

E-FILING UNDER MVAT ACT

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WIRC of ICAI Jointly with J. B. Nagar CPE Study Circle of WIRC

Basics

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- VAT is payable on Sale of Goods.
- VAT is a multistage tax on value added.
- Movement of Goods determines the levy of VAT / CST.
- Rate of VAT / CST: Schedule A to E.
- Goods Return.
- Rate Difference.
- Set off allowed subject to Rules.

Recent Amendment / Update

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- ❑ VAT is not leviable on Service Tax, if the same is charged separately.
- ❑ Multiple Revise Return u/s. 20(4)(c).
- ❑ Reduction of Late fees from Rs. 2000/- to Rs. 1000/- for delay upto 30 days.
- ❑ Profession Tax exemption limit enhanced from Rs. 7500/- to Rs. 10,000/- for females.
- ❑ Single Application for VAT, CST, PTR and PTE Registration.
- ❑ Annexure J Sec 1 and Sec 2 not required to be filled up in Annual E Annexures.

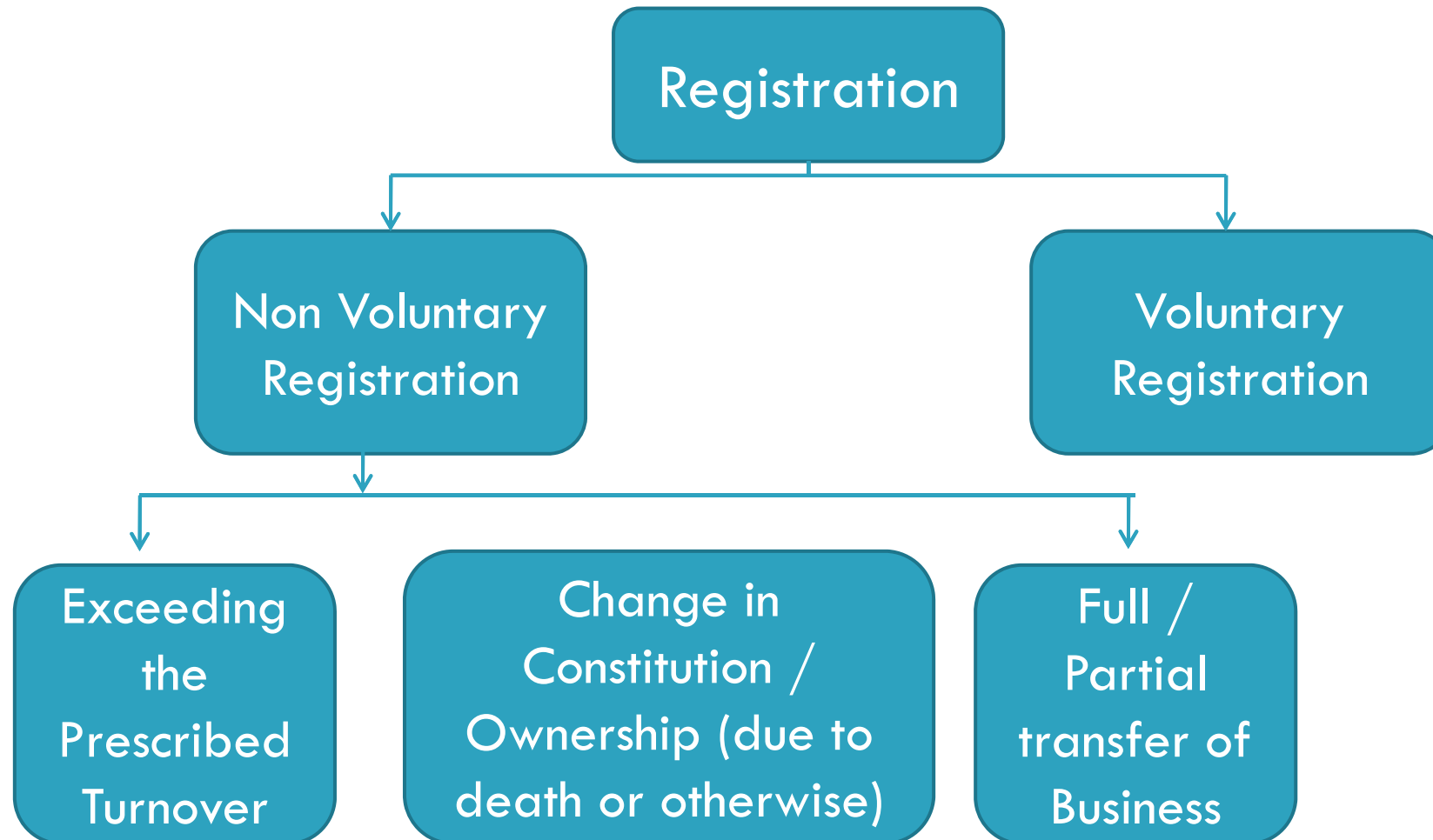
E Filing under MVAT Laws

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- E Registration
- E Enrolment
- E Return (*submission of Annexures*)
- E MVAT TDS Return (*even for Unregistered dealer*)
- E MVAT Audit Report in Form 704
- E Annexures
- E CST Declaration Forms
- E Refund Applications

E Registration

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E Registration

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- Single Application for following New Registration :

- VAT Registration
- CST Registration
- Profession Tax Registration
- Profession Tax Enrolment

(Circular 4T of 2015)

- Earlier separate applications were required to be made.
- Facility for uploading of documents necessary for purpose of registration is developed and may be deployed soon.

