

EXTRAORDINARY PUBLISHED BY AUTHORITY

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FINANCE DEPARTMENT NOTIFICATION

The 19th May, 2005

S.R.O. No. 249/2005 ---- In exercise of the powers conferred by section 94 of the Orissa Value Added Tax Act, 2004 (Orissa Act 4 of 2005), the State Government do hereby make the following rules to amend the Orissa Value Added Tax Rules, 2005, namely:-

- 1. (1) These rules may be called the Orissa Value Added Tax (Amendment) Rules, 2005.
 - (2) They shall come into force on the date of their publication in the Orissa Gazette.
- 2. In the Orissa Value Added Tax Rules,2005 (hereinafter referred to as the said rules), in sub-rule (3) of rule 8, for the words "within a period of thirty days of the commencement of the year", the words "by the end of June of the year" shall be substituted.
- 3. In the said rules, in rule 34, to sub-rule (1), the following proviso shall be added, namely:-
 - "Provided that the period of twenty-one days for furnishing of return shall not be applicable for return to be furnished for the first tax period after commencement of the Act which shall be furnished within 31st day of May, 2005.".
- 4. In the said rules, in rule 57, after sub-rule (7), the following sub-rule shall be added, namely:-
 - "(8) If any tax is paid to any officer –in- charge of check-post or barrier or Sales Tax Officer or Assistant Commissioner, as the case may be, such payment of tax shall be adjusted against the tax payable by a dealer for the tax period during which such payment is made and the receipt in original issued by such officer or Assistant Commissioner, as the case may be, shall be furnished alongwith the return to which such payment relates, as proof of payment of tax.".

5. In the said rules, in sub-rule (2) of rule 123, to clause (h), the following proviso shall be added, namely:-

"Provided that where, after verification, the claim of credit preferred by a dealer is admitted by issue of intimation in Form VAT –608 referred to in sub-rule (3) prior to the date of completion of three months from the appointed day, claim of such credit shall be allowed from any date after the appointed day even before expiry of the said period of three months."

6. In the said rules, in rule 125, for clauses (iv) and (v), the following clauses shall be substituted, namely:-

"(iv) on an application of revision of any other order	Rupees twenty
(v) on an application of amendment or cancellation of certificate of registration	Rupees fifty
(vi) on an application for extension of time for payment of tax assessed and penalty imposed	Rupees ten
(vii) on an application for adjournment in a proceeding before the Commissioner or any Sales Tax authority	Rupees ten
(viii) on a miscellaneous application / petition or petition for relief or Clearance Certificate for which no fees have been specified elsewhere in these rules	Rupees twenty ".

7. In the said rules, after rule 126, the following rule shall be inserted, namely:-

"126A. **No fees for certain applications.-** Where a registered dealer ,who has been granted with a certificate of registration under sub-rule (1) of rule 18 and assigned with SRIN under sub-rule (4) of rule 19, makes an application in Form VAT-106 for assignment of TIN under sub-rule (1) of rule 27, no fees shall be payable by such dealer for such application."

8. In the said rules, in Form VAT-I, for the column appearing after column 24 and before column 26, the following column shall be substituted, namely:

"	25. Are you maintaining accounts electronically?	Yes	No	"
	(Score out whichever is not applicable)			

9. In the said rules, for Form VAT - 201 alongwith its Annexures, the following shall be substituted, namely:-

RETURN OF VALUE ADDED TAX PAYABLE BY A DEALER

[See sub-rule (1) of rule 34]

PART-A

			01	lT	IN										
instr	Please carefully go through the instructions appended hereto before filling up this return.														
02. Pe	eriod covered by this ret	urn													
Fr	rom D D M M	Y Y	Y	Y	⊺To		D I)	M	M		Y	Y	Y	Y
• • •	-	-			10			-			-				
					ı			1),					
03.	Name and Style of the business														
	business														
										,					
	Address														
	DINI	DHONE							ГА	37					
	PIN	PHONE							FA	X					
04	If you have made no p	urahasa and	n o 0	مام											
04	mark this box "X"	urchase and	110 8	aic,											
			_												
	If you have nothing to insert "NIL". Do not unless you have mark	leave any b	ox b	lank	C										
05.	Input tax credit carried	d forward fro	m												

previous month.

