



OFFICE OF THE
ASSISTANT COMMISSIONER
SINDH REVENUE BOARD
GOVERNMENT OF SINDH

NO.SRB/COM-SUK/CON-40/Al.Mustafa/2021/114

Dated: 20th May, 2021

M/s Al-Mustafa Industrial Services (Private) Limited,
Office No-04, Near Old Masu Wah,
New Hyder Shah Colony, Mirpur Mathelo
(Mob: +92,305,9819671)
(NTN: 8938193)

SUBJECT: **SUSPENSION ORDER--- M/S AL-MUSTAFA INDUSTRIAL SERVICES (PRIVATE) LIMITED--SNTN # 8938193**

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 Fertilizers Company Ltd (NTN 1435809) for the tax periods from **February 2019 to February 2021**, it is revealed that the registered person has provided or rendered taxable services of Rs.3,071,842/- wherein they have charged and collected Sindh sales tax of **Rs.398,484/-**. Out of which, FFC has deducted and deposited SST of **Rs.104,745/-**. Out of remaining tax amount of Rs.293,739/-, registered person has paid only Rs.18,538/- and failed to pay tax amount of **Rs.275,201/-** into Sindh Government treasury and continued to withheld with themselves.

4. Despite providing or rendering taxable services, registered person has e-filed "Null" returns for the tax periods **Feb'19 to Jul'19; Sept'19 to Mar'21** which is amounting to misdeclaration/misstatement 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 28.04.2021 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 **03-06-2021**:

- to discharge all your Sindh sales tax dues **including above SST amount of Rs.275,201/-** 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 **03-06-2021**, 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 **27.05.2021 @ 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.


(Vicky 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.

INWARD	
No. #	117573
Date	21/5/21
Received by	CU
Sindh Revenue Board	