E Registration

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- Changes made in the existing MVAT / CST Application:
 - Check boxes for selection of PTRC and PTEC.
 - UID (Aadhaar Card number)
 - Mobile number and email address made mandatory in 'place of work / POB' section.
 - In "Bank details" section, a new field is provided to enter IFSC code.

- Attend before single VAT Registering Authority

E Registration

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- ❑ PAN, Name of business, Act, location, Name of applicant and status of applicant
- ❑ Click Next
- ❑ Request Id generated
- ❑ Fill up the E MVAT and E CST Registration Form
- ❑ Upload the same after verification
- ❑ Acknowledgment generated
- ❑ Print MVAT and CST e-registration form
- ❑ Submission of Document
- ❑ TIN Allotment

E Registration

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- Mr. A, while filing the application form for MVAT registration, has wrongly entered the details of the name of the business. Is there any solution or remedy to correct the error?
- M/s. Chintu and Co. has mentioned 5 commodities in the application form. But in the Registration Certificate issued by the department, commodities are not reflected. What should the applicant do?
- Whether can Mrs. Babita Thakur obtain MVAT and CST registration on the basis of Savings Account?
- What if introductory is a Hawala Dealer or a dealer whose TIN is cancelled?

E Registration

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- In case of Turnover based registration what if purchase is from Hawala Dealer or a dealer whose TIN is cancelled?
- Whether Pre Visit is Mandatory for all registration?
- Mr. Z (trader in Iron and Steel) applied for MVAT and CST registration on 03rd April, 2014. The officer verified his documents on 15th April, 2014. He had some doubts and made a visit to his place of business on 04th May, 2014. After being satisfied, he issued RC on 13th June, 2014. What should be the date of effect of TIN Certificate?

E Enrolment (Circular 4T of 2009)

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- The enrolment for e-services is one time activity.
- It is mandatory to get enrolled for enjoying other e services like:
 - ▣ E Return
 - ▣ E Declaration
 - ▣ E Form 704 etc
- Login ID (TIN 11 Digit No without suffix) and Password (dealers option)
- Acknowledgment is generated once the dealer is enrolled.
- Duly signed and stamped copy of Acknowledgment needs to be submitted with the Department.

Basics for E Filing of Returns

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- Computation of VAT and CST liability
- E Payment of VAT and CST liability, if any
- E Filing of Regular Return Annexure (*1st April 2014 onwards*)
- E Filing of Annexure for the entire year (if the dealer is not liable for VAT Audit) – In case of last return for the year.
- E filing of VAT and CST Return

Basics for E Filing of Returns

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- GTO of Sales includes:
 - ▣ Sale of **all GOODS** (*include Fixed Assets sold, Scrap Sales etc.*)
 - ▣ VAT and CST collected
 - ▣ Sales Return
 - ▣ Sales Rate Difference
 - ▣ Interstate Sales, Export etc.

- GTO of Purchases includes:
 - ▣ Purchase of **all GOODS** (*include Fixed Assets, Expenses etc.*)
 - ▣ VAT and CST paid
 - ▣ Purchases Return
 - ▣ Purchases Rate Difference
 - ▣ Interstate Purchases, Import etc.

Basics for E Filing of Returns

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Find out the GTO of Sales of M/s. FAXX Steel Fabricators from the following details provided:

Particulars	Amount in Lakhs
Sales as per Profit & Loss A/c	280
Duties and Tax (Current Liability)	
Output MVAT 12.5%	5
Output MVAT 5%	5
Output CST 12.5%	5
Output CST 5%	5

Additional Information:

1. Loss on Sale of Motor Car Rs. 1 Lakh, WDV of Motor Car Sold Rs. 5 Lakh. No VAT collected on sales of Motor Car.
2. Sales Return within 6 Months of Rs. 1.05 lakhs (incl VAT).

Basics for E Filing of Returns

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Find out the GTO of Purchases of M/s. FAXX Steel Fabricators from the following details provided:

Particulars	Amount in Lakhs
Purchases as per Profit & Loss A/c	230
Duties and Tax (Current Liability)	
Input MVAT 12.5%	4
Input MVAT 5%	4
Input CST 12.5%	4
Input CST 5%	4

Additional Information:

1. Furniture & Fixtures purchased Rs. 1 Lakh
2. Motor Car purchased Rs. 5 Lakh
3. Flat purchased for Rs. 24 lakhs in Palghar.
4. Purchase Return within 6 Months of Rs. 2.10 lakh (incl'd VAT)

Basics for E Filing of Returns

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- Set off to be claimed in the return period in which the goods purchased are recorded in the books of account.
- Tax Invoice is a must to claim set off
- Input VAT Credit Adjustment / Carry forward
- Claim of Refund / Carry forward at year end
- Classification of Transaction

Basics for E Filing of Returns

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Particulars	Situation 1	Situation 2	Situation 3
MVAT on Sales	10,000	10,000	10,000
CST on Sales	5,000	5,000	5,000
MVAT on Purchases	8,000	12,000	18,000
CST on Purchases	4,000	4,000	4,000
MVAT Payable			
CST Payable			
Excess Credit Carried Forward			

E Filing of Return

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□ Types of Return:

□ MVAT Return:

- **Form 231: Residual Category (Dealers other than those liable to file Form 232 to 235)**
- Form 232: Dealers whose entire Turnover is under Composition other than works contract dealer
- **Form 233: Works Contract dealers, Leasing, Dealers opting for composition for part of the business**
- Form 234: PSI dealers holding certificate of Entitlement
- Form 235: Notified Oil Companies & Motor Spirit Dealer

□ CST Return: Form III-E

E Filing of Return

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- M/s. Alka Creations have not filed their sales tax returns for the entire FY 2014-15, the following is the summary of MVAT liability (after taking set off):

Quarter	MVAT Liability
April to June 2014	1,00,000
July to September 2014	50,000
October to December 2014	(1,00,000)
January to March 2015	(1,50,000)
Total (Net Refund)	(1,00,000)

Whether M/s. Alka Creations is required to make payment of Rs. 1,00,000/- and Rs. 50,000/- with interest and claim Rs. 2,50,000 as refund?

