

INDIRECT TAXES UPDATE - 131

CENTRAL EXCISE

Goods cleared from DTA to SEZ treated as Exports

CBEC vide *Circular No. 1001/8/2015-CX, Dated: April 28, 2015* has clarified that Benefit of rebate of duty under Rule 18 of Central Excise Rules, 2002 and Refund of accumulated CENVAT credit under Rule 5 of CENVAT Credit Rules, 2004 will continue to be available on goods cleared from Domestic Tariff Area (DTA) to Special Economic Zone (SEZ).

As per the provisions of SEZ Act, supply of goods from DTA to the SEZ is treated as export; as a SEZ is treated as a territory outside the customs territory of India. The DTA supplier supplying goods to the SEZ shall clear the goods either under bond or as duty paid goods under claim of rebate on the cover of ARE-1. Thus, any licit clearances of goods to an SEZ from the DTA will continue to be treated as export only.

[Circular No. 1001/8/2015-CX, Dated: April 28, 2015]

VALUE ADDED TAX

KARNATAKA VAT

Person mandatory required to register electronically under Karnataka Professional Tax

Every employer or self-employed person are required to apply electronically for registering himself under the Karnataka Tax on Professions, Trades, Callings and Employments Act, 1976 within 30 days from the commencement of his profession. For more information, log on <http://ctax.kar.nic.in> or <http://pt.kar.nic.in>

[Public Notice No. PT/CR-18/2014-15 Dated: 15th April, 2015]

Entry tax exempt for new Micro/Small/Medium Enterprise/Large/Mega/Super Mega/Ultra Mega/industrial unit/EOU

Entry tax has been exempted on the entry of plant & machinery and capital goods and goods use as raw material inputs in new Micro/Small/Medium Enterprise/Large/Mega/Super Mega/Ultra Mega/industrial unit/EOU with subject to certain conditions as specified in notification.

[Notification No. FD 01 & II & III & IV CET 2015, dated: 22nd April, 2015]

PUNJAB VAT

Tax incentive scheme for expansion projects by an eligible unit in eligible area

A new rule Punjab Value Added Tax (Incentives for expansion projects) Rules, 2015 has been prescribed vide *Notification No. G.S.R. 19/P.A.8/2005/Ss.8-E and 70/2015 Dated 6th April, 2015* which provide incentive for expansion of project in various zone area in Punjab. The incentive range from 12.5% VAT + 25% CST to 45% VAT + 40% CST depending upon the amount of Investment and Zone area of investment. The detailed guideline and condition have been prescribed in the rule.

[Notification No. G.S.R. 19/P.A.8/2005/Ss.8-E and 70/2015. Dated 6th April, 2015]

GUJARAT VAT

Mandatory to carry electronically generated Form 402, 403, 405 with every movement of taxable goods.

Electronically generated Form 402 (Movement of goods within / going outside the state), Form 403 (Goods entering into the state from other states) or Form 405 (Issue of Transit pass) should be carried along with every movement of taxable goods from to and through the state from 28th April, 2015. The Forms can be downloaded from www.commercialtax.gujarat.gov.in.

[Order No. GVL/VAT/ Sec.68 and 69/(5) Dated the 18th April, 2015]

JAMMU AND KASHMIR VAT

Mandatory to File return electronically

It is mandatory for the dealer whose gross annual turnover is 50 lacs and above to file VAT return from first quarter ending June '15 and onwards.

[Notification No. 02 Dated 21st April , 2015]

WEST BENGAL VAT

Amendments in West Bengal VAT Rules, 2005

Following amendments have been made in various rule(s) under West Bengal VAT Rules, 2005 through *Notification No 523- F. T.-Dated 2nd April, 2015*

- The taxable quantum to pay tax has been increased from Rs. 5 lacs to Rs. 10 lacs.

- The new proviso has been inserted in Rule 5A which provides that there is no need to submit hard copies of the documents, if registration application has been submitted online under digital signature along with scanned documents and declarations as required.
- The new rule 16C has been inserted a composite scheme for the dealer who are engaged in business of hotel, inn, motel, resort, or alike. The dealer has to pay tax on the value of Gross Turnover as mentioned in the notification ranges from 5% to 30%
- The limit of turnover of sales has been increased from Rs. 5 crore to Rs. 10 crore in a year in Rule 44i.e for submission of P&L A/c and B/S with Audit Report of CA to appropriate assessing authority. The provision has been extended to stock transfer also

[Notification No 523- F. T.-Dated 2nd April, 2015]

SIKKIM VAT

Date of filing of Quarter 4 return has been extended to 15 May'2015

The last date of filing of return of 4th quarter ending on March 2015 has been extended to 15th May, 2015.

[Notification No. 101/CTD/2015 Dated 27th April, 2015]

DELHI VAT

The last date of filing of return of last quarter of F/Y 14-15 extended to 15th May '2015.

The last date of filing of online/hard copy of fourth quarter return for the year 2014-15, in Form DVAT-16, DVAT-17 and DVAT-48 along with required annexure/enclosures has been extended to 15/05/2015.

[Circular No. 2 of 2015-16 No.F.7(420)/Policy/2011/PF/78-84 Dated 27th April, 2015]

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