Rs.

PART-B

Purchases and receipts during the period covered by this return (INPUT)

		Price/Value excluding Tax "A"	VAT Claimed "B"
06.	Purchases exempt from tax		
07.	Purchases at 1% tax rate on Tax Invoice		
08	Purchases at 4% tax rate on Tax Invoice		
09	Purchases at 12.5 % tax rate on Tax Invoice		
10	Purchase of goods subject to tax at the rate of 20% (Schedule 'C')		
11	Total amount of Input tax [05+07(B)+08(B)+09(B)]		
12	Purchases in the course of inter-state trade.		
13	Purchases in the course of Import into India		
14	Receipt of goods other than by way of purchases		
	(i) by stock transfer		
	(ii) as consignment agent		
15	Receipt of goods for sale from VAT dealers (from inside the state)		
16	(i) Any other receipts/purchases not specified above (Please specify)		
	(ii) Purchases/receipt of taxable goods for which input tax credit is not available.		
17	Total price/value of goods purchased and received during the period covered by this return.		
	In case, there is despatch of goods outside than by way of sales (Branch transfer or c please furnish information in Annexure I-A	onsignment sales),	
18	Less Non-Creditable amount of input tax in r of goods otherwise than by way of sales (Ann		
19	Add Creditable amount of input tax in respect goods outside the state other than by way of spurchases/receipts subject to tax on purchase section12. (Annexure -I-B)	sales, used out of	

20	In case, there is purchase of capital goods, furnish information in Annexure II Creditable amount of input tax in respect goods for the period covered by this retur	of purchase of capital	lit is claimed, please
21	In case, there is transfer of right to use purpose, whether or not for a specified deferred payment or other valuable confurnish information in Annexure III Creditable amount of input tax in respect use of which has been transferred (Annex Where input tax credit has been adm stock of tax period or tax suffered g please furnish information in Annexure	any goods for any period, for cash, nsideration, please of goods, the right to ture III) nitted on the opening goods as on 1.4.2005,	
22	Creditable amount of input tax on opening covered by this return (Annexure IV)	g stock for the period	
23	Total creditable Input tax [11(B)-18+19+20+21+22]		
	PART / despatch/purchase subject to tax on put n (OUTPUT)	_	riod covered by this
		Price/Value excluding Tax "A"	VAT Due "B"
24	Sales exempt from tax		
25	Sales subject to zero-rate		
	(i) Sales in the course of export out of India(ii) Sales in the course of inter-state		
	trade or commerce (iii) Despatch of goods otherwise than		
	by way of sales (Value) (a) Branch transfer		
	(b) Consignment sales		
	(iv) Sale to a dealer under SEZ/STP/EHTP		
	(v) Sale to a EOU		
26	Sales in the course of import into India		
27	Value of goods sent for sale to local agents (VAT dealers)		
	agents (VIII dealers)		