E Filing of Return

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- M/s. Raman Sweets has e filed sales tax return but due to some reason was not able to view the acknowledgment of the return filed and accordingly was not able to save the same.
 - ▣ How can the dealer be sure that the return is e-filed?
 - ▣ How could he obtain the acknowledgment of return e-filed?
- M/s. Hurry and Furry is a registered dealer under the MVAT Act and CST Act. Their Sales Tax Returns for the month of January 2015 has excess credit for Rs. 20,000/-. However while filing their sales tax return for the month of February 2015 they in a hurry forgot to carry forward such excess credit.

M/s. Hurry and Furry while calculating their MVAT and CST liability for the month of March 2015 came to know such mistake and seeks your advice whether they can take credit of Rs. 10,000/- in March 2015 return? If yes how?

E Filing of Return

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- M/s. Nike Services a registered dealer is engaged in providing pure services as well as pure trading in computer accessories. During the year they are hit by the provision of Rule 53(6). While preparing M/s. Nike Services is not able to validate their returns in case figures of purchases which are liable for reduction are reflected in the reduction rows. What is the remedy?
- M/s. Wizcraft Printers is in the business of printing of cartons. They are registered under the MVAT Act and CST Act. They are raising invoices by charging MVAT @ 5% on the entire bill amount. They have been consistently filing MVAT returns in Form 231. During the month of February 2014 they received a payment advice from their customer wherein they have deducted MVAT TDS.

As M/s. Wizcraft Printers is filing returns in Form 231 wherein there is no option to claim MVAT TDS they seeks your advice on how to claim credit for MVAT TDS deducted?

E Filing of Return

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- Whether in Form 231 (MVAT Return) figure of goods returns to be mentioned should pertain only of:
 - ▣ Local Returns
 - ▣ Interstate Returns
 - ▣ Both Local as well as Interstate Returns

- Where Interstate sales of Tax Free goods should be shown in Sales Tax Return as Sale of Tax Free goods:
 - ▣ Form 231
 - ▣ Form CST
 - ▣ Both in Form 231 and Form CST

E Filing of Return

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- While filing Sales Tax Returns whether Service Tax charged on Labour charges sales bill should be included in Labour charges or should be shown in other allowable deductions?

h)	Less:-Labour Charges/Job work charges	
i)	Less:-Other allowable deductions, if any	

- Where figures of following Purchases should be reflected in the Sales Tax Return Form 231:
 - Local Purchases against H Form
 - Interstate Purchases against H Form
- Where would you reflect figures for purchase of tax free goods which are purchased from a dealer who is not registered under the MVAT Act:
 - Unregistered Dealer Purchase
 - Tax Free Goods

E Filing of Return

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- M/s. Multi Trade Corporation is a manufacturer of Industrial Inputs Goods. They are registered in the state of Maharashtra as well as in the state of Karnataka. During the month of February 2015 stock is transferred of Rs. 5,00,000/- from Bengaluru to Mumbai; Mumbai Depot accepted the goods which is subject to verification / checking. In the month of March 2015, Branch Mumbai Depot accepts goods worth Rs. 4,00,000/- out of Rs. 500,000/- and balance goods worth Rs. 1,00,000/- are returned to Bengaluru in the month of March 2015.

The Mumbai Depot of M/s. Multi Trade Corporation has filed sales tax returns for the month of February 2015 wherein they have shown branch transfer of Rs. 5,00,000/- now they seeks you advice on how to reflect Rs. 1,00,000/- which is returned to branch in the month of March 2015?

