



OFFICE OF THE
ASSISTANT COMMISSIONER
SINDH REVENUE BOARD
GOVERNMENT OF SINDH

NO.SRB/COM-SUK/CON-29/ISLAM.B/2021/1076

Dated: 18th May, 2021

M/s Islam Brothers (Abdul Jabbar),
Street No-01, Muhalla Muslim Colony,
Daharki.
(Mob: +92,305,9819671)
(NTN: 4437111)

SUBJECT: **SUSPENSION ORDER--- M/S ISLAM BROTHERS (ABDUL JABBAR)-- SNTN # 4437111**

Whereas, section 25(1)(a)(ii) of the Sindh Sales Tax on Services Act, 2011 (hereinafter referred to as "the Act-2011") provides that registration of a registered person can be suspended where registered person "has failed to comply with its obligations under this Act". Rule 10 of the Sindh Sales Tax on Services Rules, 2011 (hereinafter referred to as "the Rules-2011") also provides that where a registered person commits any act of fraud or deliberate and intentional non-payment, short payment or evasion of tax or non-filing of returns for four consecutive tax periods, the Board or an officer of SRB authorized by the Board in this behalf may, without prejudice to any other action under the law for the time being in force, suspend the registration of such person.

2. In terms of section 9 and 17 of the said Act-2011 read with Rule 14 of the said Rules-2011, every registered person is required to deposit the monthly Sindh sales tax in the time and manner prescribed therein and is further required, under section 30 of the Act-2011 read with 11, 12, 13 and 14 of the Rules-2011, to e-file the monthly SST returns within three days of due date of payment of tax.

3. During the scrutiny of monthly returns of M/s Fauji Fertilizer Company Limited (NTN 1435809), it is revealed that the registered person has provided or rendered taxable services where they have charged and collected Sindh sales tax of **Rs.1,942,589/-**, however, they have only deposited SST amount of **Rs.407,171/-**, thus, failed to deposit remaining SST amount of **Rs.1,535,418/-** into Sindh Government treasury and continued to withheld with themselves. Details are given as under:

S.No.	Tax Period	Purchased Value	VAT Amount	WHT Amount	Not paid
1	Jan-21	295,123	38,366	7,674	30,692
2	Feb-21	989,477	128,632	25,727	102,905
3	Jan-20	56,738	7,228	2,357	4,871
4	Feb-20	35,038	4,555	911	3,644
5	Mar-20	298,877	38,854	7,771	31,083
6	May-20	169,977	22,097	4,420	17,677
7	Jun-20	628,208	81,667	16,333	65,334
8	Jul-20	169,800	22,074	4,415	17,659
9	Aug-20	251,469	32,691	6,539	26,152
10	Sep-20	530,470	68,961	13,792	55,169
11	Oct-20	1,032,993	134,289	26,858	107,431
12	Nov-20	1,934,824	251,527	50,306	201,221
13	Dec-20	3,361,517	436,997	87,399	349,598
14	Jul-19	2,410,670	313,387	62,678	250,709
15	Aug-19	1,840,646	239,284	47,857	191,427
16	Sep-19	440,200	57,226	11,446	45,780
17	Oct-19	737,947	95,933	19,186	76,747
18	Nov-19	1,250,215	162,528	32,505	130,023
19	Dec-19	2,264,001	294,178	59,711	234,467
		18,698,190	2,430,474	487,885	1,942,589

Less: Paid	(407,171)
Short Paid	1,535,418

4. Despite providing or rendering taxable services, registered person has failed to e-file monthly returns for the tax periods from **October 2019 to March 2021** which is serious offense and is amounting to tax fraud in terms of section 2(94) of the said Act-2011. Non-payment or short payment of SST against providing of taxable services and non-filing or non-filing of true and corrects returns are contravention of provisions of section 8, 9, 17 and 30 of the said Act-2011 read with rules prescribed therein. The said contraventions are liable to penalties prescribed under Serial No.02 and 03 of the Table under section 43 of the Act-2011 and levy of default surcharge under section 44 of the Act-2011. Notice dated 26.04.2021 were issued, however, registered person failed to deposit the SST. Non-Payment of Sindh sales is violation of section 8, 9, 17 of the Act-2011 and the Rules made thereunder. The said contraventions of the provisions of the Act-2011 and the rules made thereunder are liable to penalties under the provision of section 43 of the Act-2011 along with levy of default surcharge under section 44 of the Act-2011. This shows willful default on your part and same is serious violation of aforesaid provisions of the Act-2011 and the rules made thereunder which is equal to taking the law into the hands.

5. Non-payment or short payment of SST against providing of taxable services and non-filing or non-filing of true and corrects returns are contravention of provisions of section 8, 9, 17 and 30 of the said Act-2011 read with rules prescribed therein. The said contraventions are liable to penalties prescribed under Serial No.02 and 03 of the Table under section 43 of the Act-2011 and levy of default surcharge under section 44 of the Act-2011.

6. Now, this notice is being issued to you under section 25 of the Sindh Sales Tax on Services Act, 2011 read with Circular No.02 of 2013 and Rule 10 of the Sindh Sales Tax on Services Rules, 2011 to the effect that your registration is hereby suspended with immediate effect. However, your suspension shall be revoked if you take following actions by **01-06-2021**:

- to discharge all your Sindh sales tax dues **including above SST amount of Rs. 1,535,418/-** along with default surcharge under section 44 of the Act-2011 and penalties under section 43 of the Act-2011 for aforementioned tax period and deposit the same in the Government of Sindh head of account B-02384.
- To e-file the monthly SST returns for the tax periods.

7. In case of non-satisfactory response or failure to take remedial measures as suggested above on or before **01-06-2021**, your case shall be further proceeded for cancellation of your registration with SRB. If you wish to be heard in person or through your duly authorized representative, you may appear for hearing on **25.05.2021 @ 10:30 AM** in the office of undersigned along with written defence, if any, in respect of above remedial actions.

8. This notice and suspension of registration are without prejudice to the penal action, prosecution action and recovery action as may be taken against you in accordance with the provisions of the Act-2011 and the Rules-2011.

INWARD	
No.#	116672
Date	19/5/21
Received by	OH

(Vickey K. Dhingra)
Assistant Commissioner (Unit-33)

Copy to:-

1. Commissioner, Sukkur, SRB,
2. Chief Manager, PRAL, Sindh Revenue Board, 6th Floor Shaheen Complex, M.R Kiyani Road, Karachi, for suspending the registration of registered person,
3. Mr. Shahid-ul-Ghani, Head of IT, SRB, for placing it on SRB website.
4. M/s Fauji Fertilizer Company Limited, Ib-35, Kda Scheme No.1, Karsaz, Karachi.