Sales at 1% tax rate

Sales at 4% tax rate

Sales at 12.5% tax rate			
Purchase/receipt of goods subject to tax on purchase price under section 12.			_
Sales at 20% tax rate (Schedule "C" goods)			
Sale of goods on which tax has been			
paid on maximum retail price. (a) Drugs			
(b) L.P.G			
Total output Tax [28(B)+29(B)+30(B)+31(B)]			
Total value of sale/despatch/purchase subject to tax on purchase price u/s 12			
Tay payable on sale of goods in schedule	"(")"		
Tax payable oil sale of goods ill schedule	С.		
Tax payable on sale of goods subject to ta maximum retail price.	ax on		
If the total in Box 34 exceeds that of the then pay the balance amount.			
you have declared export in box 25(i) (A)), you		
you must carry forward the credit in Box	42,		
Refund 41	Credit carried forward	42	
Total tax payable [Box 36 + Box 37 + Box 38]			
Less: Tax deducted at source, if any.			
Less: Tax paid at checkgate or to an authofficer, if any.	orized		
Net Tax payable.			
	Purchase/receipt of goods subject to tax on purchase price under section 12. Sales at 20% tax rate (Schedule "C" goods) Sale of goods on which tax has been paid on maximum retail price. (a) Drugs (b) L.P.G Total output Tax [28(B)+29(B)+30(B)+31(B)] Total value of sale/despatch/purchase subject to tax on purchase price u/s 12 Tax payable on sale of goods in schedule Tax payable on sale of goods subject to tamaximum retail price. If the total in Box 34 exceeds that of the then pay the balance amount. If the total in Box 23 exceeds that in Box you have declared export in box 25(i) (A) can claim refund for the excess amount of forward the credit in Box 41 or 42. If you have declared no export in Box 25 you must carry forward the credit in Box unless you have carried forward a tax cre 24 consecutive months. Refund 41 Total tax payable [Box 36 + Box 37 + Box 38] Less: Tax deducted at source, if any.	Purchase/receipt of goods subject to tax on purchase price under section 12. Sales at 20% tax rate (Schedule "C" goods) Sale of goods on which tax has been paid on maximum retail price. (a) Drugs (b) L.P.G Total output Tax [28(B)+29(B)+30(B)+31(B)] Total value of sale/despatch/purchase subject to tax on purchase price u/s 12 Tax payable on sale of goods in schedule "C". Tax payable on sale of goods subject to tax on maximum retail price. If the total in Box 34 exceeds that of the Box 23, then pay the balance amount. If the total in Box 23 exceeds that in Box 34 and you have declared export in box 25(i) (A), you can claim refund for the excess amount or carry forward the credit in Box 41 or 42. If you have declared no export in Box 25(i) (A), you must carry forward the credit in Box 42, unless you have carried forward a tax credit for 24 consecutive months. Refund 41	Purchase/receipt of goods subject to tax on purchase price under section 12. Sales at 20% tax rate (Schedule "C" goods) Sale of goods on which tax has been paid on maximum retail price. (a) Drugs (b) L.P.G Total output Tax [28(B)+29(B)+30(B)+31(B)] Total value of sale/despatch/purchase subject to tax on purchase price u/s 12 Tax payable on sale of goods in schedule "C". Tax payable on sale of goods subject to tax on maximum retail price. If the total in Box 34 exceeds that of the Box 23, then pay the balance amount. If the total in Box 23 exceeds that in Box 34 and you have declared export in box 25(i) (A), you can claim refund for the excess amount or carry forward the credit in Box 41 or 42. If you have declared no export in Box 25(i) (A), you must carry forward the credit in Box 42, unless you have carried forward a tax credit for 24 consecutive months. Refund 41

PART-D

47. Details of Tax deposited (Box 43)

Sl	Name of Treasury,	Treasury C	For official							
No	where tax deposited or		Cheque							
	Bank on which	Type of	No.	Date	Amount	P.C.R.	Date			
	DD/Banker's cheque	Instrument				No.				
	issued / T.D.S									
	Excess paid or brought									
	forward from last return									
	Total									

48. Information on use of invoices for the tax period

Month	Tax / Retail		Total value	Invoice / Consignment notes received			
	From Sl. No.	To Sl. No.	of Sales	From No. of Sellers /	No. of Invoices /	Value of purchases/	
				Consignors	Consignme nt notes	consignment received	
	TAX INVOICE						
	RETAIL INVOICE						

DECLARATION

	I (name)	being (status)
	of the above b	business do hereby declare that the information
given in th	nis return is true and correct to the	e best of my knowledge and belief.
Signature (with design	gnation)	Date of declaration//
Seal		
Please note t	the following:	
(1)	This return along with payment the month following the tax p	nt must be presented on or before the 21 st day of period in Box 02.
(2)	In case the payment is made be the same.	by a challan in the Bank, please enclose a copy of
(3)	You will be subject to interest Value Added Tax Act, 2004,	t and penalty as per the provisions of the Orissa if you –
	• fail to file the return even	if it is a 'nil' return
	• make a late payment of tax	X
	make false declaration	
(4) (5)	furnish information in Annext Purchase of capital goods ar	asequent upon issue of Credit/ Debit Note, Please ure-V and other goods, the right to use of which is uded in the figures in Box 07, Box 08 and
FO	OR OFFICIAL USE ONLY	
Da An	riod covered under the return ate of receipt of the return mount of Tax paid ode of payment	
		Signature with designation of the receiving officer. Seal