Periodicity for Payment / filing of Return

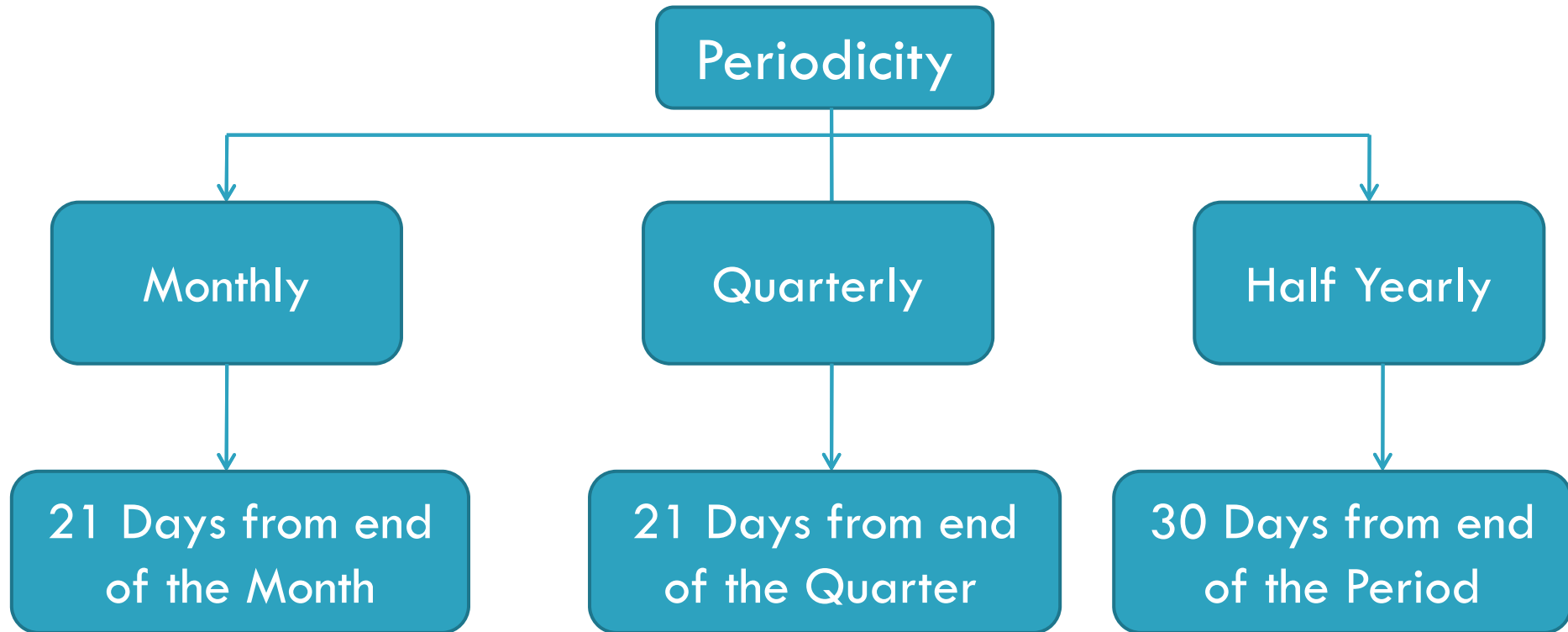
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- ❑ Based on Tax Liability or Refund Entitlement for the previous year
- ❑ Previous year for Monthly filer means March to Feb and not April to March.
- ❑ Circular 19T of 2010: if aggrieved by the periodicity determined, may contact Jt Comm of Sales Tax (Returns).
- ❑ Vide Notification No. VAT. 1511/CR-84/Taxation-1, dt. 13/09/2011 Rule 17(4)(e) was added, which mentions:
 - ❑ Commissioner may determine the periodicity of filing returns for every year.
 - ❑ the periodicity so determined shall be final and be displayed on the website of the Sales Tax Department.
- ❑ Dealers Service --- Know your TIN

Option to change periodicity from Half Yearly to Quarterly

E Payment

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E Payment is now Mandatory for all dealers

MTR 6 Challan

E Payment

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- Relief to Half yearly dealers (SBI Letter No. GBD/SCC/974)
- Extract of the said letter:
 - ▣ Collect MVAT & CST from six monthly dealers
 - Cash or
 - Transfer
 - ▣ Make Remittance to Government
 - ▣ Facility for all Six Monthly dealers irrespective of whether they maintain an account with SBI or not.

E Payment

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- Remedy against the following mistakes while making e payment:
 - Mentioning of Wrong TIN
 - Selection of Wrong Period
 - Selection of Wrong Act

(Circular 7T of 2013)

- M/s. Manual Trading Corporation have approached their bankers to make e payment for the Half year Ended 30th September 2014, the bank debits amount in their bank account on 30th October 2014. The challan towards e payment is made available by bank on 03rd November 2014 which mentions the date of payment as 01st November 2014. Whether the e payment could be considered as made in time?

E Filing of Return

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❑ Due Date for E filing of Return:

❑ If periodicity is Monthly or Quarterly:

- Taxes paid in time i.e., within 21 days from the end of the period:
 - No – within 21 days from the end of the period.
 - Yes – extension of 10 days from the due date of payment.

❑ If periodicity is Half yearly:

- Taxes paid in time i.e., within 30 days from the end of the period:
 - No – within 30 days from the end of the period.
 - Yes – extension of 10 days from the due date of payment

E Filing of Return

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- ❑ Periodicity Determination is automatic as per returns filed, how would the periodicity be determined in case the dealer has not filed sales tax return for a particular period? (Circular 19T of 2010)
- ❑ M/s. Empty Containers is having NIL turnover during the half year ended 30th September 2014. What will be the due date for E filing Sales Tax Return? (Circular 15T of 2009)

Submission of Annexures with Return

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- Need
- From 01st April 2014
- Annexure J1: Dealer-wise Sales
- Annexure J2: Dealer-wise Purchases
- Order: E payment, E Filing of Annexures and thereafter E filing of Return
- Revise Return and Revise Annexures

Submission of Annexures with Return

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- Annual filing of Annexures to continue
- Last Return for the year for Non Audit Dealer:
 - ▣ Annexures for last period &
 - ▣ E Annexures for Entire year
- Composition Scheme namely, Retailers, Bakers, Second – Hand Motor Vehicles, Restaurants and Developers (who have opted for 1% composition scheme): Upload only Annexure J2
 - ▣ What if he is Reseller also?

