

**CIRCULAR No. 14 / 2017**

Sub:- Requests for Revision of returns for previous years – Guidelines issued - reg.

Recently several representations and requests have been received from dealers seeking permission for revision of monthly / annual returns and its enclosures. The permission is sought for revision of returns relating to back years. While the head quarter considered the request and came to understand that for the period up to 2015-16, a large number of returns were initiated by the Deputy Commissioners concerned, at the request of dealers, even though there are no provisions in the KVAT Act, they failed to submit the revised or fresh returns within a reasonable time. This created a huge back log of returns in "initiated" status in the KVATIS and as a consequence thereof, effective scrutiny of returns became impossible in these cases. As the law does not permit to allow revision of return after allowed time period, the revision of returns for the back period up to 2015-16 was blocked at the head quarter. Thereupon the dealers approached Hon'ble High Court and obtained favourable decisions directing the authorities to take necessary steps to permit them to revise their returns, provided there is no change in the turnover or tax already conceded.

For the smooth implementation of the direction of the Hon'ble High Court in respective cases, the following instructions are issued while permitting return revision:

- (i) When an application for revision of return is received, the assessing authority shall examine and see that the revision is sought for only to correct the omissions/mistakes and that there is no change in the turnover or tax already conceded in the original return by way of such revision.
- (ii) After such verification, a report as to the admissibility of revision of return shall be sent to the Deputy Commissioner concerned, with specific reasons for allowing such revision. If not found admissible, the application may be rejected; issuing speaking orders.
- (iii) The Deputy Commissioner shall verify the report furnished by the assessing authority, evaluate the reasons and decide whether the revision is admissible or not.
- (iv) If the revision is found admissible, the Deputy Commissioner shall send a detailed report to the Commissioner of State Taxes so as to make arrangements to open the return.
- (v) When permission is granted from the Head Quarters, the following procedure shall be followed at the district level.
  - (a) Before initiating the return, take a print out of the original return and its enclosures.
  - (b) The return shall be initiated only when the dealer is ready to file the revised return.
  - (c) The revision shall be done in the office of the Deputy Commissioner concerned.
  - (d) The revision shall be done only in the presence of the assessing authority concerned so as to ensure that no changes/modifications other than what was requested for are done by the dealer.
  - (e) After the revision is done, take a printout of the fresh return and its enclosures.
  - (f) After filing revised return, the Deputy Commissioner shall send a report on each case to the Head Quarters.
  - (g) All assessing authorities should maintain a register for revision of returns.

  
Commissioner