Annexure I-A

(In case of despatch of goods outside the state otherwise than by way of sales, purchased or manufactured out of purchases inside the state on Tax Invoice – Branch transfer / Consignment sales)

Please	e furnish information in the foll	owing statement	t						
01.	Period for which the afore-sai information is furnished	id From To	D D D D	M - M	M - M	Y	Y	Y	Y
02.	Tax-rate-wise bifurcation of of stock otherwise than by wa							rans	sfer
		Purchase price used excludin]	Despatc	h Va	lue		
	Goods at 1% tax rate								
	Goods at 4% tax rate								
	Goods at 12.5% tax rate								
03.	Creditable input tax (in excess of 4% on input price)	ce)							
04	Non-creditable input tax (4%	of the input pric	e) [
1	(In case of despatch of goods other manufactured out of purchases/rec		ay of sales o						
		Purchase price VAT has b			Despa	tch \	Valu	e	
	Goods at 1% tax rate		1						
	Goods at 4% tax rate Goods at 12.5% tax rate								
	Creditable input tax on purcha	ase (in excess of	4%)						
Dat	e/	_			gnature Seal				

Annexure II

(In case of claim of input tax credit on capital goods) Please furnish information in the following statement of purchase of Capital goods

01.	Period for which the afore-said	From	From D D			M	M		Y	Y	Y	Y
01.		1 10111			-			-				
	information is furnished	TD.	D	D		M	M		Y	Y	Y	Y
		To			-			-				
02. Total purchase of capital goods during the above period												
03.	Less:				.							
	(i) Purchase of capital goods in course of import into India.											
	41) 5				Ī							
	(ii) Purchase of Capital goods from	outside the	state	.								
					-							
04.	Balance – Purchase of Capital goods [02-03(i+ii)]	s inside the	state	e								

Break-up of capital goods/ Negative capital goods tax-rate-wise:

		Purchase price of Capital goods excluding VAT "A"	VAT Paid "B"
05.	Capital goods at 4% tax rate		
06.	Capital goods at 12.5% tax rate		
07.	Total purchase price and VAT Paid on Capital goods		
08.	Negative capital goods at 4% tax rate		
09.	Negative Capital goods at 12.5% tax rate		
10.	Total purchase price and VAT Paid on negative capital goods.		

11.	Total input tax [07 (B) – 10 (B)]	
12	If the Purchase price of the Capital goods is within Rs. 1 lakh, then the amount in Box 11 shall be allowed as input tax credit [$07(A) - 10(A)$]	
13	If the purchase price of the Capital goods is in excess of Rs. 1.00 lakh, then the amount in Box 11 shall be divided by 36 and the result multiplied by the number of months comprising the tax period and the amount so determined shall be allowed as input tax credit.	
14	Input Tax Credit on Capital goods brought forward from previous tax period.	
15	Total Creditable input Tax [Box 11 or Box 13 + Box 14]	
D	Pate/	Signature Seal