E Filing of Return

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- Steps in e filing of Return / Annexure:
 - ▣ Latest Form to be used
 - ▣ Download – Forms – Electronic Forms
 - ▣ Forms need to be filed up offline
 - ▣ Offline Validation utility is available
 - ▣ If there are error, correct the same
 - ▣ On successful validation –Rem.txt file is generated
 - ▣ Login to the website
 - ▣ E Returns – Choose file – click Validate & Upload
 - ▣ Acknowledgment

E Filing of Return

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- Example for Filing Return:
 - ▣ Details of Sales

Description	NET	VAT / CST / Service Tax	TOTAL
Gross Local Sales VAT 5%	1,00,000	5,000	1,05,000
Gross Local Sales VAT 12.5%	1,00,000	12,500	1,12,500
Labour Charges	10,000	1,236	11,236
Gross Sales CST 2%	50,000	1,000	51,000
Sales Return Local VAT 5%	10,000	500	10,500
Sales Return Local VAT 12.5%	10,000	1,250	11,250
Sales Return CST 2%	5,000	100	5,100

E Filing of Return

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SALES	NET	TAX (VAT / CST)	NET + TAX
LOCAL SALES			
Net VAT 12.5%	100000	12500	112500
Less: Returns	10000	1250	11250
Net VAT 12.5% After Returns	90000	11250	101250
Net VAT 5%	100000	5000	105000
Less: Returns	10000	500	10500
Net VAT 5% After Returns	90000	4500	94500
Labour Sales	11236	0	11236
Less: Returns		0	0
Labour Sales After Returns	11236	0	11236
Net CST 2%	50000	1000	51000
Less: Returns	5000	100	5100
Net CST 2% After Returns	45000	900	45900
SALES NET OF RETURNS	236236	16650	252886
ADD: RETURNS - LOCAL			21750
ADD: RETURNS - OMS			5100
TOTAL RETURNS			26850
GROSS TURNOVER OF SALES			279736

E Filing of Return

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5		Particulars		Amount (Rs)
5 Computation of net turnover of sales liable to tax	a)	Gross turnover of sales including, taxes as well as turnover of non sales transactions like value of branch/ consignment transfers , job work charges etc		279736
	b)	Less:-Value ,inclusive of sales tax.,of Goods Returned including reduction of sales price on account of rate difference and discount .		26850
	c)	Less:-Net Tax amount (Tax included in sales shown in (a) above less Tax included in(b) above)		15750
	d)	Less:-Value of Branch Transfers / consignment transfers within the State If Tax is Paid by an Agent		
	e)	Less:-Sales u/s 8(1) i.e Inter state sales including Central Sales Tax,Sales in the course of Imports, Exports and value of Branch Transfers / Consignment Transfers outside the State		45900
		Turnover of export sales u/s 5(1) and 5(3) of the CST Act 1956 included in Box (e)		
		Turnover of sales in the course of import u/s 5(2) of the CST Act 1956 included in Box (e)		
	f)	Less:-Sales of tax-free goods specified in Schedule" A" of MVAT Act		
	g)	Less:-Sales of taxable goods fully exempted u/s 41 and u/s. 8 other than sales under section 8(1) & covered in Box 5(e)		
	h)	Less:-Labour Charges/Job work charges		11236
	i)	Less:-Other allowable deductions, if any		
j)	Balance: Net turnover of Sales liable to tax [a-(b+c+d+e+f+g+h+i)]		180000	
6 Computation of Sales Tax payable under the M VAT Act		Rate of tax	Turnover of sales liable to tax (Rs.)	Tax Amount (Rs)
	a)	12.50%	90000	11250
	b)	5.00%	90000	4500
	c)			0
	d)			0
	e)			0
f)			0	
		Total	180000	15750
6A	Sales Tax collected in Excess of the Amount of Tax payable.			0

E Filing of Return

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1	Gross Turnover of Sales	Rs.	279736
A	Less:-Turnover of Sales within the State	Rs.	228736
B	Less:-Turnover of interstate sales u/s 6(3)	Rs.	0
C	Less:-Value of goods returned within six months u/s 8 A(1)(b)	Rs.	5100
D	Less:-Turnover of Sales of Goods outside the State	Rs.	0
E	Less:-Sales of the goods in the course of export out of India	Rs.	0
F	Less:-Sales of the goods in the course of import into India	Rs.	0
G	Less:- Value of goods transferred u/s 6A (1) of C.S.T. Act 1956	Rs.	0
H	Less:- Turnover of sales of goods fully exempted from tax under section 8(2) read with 8(4) of MVAT ACT 2002	Rs.	0
2	Balance :-Inter_State sales on which tax is leviable in Maharashtra State (1- 1A-1B-1C-1D-1E-1F-1G-1H)	Rs.	45900
A	Less:- Cost of freight , delivery or installation , if separately charged	Rs.	0
B	Less:-Turnover of interstate sales on which no tax is payable	Rs.	0
C	Less:-Turnover of interstate sales u/s 6(2)	Rs.	0
3	Balance :-Total Taxable interstate sales (2- 2A-2B-2C)	Rs.	45900
	A. Less:-Deduction u/s 8A(1)(a)	Rs.	900
4	Net Taxable interstate sales (3- 3A)	Rs.	45000
A. Sales Taxable U/s. 8 (1)			
Sr. No.	Rate	Sales Turnover (Rs.)	Tax (Rs.)
1	2.00%	45000	900
2			0
3			0
4			0
5			0
Total		45000	900

E Filing of Return

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- Example for Filing Return:
 - ▣ Details of Purchases

Description	NET	VAT / CST / Service Tax	TOTAL
Gross Local Purchases VAT 5%	80,000	4,000	84,000
Gross Local Purchases VAT 12.5%	80,000	10,000	90,000
Labour Charges	5,000	0	5,000
Gross Purchases CST 2%	20,000	400	20,400
Purchases Return Local VAT 5%	8,000	400	8,400
Purchases Return Local VAT 12.5%	8,000	1,000	9,000
Purchases Return CST 2%	2,000	40	2,040

