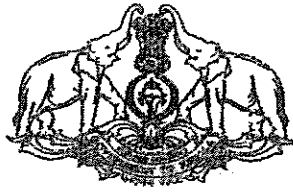


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26/11/15



No.327240/RC2/2015/LSGD

Local Self Government (RC) Department,
Dated, Thiruvananthapuram, 23-11-20015.

Circular

Sub : LSGD – Collection of cess on Cinema Tickets and remittance to the Kerala State Cultural Activists' Welfare Fund – Instructions issued - reg:-

Ref : (1) Kerala Local Authorities Entertainment Tax Act 1961.
(2) Notification issued in SRO No. 28/2013.
(3) Govt. Circular No. 9902/RD3/2013/LSGD dated 14.5.2013.
(4) Judgement dated 12.10.2015 of the Honble High Court of Kerala in Writ Petition © No.4195/13 and connected cases.

As per the provisions contained in the Kerala Local Authorities Entertainment Tax Act 1961, as amended by the Kerala Local Authorities Entertainment Tax (Amendment) Act 2013 and notification issued thereon vide SRO No. 28/2013, Secretaries of all local bodies shall collect from the cinema tickets CESS at the rate of Rs.3 on each admission to cinema, the price of which exceeds twenty five rupees and remit the CESS so collected to the Kerala State Cultural Activists Welfare Fund Board. Subsequently, in the circular third cited, Government has issued instructions to the Secretaries of all local bodies for compliance on the collection and remittance of CESS. But these instructions were not carried out due to the intervention of Hon'ble High Court of Kerala by issuing stay orders in Writ Petition (C) No. 4195/2013 and connected cases filed against collection of CESS. The above mentioned cases has now been dismissed by the Hon'ble High Court as per the judgement fourth cited enabling the collection of CESS. It has come to the notice of Government that inspite of the Hon'ble High court having dismissed the writ petitions filed against collection of CESS, local bodies have not taken any serious efforts for the collection of CESS and its remittance to the Kerala State Cultural Activists Welfare Fund Board. In the circumstances, following instructions are hereby issued for immediate compliance.

1. All local bodies shall ensure that cinema theatres including multiplexes have started collection of CESS from cinema viewers with immediate effect. For this purpose , tickets for entry to cinema

shall be sealed by the local bodies only after collecting CESS along with entertainment tax in advance.

2. Those local bodies which had collected or are collecting CESS should remit the amount in the Account No.67209773080 of the Kerala State Cultural Activists Welfare Fund Board.
3. All local bodies are required to furnish a report of compliance to Government in the Local Self Government Department and Kerala State Cultural Activists Welfare Fund Board within fifteen days.
4. Secretaries of the concerned Local Government body will be personally liable for any failure to adhere to the instructions in this circular.

JAMES VARGHESE

Principal Secretary to Government.
Local Self Government Department.

To,

The Secretary to Government, Cultural Affairs Department,

The Director of Panchayats, Thiruvananthapuram,

The Director of Urban Affairs, Thiruvananthapuram,

The Director of Public Relations,

The Secretary, Kerala State Cultural Activists welfare Fund Board, Thiruvananthapuram,

The Secretaries of all Grama Panchayats (through the Director of Panchayats)

The Secretaries of all Municipalities/ Corporations (Through the Director of Urban Affairs),

The Director of Local Fund Audit, Thiruvananthapuram,

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram,

The Accountant General (A&E), Kerala, Thiruvananthapuram,

✓ The Director, I K M, (for publishing through Website).

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Approved for issue



Section Officer