

No.K2.44989/ 05/ CT

Office of the Commissioner  
Commercial Taxes  
Thiruvananthapuram  
Dated. 02.02.06

**CIRCULAR No. 7/ 06**

Sub:- Ensure commodity name in Form 10 (return) –Certain instructions issued- reg:

Ref:- Lr. No.IAC(CI)903/ A/ 05 Dt. 29.08.05 of IAC(CI) Tvp

Attention of officers is invited to the letter under reference in which the Inspg. Asst. Commissioner (CI) Thiruvananthapuram has brought to the notice of the Commissionerate that in many VAT offices in the state, returns in Form No.10 as required under section 20 of the KVAT Act 2003 read with Rule 22(1) is being filed by various categories of dealers monthly/ quarterly etc., On the 10<sup>th</sup> or 15<sup>th</sup> of every month depending on the turnover. Accordingly to the Inspg. Asst. Commissioner (CI) dealers are seldom writing the names of the commodity inspite of the fact that column 2 of the return has been designed for showing the name of the commodity. As you may aware, the rate of tax and the schedule in which each goods falls can be ascertained only if the name of the commodity is shown. The correctness of the input tax credit, out put tax due etc. can be ascertained only based on the classification of commodity. As the KVAT is a tax on commodities, the omission in the return is of serious nature. So it is imperative that all returns received in the officers should be one in which the name of commodity is shown. In the circumstances, the assessing authorities are directed to take this aspect also during the time of scrutiny of return. If name of the commodity is not shown, the same should be entered in the column before accepting the monthly return.

Besides, all assessing authorities should be ensure that returns are accepted from dealers/ works contracts/ Awarders only when returns are completely filled up, as under;

- a) Dealers should enter their TIN in the form 10 and also specify the period to which it relates.
- b) Dealers should specify their branch/ principal place for which there turn is submitted.
- c) Dealer should specify the consolidated amount of the local purchase (i.e the total purchase at 0 %, 1 %, 4 % and 12.5%)
- d) Payment details as instrument type, instrument date, and instrument amount (Form 10A presumptive dealers) should be entered.

- e) In Form 10B (works Contractors), the consolidated date of the purchase and the TDS details should be entered in the prescribed column.
- f) Dealers should follow the format specified in the forms
- g) Dealers should specify the schedule in which the commodity is coming.
- h) In the TDS details, the TIN of the awarder should be entered in the prescribed column
- i) The turnover details should be entered in the specified format.
- j) In the case of Form 10C Awarders, "Awarders TIN" and date of contract should be entered.
- k) The Awarders should specify 'From return period' and "To return period"

The receipt of this circular should be acknowledged.

Sd/  
Commissioner

/ Approved for Issue/

Asst. Commissioner.II

To  
All Officers