

Ref:2B/R-55/9079

12.03.2011

To,  
Shri Chandra Bhanu, IAS  
Commissioner,  
Commercial Tax Deptt.  
Govt. of UP, Lucknow

**Subject: - Request for rationalizing the downloading limit of form-XXXVIII.**

Sir,

We have received feedbacks from MSMEs in UP that the parameters of downloading of form-XXXVIII are causing hurdles in meeting out their genuine needs.

The present parameters for downloading form-XXXVIII from computer is not exceeding 10 forms a day i.e.260 forms (Excluding Holidays) per month only. Whereas paper mills and other manufacturers of agriculture implements, Aquatic feed, bangles, handloom etc require much more forms than the prescribed downloading count. For corroborating our contention one dealer of paper mills has submitted his data of average consumption per month = 335 forms. (Details are enclosed for your ready reference & kind perusal). Thus his manufacturing halts due to paucity of forms and he runs short of raw material which enhances the overhead expenses adding to manufacture cost and subsequently affect the price. The requirement per day also varies which further affects the running of factory.

This problem is very genuine and your goodself too does not want the obstruction & decline in business. Therefore a system may kindly be devised through which of course after rendering full account the dealer may get the forms according to need of his consumption under proper vigilance & monitoring of Deptt.

Officers of jurisdiction have a record of consumption of every dealer and are aware of defaults & integrity of assesseees. Any defaulting dealer may be issued a show cause notice & his explanation obtained & record finding regarding misuse or otherwise & determine the extent of downloading of form-XXXVIII per day.

The remaining dealers could download according to consumption requirement with out the restriction of ten form-XXXVIII per day.

Submitted for kind consideration and an early suitable order in this regard.

Thanking you,  
Yours truly,

Manish Goel  
Vice-President & Chairman-EAC