E Filing of Return

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PURCHASES	NET	TAX (VAT / CST)	NET + TAX
LOCAL PURCHASES			
Net VAT 12.5%	80000	10000	90000
Less: Returns	8000	1000	9000
Net VAT 12.5% After Returns	72000	9000	81000
Net VAT 5%	80000	4000	84000
Less: Returns	8000	400	8400
Net VAT 5% After Returns	72000	3600	75600
OMS Purchases	20400	0	20400
Less: Returns	2040	0	2040
OMS Purchases After Returns	18360	0	18360
Labour, Freight etc	5000	0	5000
Less: Returns		0	0
Labour etc After Returns	5000	0	5000
PURCHASES NET OF RETURNS	167360	12600	179960
ADD: RETURNS - LOCAL & OMS			19440
GROSS TURNOVER OF PURCHASES			199400

E Filing of Return

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7 .Computation of Purchases Eligible for Set-off		Particulars	Amount (Rs)
a)		Total turnover of Purchases including taxes, value of Branch Transfers/ Consignment Transfers received and Labour/ job work charges	199400
b)		Less:-Value of goods return(inclusive of tax,including reduction of Purchase price on account of rate difference and discount .	19440
c)		Less:-Imports (Direct imports)	
d)		Less:-Imports (High seas purchases)	
e)		Less:-Inter-State purchases (Excluding purchases against certificate in form 'H')	18360
e1)		Less: Purchases of taxable goods (either local or Interstate) against certificate in Form'H'	
f)		Less:-Inter-State branch / consignment transfers received	
g)		Less:-Within the State Branch Transfers /Consignment Transfers received where tax is to be paid by an Agent	
h)		Less:-Within the State purchases of taxable goods from un-registered dealers	
i)		Less:-Within the State Purchases of taxable goods from registered dealers under MVAT Act, 2002 and which are not eligible for set-off	
j)		Less:-Within the State purchases of taxable goods which are fully exempted from tax u/s 41 and u/s 8 but not covered under section 8(1)	
k)		Less:-Within the State purchases of tax-free goods specified in Schedule "A"	
l)		Less:-Other allowable deductions, if any	5000
m)		Balance: Within the State purchases of taxable goods from registered dealers eligible for set-off [a-(b+c+d+e+e1+f+g+h+i+j+k+l)]	156600
8 Tax Rate wise breakup of within state purchases from registered and unregistered dealers eligible for set-off as per box 7(m) and 7A		Rate of tax	Net Turnover of purchases (Rs.)
a)		12.50%	72000
b)		5.00%	72000
c)			
d)			
e)			
		Total	144000
			12600

E Filing of Return

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- Filing of CST Return (Circular 20T of 2014):
 - Dealer effecting following types of transactions during a period is required to file CST Return:
 - Inter-state Sales
 - Inter-state Stock transfer
 - Sales outside the state
 - Export out of India
 - Sales in the course of Import
 - The above instructions shall be applicable for the returns starting for the period from the 1st October 2014 onwards.

E Filing of Return

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Form Type	Occasion
Original	When return is filed for the 1 st time.
Fresh	Return filed pursuant to receipt of notice in Form 212 from the Department.
20(4)(a)	Dealer voluntarily revises return
20(4)(b)	Dealer files revised return in accordance with MVAT Audit Report
20(4)(c)	Return filed pursuant to receipt of intimation u/s 63 from the Department.

E Filing of Return

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Revised Returns

Particulars	Wef 01 st May 2011	Period of Filing of Revise Return
(a) No. of times a dealer can revise return on his own	One	10 months from the end of the year
(b) No. of times a dealer can revise return as a result of Audit u/s. 61	One	Before the expiry of 30 days from the due date of Audit
(c) No. of times a dealer can revise return as a result of audit or any proceeding by department	Multiple	Within 30 days from the date of service

E Filing of FIRST Return

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- Registration not applied in Time:
 - ▣ Return for URD Period:
 - 1st Return of URD Period: From the date of event to the end of quarter.
 - Thereafter quarterly till the quarter immediately before the quarter containing the date of registration.
 - Last Return of URD Period: 01st day of the quarter containing the date of registration till the day before the date of registration.
 - ▣ Return for RD Period*:
 - 1st Return of RD Period: from the date of registration to the end of the quarter containing the date of registration
 - Thereafter quarterly for that year.
- Registration applied in time: Same as Return for RD period*

E Filing of FIRST Return

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- ❑ M/s. Bol Bachan Corporation became liable for registration on 01st June 2014, however they got registered on 05th November 2014. How many returns and period of returns that need to be filed?

E Filing of LAST Return

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- For Non Audit cases:
 - ▣ Last return along with E - Annexure by 30th June

- For Audit cases:
 - ▣ Last return period upto the date of discontinuance / disposal / transfer to be filed as per the due date for filing of returns discussed earlier.

