and commencement.--These Rules may be called the Repayment of Sales Tax to Persons Registered in Azad Jammu and Kashmir Rules, 2008.

(2) The shall be applicable to such persons or class of persons who are registered under the Sales Tax Act, 1990, as adapted in Azad Jammu and Kashmir, hereinafter referred to as AJK registered persons, for the purpose of repayment of sales tax as envisaged in section 61A of the Sales Tax A ct, 1990.

(3) They shall come into force ¹[with effect from 6th June, 2005].

2. Authorization for repayment of sales tax.--The AJK registered persons shall be entitled to receive repayment of input tax paid on any goods acquired in or imported into Pakistan as in excess of output tax declared in their respective monthly returns, provided such input tax relates to their supplies which are either zero-rated or are exported outside Pakistan against a Pakistan Customs Goods Declaration.

3. Manner of Payment.--(1) The AJK registered persons shall claim refund of excess input tax in their monthly sales tax returns. Such refund claim may include input sales tax paid in Azad Jammu and Kashmir.

(2) The officer authorized by Collector, Sales Tax and Federal Excise, Mirpur, Azad Jammu and Kashmir, hereinafter referred to as AJK Collector, shall process such refund claims and determine the amount which is admissible as repayment under rule 2.

(3) Such officer shall prepare a list of invoices and import Goods Declarations, originating from Pakistan, for which input tax has been claimed. He shall also determined the amount of repayment in respect of each claimant. The repayment so determined shall not exceed the excess of input tax over output tax as declared by that claimant in the relevant tax period.

¹ Substituted for "*at once*" by S.R.O.No.116(I)/2011 dated 11.02.2011.

(4) The total amount of repayment for all claimants so determined for each tax period shall be forwarded by the AJK Collector to the Collector, Regional Tax Office, Islamabad, through AJK Council, in the format as prescribed in the form STAJK-1. The Federal Board of Revenue may require that such information be send to electronically in the manner prescribed by the Board.

(5) On receipt of STAJK-1 form in RTO, Islamabad, the officer authorized by the Collector, RTO, shall carry out electronic verification of the invoices and the Goods Declarations, and determine the amount payable against documents so verified:

Provided that where electronic verification is not possible, the Collector, RTO, may authorize manual verification from concerned Collector of Sales Tax or Customs, as the case may be.

(6) The authorized officer, not below the rank of Assistant Collector, shall issue the Repayment Order for the verified amount, within thirty days of receipt of the form STAJK-1 in the RTO, in the format as prescribed in STAJK-2, provided that more than one Repayment Order may b e issued in respect of a single tax period if the verification is not completed within the specified period of thirty days.

(7) The Repayment Order, issued by the authorized officer shall be forwarded in original as well as electronically to the Treasury Officer for issuance of cheque in favour of AJK Collector. The treasury officer shall make the repayment through a crossed cheque, which shall also be countersigned by an authorized co-signatory. A copy of Repayment Order, along with a list of verified documents, shall also be sent to the AJK Collector.

(8) The Additional Collector shall reconcile the repayment cheques issued by the treasury officer of the Collectorate during a month with the bank scrolls received from State Bank of Pakistan and record the outcome of such reconciliation in the system.

(9) Where any cheque is returned back by the State Bank of Pakistan due to any reason, the treasury officer shall cancel such cheque, if required, and attach such cancelled cheque with the respective counter-foil of the chequebook.

(10) On receipt of the cheque and the list of verified documents, the AJK Collector shall cause the disbursement to be made to the original claimants in accordance with the said list.

(11) The Collector, RTO, shall forward a statement to FBR foe every month by the 10th of next month in the form STAJK-3.

STAJK-1
[See rule 3(4)]

AZAD JAMMU & KASHMIR COUNCIL
Collectorate of Excise & Sales Tax Headquarter, Mirpur (A.K.)