Annexure III

	_		-					r oth	erwi	se fo	or ca	
e furnish information in the following	statemen	t:										
Period for which the afore-said	From	D	D	-	M	M	-	Y	Y	Y	Y	
information is furnished	То	D	D	-	M	M	-	Y	Y	Y	Y	
nase price, tax-rate-wise of goods, the on,	right to u					ansf	erre				aid	
			ludii	ng '		1	"B"					
Goods at 1% tax rate			Γ	1								
Goods at 4% tax rate												
Goods at 12.5% tax rate												
Total												
Total input tax [Box 05 (B)]												
Creditable Input Tax												
(Total input tax in Box 06 is divided	l by the li	fe tin	ne o	f								
the goods, the use of which is transfe	erred, or t	he p	erio	d								
for which such right to use is transfe	erred or 10) yea	rs,									
whichever is applicable (Rule 13) ar	nd admiss	ible	for									
the tax period)												
	, deferred payment of the furnish information in the following. Period for which the afore-said information is furnished. Total Goods at 1% tax rate Goods at 4% tax rate Goods at 12.5% tax rate Total Total input tax [Box 05 (B)] Creditable Input Tax (Total input tax in Box 06 is divided the goods, the use of which is transfor which such right to use is transfer whichever is applicable (Rule 13) ar	deferred payment or other varies of furnish information in the following statement of the following st	, deferred payment or other valuable furnish information in the following statement: Period for which the afore-said information is furnished To To To Pure exclusion Goods at 1% tax rate Goods at 4% tax rate Goods at 12.5% tax rate Total Total input tax [Box 05 (B)] Creditable Input Tax (Total input tax in Box 06 is divided by the life tire the goods, the use of which is transferred, or the period for which such right to use is transferred or 10 year whichever is applicable (Rule 13) and admissible in the goods.	deferred payment or other valuable of the furnish information in the following statement: Period for which the afore-said information is furnished Period for which the afore-said information is furnished To D D D To D D To D D D D	, deferred payment or other valuable consider furnish information in the following statement: Period for which the afore-said information is furnished Period for which the afore-said information is furnished To D D To To Purchase perceluding war. Goods at 1% tax rate Goods at 4% tax rate Goods at 12.5% tax rate Total Total input tax [Box 05 (B)] Creditable Input Tax (Total input tax in Box 06 is divided by the life time of the goods, the use of which is transferred, or the period for which such right to use is transferred or 10 years, whichever is applicable (Rule 13) and admissible for	, deferred payment or other valuable considerate furnish information in the following statement: Period for which the afore-said information is furnished Promulate price, tax-rate-wise of goods, the right to use of which is tracent, Purchase price excluding VAT "A" Goods at 1% tax rate Goods at 4% tax rate Goods at 12.5% tax rate Total Total input tax [Box 05 (B)] Creditable Input Tax (Total input tax in Box 06 is divided by the life time of the goods, the use of which is transferred, or the period for which such right to use is transferred or 10 years, whichever is applicable (Rule 13) and admissible for	, deferred payment or other valuable consideration e furnish information in the following statement: Period for which the afore-said information is furnished Period for which the afore-said information is furnished To D D M M To To To To To To To To To	, deferred payment or other valuable consideration) e furnish information in the following statement: Period for which the afore-said information is furnished Period for which the afore-said information is furnished To D D M M To D D D M M M To D D D M M M To D D D D M M M To D D D D M M M To D D D D D D D D D D D D D D D D D D	, deferred payment or other valuable consideration) e furnish information in the following statement: Period for which the afore-said information is furnished Period for which the afore-said information is furnished To D D M M Y To D D M M Y To D D M M Y To D D D M M Y To D D D M M Y To D D D M M M Y To D D D D M M M Y To D D D D M M M Y To D D D M M M Y To D D D D M M M Y To D D D D M M M Y To D D D D D D M M M Y To D D D D D D D D D D D D D D D D D D	, deferred payment or other valuable consideration) e furnish information in the following statement: Period for which the afore-said information is furnished Period for which the afore-said information is furnished Purchase price, tax-rate-wise of goods, the right to use of which is transferred and VA on, Purchase price excluding VAT "B Goods at 1% tax rate Goods at 4% tax rate Goods at 4% tax rate Total Total input tax [Box 05 (B)] Creditable Input Tax (Total input tax in Box 06 is divided by the life time of the goods, the use of which is transferred, or the period for which such right to use is transferred or 10 years, whichever is applicable (Rule 13) and admissible for	Period for which the afore-said information is furnished Period for which the afore-said information is furnished To D D M M Y Y Y TO D D M M Y Y Y T T D D D M M M Y Y Y T T D D D D M M M Y Y Y T T D D D D M M M Y Y Y T T D D D D D D D D D D D D D D D	

Date ____/____

Signature

Seal

Annexure IV

(In case of opening stock as on 01.04.2005 on which Input Tax Credit is available)

Please furnish the following information :

Date ____/____

01.	Period for which the afore-said	From	D	D	-	M	M	-	Y	Y	Y	Y	
	information is furnished	D	-	M	M	-	Y	Y	Y	Y			
02.	Total Input Tax Credit Admitted												
03.	Date from which Input Tax credit is a	vailable	D	D	-	M	[M	[Y	Y	Y	Y	
04.	Amount of Input Tax Credit already a	availed of											
05.	Balance amount of Input Tax Credit due												
06	The amount of Input Tax Credit being tax period.	claimed	for t	his									
07	Creditable input tax Credit												
	(Total Input Tax Credit admitted is divided by Six and												
	the result multiplied by the number of	months											
	comprising the tax period)												