E Filing of MVAT TDS Return

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- Form 424 (from FY 2012-13 onwards)
- E Filing for Registered as well as Un-Registered Employer
- Form 424 for the FY 2014-15 to be filed by 30th June 2015.
- MVAT TDS Rate:
 - ▣ 2%, if contractor is **registered** and
 - ▣ 5%, if contractor is **unregistered**
- TIN / PAN of Contractor



**TDS on
Purchase of
FLAT from
Builders**

E MVAT Audit Report in Form 704

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- MVAT Audit Report contains the following:
 - ▣ Part I – Audit Report & Certification
 - ▣ Part II - General Information about Dealers Business Activities
 - ▣ Schedule I/II/III/IV/V - Schedule corresponding to MVAT Returns filed in Form 231/232/233/234/235
 - ▣ Schedule VI - Schedule corresponding to CST Returns filed in Form III (E) CST
 - ▣ Annexure A - Details of the MVAT Paid
 - ▣ Annexure B - Details of the CST Paid
 - ▣ Annexure C - TDS Certificates received
 - ▣ Annexure D - TDS Certificates issued
 - ▣ Annexure E - Computation of Set-Off
 - ▣ Annexure F - Financial Ratios and other information

E MVAT Audit Report in Form 704

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- ▣ Annexure G - Declarations Received
- ▣ Annexure H – Details of local Form-H not received
- ▣ Annexure I – Details of Declarations not received (Other than Local Form-H)
- ▣ Annexure J Sec 1 - List of Customer Wise Sales on which VAT is charged separately
- ▣ Annexure J Sec 2 - List of Supplier Wise Purchases on which VAT is charged separately
- ▣ Annexure J Sec 5 – Customer Wise Transactions of Direct Export and Highseas Sales under CST Act, 1956
- ▣ Annexure J Sec 6 - Supplier Wise Transactions under CST Act, 1956.
- ▣ Annexure K – Reconciliation of Sales & Purchase

E MVAT Audit Report in Form 704

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- ❑ What would happen if in Annexure K entry is not made from first line itself?
- ❑ What to do in case a dealer has deducted VAT TDS @ 2% and could not provide a valid TIN till the date of finalization of VAT Audit Report?
- ❑ Whether as a VAT Auditor you should verify from the website of the Sales Tax Department that the TIN of purchases doesn't fall in Non Genuine Dealer list?
- ❑ Whether a dealer is required to show purchases which are not eligible for set off (eg purchase of Motor Car) in Annex J Sec 2?
- ❑ Whether figures in Annexure J Section 1 and 2 should be net off returns or gross of returns?

E MVAT Audit Report in Form 704

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- While conducting MVAT Audit of M/s. Lucky Traders, for the FY 2013-14 following came to your knowledge:

Name of the Supplier	TIN Status	Covered in Non Genuine List	Set off claimed	Clients Remarks
Aryaan Trading Corp.	Active(20060401)	No	50,000	NIL
Disha Health Care	Active(20130604)	No	65,798	NIL
Mehta Traders	Cancelled(20140208)	No	65,240	NIL
Raj Traders	Cancelled(20060401)	Yes	75,000	NIL
Arihant Traders	Cancelled(20060401)	Yes	40,600	Genuine Purchase

How would you deal the same while finalizing MVAT Audit Report and reporting, if any.

E MVAT Audit Report in Form 704

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- How would you deal / report with the below situations while conducting MVAT Audit of M/s. Kanjoos Enterprises:

Name of the Supplier	Name of the supplier as per Website	TIN covered in any List uploaded at Mahavikas
Anshul Corporation	ANSHUL CORPORATION	Non Filer
Ankit Trading Co	Ankit Trading	Short Filer
Shamir & Co	Shamir Corp / Shamir & Co	Cancelled
Rajan and Rajni	Samarath & Co	---

What would be your answer if the above details pertain to Customers.

E Annexures (Annual)

53

- ❑ Why E Annexures?
- ❑ Applicable from Last Return for the FY 2011-12 except:
 - ❑ Retailers covered u/s. 42(1)
 - ❑ Baker, Restaurant, Second hand motor dealer u/s. 42(2)
 - ❑ Builders & Developers u/s. 42(3A)
- ❑ E Annexures need to be uploaded first thereafter last return is to be uploaded.
- ❑ The due date for uploading E Annexures for the FY 2014-15 is 30th June 2015.
- ❑ Last Return will contain details of the concerned period only. However E Annexure will contain details for the entire Financial Year.

E Annexures (Annual)

54

(Not Required from FY 1415 onwards)

□ E Annexure include:

- Annexure J Section 1: Customer wise VAT Sales
- Annexure J Section 2: Supplier wise VAT Purchases
- Annexure C: TDS Certificate received
- Annexure D: TDS Certificate issued
- Annexure G: Declaration received
- Annexure H: Details of Local H Form not received
- Annexure I: Details of Declaration Form not received

E Declarations (Circular 4T of 2014)

55

- Procedure:
 - ▣ SOR contain Invoice wise purchase annexure.
 - ▣ Three separate annexures:
 - Declaration / Certificate Form C and F.
 - Certificate in Form H
 - Declaration / Certificate Form E-I and E-II.
 - ▣ Mandatorily contain email address and mobile no
 - ▣ Applicant may withdraw the SOR till 6 pm of the day of uploading.
 - ▣ Digital declaration in PDF format
 - ▣ 2 SOR's allowed to be uploaded for particular period
 - ▣ 3rd SOR can be uploaded after obtaining permission from Additional CST of concerned location.

E Declarations (Circular 4T of 2014)

56

- System will check the following things:
 - Filed all the returns for **earlier periods**.
 - Turnover as per SOR vis a vis Turnover as per returns
 - Outstanding dues under MVAT Act, CST Act or any other allied Act
 - Filed MVAT Audit Report for all the periods starting from 01st April 2008.
- SOR allocated to CR officer who is having access to the results of System check as mentioned above
- CR with the help of MAHAVIKAS will check the following:
 - F Form: Address and TIN of branches are incorporated in RC
 - All CST declarations: Commodity specified in RC
- Kept on Hold and Issuance of Defect Notice:
 - Finds Defect / feels further verification is required - inform via email
 - Applicant should correct defect within 15 days from the date of receipt of email.
 - If not, SOR automatically rejected.

