

Finance Act, 2012, (Central)

Section 145 - Validation of Exemption Given to Club or Association Including Cooperative Societies in Relation to Project

(1) The notification of the Government of India in the Ministry of Finance (Department of Revenue) number G.S.R. 566 (E), dated the 25th July, 2011, issued in exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994(32 of 1994), granting exemption from the whole of service tax leviable under section 66 thereof, on the club or association service referred to in sub-clause (zzze) of clause (105) of section 65 of the said Act, provided by a club or an association including registered cooperative societies, in relation to the project, shall be deemed to have, and deemed always to have, for all purposes, validly come into force on and from the 16th day of June, 2005, at all material times.

(2) Refund shall be made of all such service tax which has been collected but which would not have been so collected as if the notification referred to in sub-section (1) had been in force at all material times.

(3) Notwithstanding anything contained in the Finance Act, 1994(32 of 1994), an application for the claim of refund of service tax shall be made within six months from the date on which the Finance Act, 2012 receives the assent of the President.

Explanation. For the removal of doubts, it is hereby declared that,

- (i) project means common facility set-up for treatment and recycling of effluents and solid wastes, with financial assistance from the Central Government or a State Government;
- (ii) the provisions of section 11B of the Central Excise Act, 1944(1 of 1944), shall be applicable in case of refunds under this section.