Signature

Annexure V

If there is any effect on the tax liability arising out of issue of Credit Note/ Debit Note/ Reverse tax credit in any tax period, please furnish the following information

			D	D		M	M		Y	Y	Y	Y
01.	Period for which the afore-said	From			-			-				
	information is furnished		D	D		M	M		Y	Y	Y	Y
		To			-			-				

02. Details of credit Note / Debit Note

03. Effects of Credit Note / Debit Note/Reverse tax credit

Rate of		Purchase		Sale							
tax	Purchase	Effect of	Net	Sale price	Effect of	Net Sale					
	price	Debit note /	purchase	originally	Debit note	price					
	originally	Credit	price	furnished	/ Credit						
	furnished	note/reverse			note/						
		tax credit			reverse tax						
					credit						
1%											
4%											
12.5%											
20%											

Date/	Signature
-------	-----------

- 10. In the said rules, in Form VAT-209, for the word "security" appearing in the opening portion against column 5, the word "scrutiny" shall be substituted.
 - 11. In the said rules, in Form VAT-302, in the last paragraph, -
 - (i) for the figure "74", the figure "73" shall be substituted; and
 - (ii) for the word, letter and figure "of Rs.25,000/-", the word, letter and figure "upto Rs.25,000/-" shall be substituted.
- 12. In the said rules, for Form VAT-317, the following Form shall be substituted,

name	ly:-		ŕ	C				ŕ					
					" []	FORM	VAT	-31	7]			
		(To be pri	ALLAN FOR nted in quadro p-rule (6) of ro	uplicate) ule 57)									
				D D	- M	M -	Y	Y	Y	Y			
	LL No allotted by Bank)	Treasury Bank											
Challa	n No	Tax Act -	9909570 -	rade etc – 102 Fax collection – Receipts ur	exclu	ding Mo	otor S	Spiri	its a	and			
	om tenderedand address of the dealer												
			TIN/SRIN										
From	Period to which payment related D D M M — — — — — — — — — — — — — — — —	ates: Y Y Y	Y To	D D	M -	M -	Y	Y	Y	Y			
(i) (ii) (iii) (iv)	Tax deducted at source Tax admitted in return Interest admitted Recovery against demand (a) Tax (b) Interest (c) Penalty (d) Security (e) Others (Specify) Total (i) to (iv) (in words)			Rs Rs Rs Rs Rs Rs Rs			- - -						
					Si	gnature o	of the	Depo	osito	<u>r</u>			
1	Danis duana CD		se in the Treas										
1.	Received payment of Rs		(in w	ords)									

Treasurer/ Accountant

- 13. In the said rules, in Form VAT-403,-
 - (i) for the words and oblique mark "Date of Supply/authentication" appearing in the heading in column 3 of the table, the words "Date of issue by the Sales Tax Office" shall be substituted; and
 - (ii) for the words "Invoice No." appearing in the heading in column 7 of the table, the words "Invoice No. and Date" shall be substituted.
- 14. In the said rules, for Form VAT-612, the following Form shall be substituted, namely:-

FORM VAT-612

CLEARANCE CERTIFICATE

[See sub-rule (2) of rule 129]

	This	is	to	certify	that	Sri/Smt		son/dau	ghter/wife	of	
(status)							of	M/s		bearing	TIN/SRIN
			i	s not in	arrear	of tax/inter	est/penalty	and has filed	return upto	the tax period	ending on
	01	r has	no li	ability to	pay ta	x as on	(dat	e of issue of co	ertificate)		
(Strike				is valid t not appli		31 st March,_		·			
Seal								Assistant C	Commissione	r of Sales Tax/	
Place_							Sale	es Tax Officer	·,	Range/Circle".	
Date											

[No. 24710-CTA-3/2005(Pt.)-F.] By order of the Governor

P. K. BISWALUnder Secretary to Government