Dealer Information System (New Facility)

57

The screenshot shows the official website of the Department of Sales Tax, Government of Maharashtra, India. The page features a navigation menu with options like Home, About Us, Acts & Rules, Downloads, Dealer Services, RTI, and Search. A central banner reads "Our Taxes For Our Nation". Below the banner, a message states "The mail will be sent to the prescribed Officer" followed by a redacted name and a "Logout" link. On the left, there is a "Member's Home" section with a list of "e-Services" including e-Registration, e>Returns, e-CST Declarations, e-Audit Form, e-Refund Application, Acknowledgements, e-payment, PT-Info-Form-Upload, e-Payment thru GRAS, Upload_F424URD, e-Help Desk, and Instruction sheets for e-Services. A "Non Filers & Short Filers" section includes Dealer's Grievances, Driver Recruitment 2014, Report Tax Evasion, MSTI, Employee Corner, Tenders/Notices/Advertisements, and Referral Websites. In the center, a box titled "Now you can access e-Services for" lists various services with blue arrows pointing to the right. The "Form 4A & B composition Option" and "Dealer Information System" items are highlighted with a red box. A large red arrow points from the right towards the "Dealer Information System" link. The footer contains the URL "mahavat.gov.in/Ereturns_Uploadv5/Ereturns_uploadv5.jsp?ptrc=VHJ1ZQ==&vat=V...", links for "Bookmark this site", "Privacy Policy", and "Terms & Conditions", and a note "This site is designed to view in 1024 X 768 resolution". The system tray at the bottom shows the date and time as "12:06".

Dealer Information System (New Facility)

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The screenshot displays the official website of the Department of Sales Tax, Government of Maharashtra. The page title is "Registration Details" and it shows a form with the following sections:

- Registration Details:** Dealer TIN Number, Application Number, Dealer Name.
- Dealer Business Details:** Name of the Dealer, PAN Number of the Dealer, Effective Date, Nature of Business, MSTD Location, TIN Number of the Dealer, Commencement Date, Cancellation Date, Constitution Name.
- Dealer Address Details:** Flat Name, Street Name, Taluka Name, State, Telephone Number-1, Mobile Number-1, Email ID-1, Area Name, City Name, District, Pin Code, Telephone Number-2, Mobile Number-2, Email ID-2.

At the bottom of the form, there are several buttons: "Commodity Details" (highlighted with a red box), "Partner Details", "Bank Details", "Return Detail", "Payment Details", "ITC Report", "ITC Excel Report", and "EXIT".

The footer contains the following text: "Contact Us | Disclaimer | Send to Friend | Sitemap | Bookmark this site | Privacy Policy | Terms & Conditions. This site is designed to view in 1024 X 768 resolution. All copyrights reserved by Department of Sales Tax, Govt. of Maharashtra. Website Last Updated on null Version null".

Dealer Information System (New Facility)

59

The screenshot shows a web browser window displaying the official website of the Department of Sales Tax, Government of Maharashtra. The page features a header with the text "Our Taxes For Our Nation" and "Official Website of DEPARTMENT OF SALES TAX Govt. of Maharashtra, India". A navigation menu includes links for Home, About Us, Acts & Rules, Downloads, Dealer Services, RTI, and a search bar. The main content area displays a form titled "MSTD Dealer Commodity Details". The form contains fields for TIN Number, Application Number, and Dealer Name, all of which are redacted with black boxes. Below these fields is a table with the following data:

Commodity Description	Schedule Entry	Commodity Category
PLASTIC GOODS	C-54	B
PACKING MATERIAL	C-54	S
PLASTIC FILMS	C-54	S
PACKING MATERIAL	C 54	P
PLASTIC FILMS	C 54	P

At the bottom of the form is an "Exit" button. The footer of the website includes links for Contact Us, Disclaimer, Send to Friend, Sitemap, Bookmark this site, Privacy Policy, and Terms & Conditions. It also states "All copyrights reserved by Department of Sales Tax, Govt. of Maharashtra." and "This site is designed to view in 1024 X 768 resolution Website Last Updated on null Version null". The Windows taskbar at the bottom shows the time as 12:53.

E Refund

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- ❑ E filing of Refund Application in Form 501.
- ❑ E Form 501 contains the following:
 - ❑ Annexure A: Transaction wise Purchases
 - ❑ Annexure B: No Due Certificate for claiming refund
 - ❑ Annexure C: Declaration not received under CST Act
 - ❑ Annexure D: Declaration received under CST Act
- ❑ Time Limit for making Refund Application: Within 18 months from the end of the year.
- ❑ Refund claimed should be in agreement with Return.

E Refund

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- ❑ M/s. Patra Electronics had an excess credit of Rs. 99000/- during the FY 2012-13 which they had carried forward to FY 2013-14. During the FY 2013-14 there is a refund of Rs. 6,50,000/-. Whether they are required to provide details of FY 2012-13 in the MVAT Refund Application Form 501 for the FY 2013-14 in the following annexure:
 - ❑ Annexure A (Transaction wise vat purchases)
 - ❑ Annexure C (Declarations not received)
 - ❑ Annexure D (Declarations received)

- ❑ Whether in Annexure D (Declarations received) details need to be given of the amount for which declaration form is received or the bill amount (irrespective of the amount of declaration)?



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