**REPAYMENT CLAIM FROM GOVERNMENT OF PAKISTAN UNDER SECTION 61A OF
THE SALES TAX ACT, 1990**

Tax Period_____

An amount of Rs._____ (Rupees_____only) as repayment due has been determined for the aforesaid tax period in accordance with the provisions of section 61-A of the Sales Tax Act, 1990, read with the Repayment of Sales Tax to Persons Registered in Azad Jammu and Kashmir Rules, 2008. It is requested to process the repayment of the same.

A list of Pakistan-based invoices and Good declarations which constitute input tax of the AJK registered persons claiming refund for the aforesaid tax period, alongwith repayment due to each AJK registered person, also enclosed as Annex.

Collector

The Collector, RTO, Islamabad

ANNEX TO STAJK-1

List of Sales Tax Invoices

S. No.	Pakistani Supplier		AJK Buyer		Value of sale tax (excluding sales tax) (Rs.)	Sales Tax (Rs.)
	Name	ST Reg. No.	Name	ST Reg. No.		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
TOTAL						

List of Good Declarations

S. No.	Name of importer	GD No. & Date	Value of sale tax (excluding sales tax) (Rs.)	Sales Tax (Rs.)

Repayment of Tax to Persons Registered in AJK Rules, 2008

(1)	(2)	(3)	(4)	(5)
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TOTAL

GRAND TOTAL (for Invoice and GDs)

List of Repayment Due to Each AJK Registered Person

S. No.	Name of AJK RP	ST Reg. No.	Repayment due (Rs.)
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(1)	(2)	(3)	(4)
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TOTAL

STAJK-2
[See rule 3(6)]

GOVERNMENT OF PAKISTAN
SALES TAX & FEDERAL EXCISE
REGIONAL TAX OFFICE, ISLAMABAD

SALES TAX REPAYMENT ORDER
(Under Section 61A of the Sales Tax Act, 1990)

The Treasury Officer,
RTO, Islamabad

Subject:- *Repayment of Sales Tax in Respect of Tax Period _____*

1. It is certified that a sum of Rs. _____ (Rupees _____ only) on account of sales tax repayment under section 61A of the Sales Tax Act, 1990, has been claimed by Collector, Mirpur, AJK, for the tax period _____.

2. The invoices and Goods Declarations against which repayment has been claimed were subjected to verification and a sum of Rs. _____ (Rupees _____ only) is sanctioned for repayment against verified documents.

3. A list of verified documents is enclosed with this order as Annex.

Abstract for the relevant tax period:

(i)	Repayment claimed	Rs.
(ii)	Repayment Rejected	Rs.
(iii)	Amount previously Sanctioned	Rs.
(iv)	Amount being Sanctioned	Rs.
(v)	Balance Amount	Rs.

Authorized Officer

Copy to Collector, Excise & Sales Tax, Mirpur, AJK

ANNEX TO STAJK-2

List of Verified Sales Tax Invoices

S. No.	Pakistani Supplier		AJK Buyer		Value of sale tax (excluding sales tax) (Rs.)	Sales Tax (Rs.)
	Name	ST Reg. No.	Name	ST Reg. No.		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
TOTAL						

List of Verified Good Declarations

S. No.	Name of importer	GD No. & Date	Value of sale tax (excluding sales tax) (Rs.)	Sales Tax (Rs.)
(1)	(2)	(3)	(4)	(5)
TOTAL				
GRAND TOTAL (for Invoice and GDs)				

STAJK-3
[See rule 3(11)]

GOVERNMENT OF PAKISTAN
SALES TAX & FEDERAL EXCISE
REGIONAL TAX OFFICE, ISLAMABAD

MONTHLY STATEMENT IN RESPECT OF REPAYMENTS UNDER SECTION 61A

Month _____

(Amount in Rs.)

Opening Balance of unpaid Repayment Claimed by AJK

Addition during the months

Repayment made during the month

Repayment rejected

Closing Balance

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