

**OFFICE OF THE COMMISSIONER OF COMMERCIAL TAXES, ODISHA,  
CUTTACK**

No. 11889 /CT,  
III (I) 38/2009

Date 22 /05/2013

To

**The Joint Commissioner of Commercial Taxes  
In charge of territorial Ranges,  
All Deputy/ Assistant Commissioner of Commercial Taxes  
In charge of Circles.**

**Sub: Creation of Functional Units in Circles.**

Sir,

In inviting a reference to the subject cited above and in supersession of earlier circulars/letters issued regarding restructuring of work on functional basis in circles, I am to say that in view of various e-services the working of circles have been revised on functional unit basis and are detailed as following for implementation.

The works of circles are classified under five functional units -

- i. Registration/Amendment Unit**
- ii. Tax Audit Unit**
- iii. Assessment (except Prof Tax) & Collection Unit**
- iv. Profession Tax Unit**
- v. TDS/ Clearance certificate & Establishment Unit**

The detail functions of each Unit are given below:-

### **REGISTRATION/AMENDMENT & HELP DESK UNIT**

**Manpower:-** DCCT/ ACCT/ CTO, ACTO & Registration Clerk

- The ACTO will receive the signed hard copy of the application for registration / amendment / cancellation and open a new file.
- The ACTO (Regn.) will verify all original documents submitted by the applicant. After verifying the documents, the ACTO will scan those documents and upload in the system.
- After scanning the documents, the ACTO will capture the photograph of the dealer or the authorized person and record a statement in form of report relating to the above steps in the system.
- The ACTO will submit the printed copy of the report to the Registering Authority in the newly opened file on the same day. The information in the system will be sent by the ACTO to the Registering Authority at the same time.
- The DCCT/ ACCT / CTO will dispose of the application in the system. At the same time, the Registering Authority will also maintain an order sheet in the newly opened file received from the ACTO. The order sheet shall be scanned by the Registering Authority and uploaded to the System.
- The Registration Module will update accordingly.
- The file would be returned to the Registration Clerk for custody. The RCL will keep the record in the Registration Records Unit (RRU).
- There will be selective post registration enquiry, which will be entrusted by the

DCCT/ ACCT to a CTO / ACTO as required. Report of post verification will be generated from VATIS after detailed entry is made by the enquiry officer.

- In case of Amendments, approval of the registering authority will be required in case of a change in (i) Status of Business; (ii) Constitution of Business; and (iii) Principal place of business only. In these cases, the dealer will have to submit the required document in support of the amendment to the ACTO (Regn.).
- The ACTO will scan the documents and upload them into system and will put up the registration file of the dealer keeping these documents therein. The registering authority will then dispose of the file and update the system accordingly.
- In all other cases, amendment will be done based on the application made electronically by the System.

### **TAX AUDIT UNIT**

**Manpower:-** DCCT/ ACCT/ CTO-01 & ACTO -01/02 for one audit team, Audit Clerk (AUCL)-01 (One or more audit team basing on available manpower)

Functions Assigned:-

- The JCCT will constitute the audit teams based on the list of TIN / SRIN dealers selected for tax audit during a year by the Commissioner and allot the dealer to audit teams.
- The AUCL will prepare and issue system based notices as directed by the

Head of the audit team on date-wise tax audit visits.

- Audit team will exclusively conduct tax audit.
- The ACTOs (Audit) will assist the Head of the audit team in verification of the books of account of the dealer.
- The Head of the audit team will submit Audit Visit Report (AVR) within seven days of completion of the audit to the DCCT/ACCT & in case of LTU to the JCCT.
- The DCCT/ACCT will allocate audit visit report to the assessing authority for assessment in the circle.
- In case of LTU, the JCCT will allocate the audit visit report to the assessing authority for assessment.
- At every stage Audit Module of VATIS will be used.

### **ASSESSMENT (EXCEPT PROF TAX), SCRUTINY & COLLECTION UNIT**

**Manpower:-** DCCT / ACCT/ CTO, ACTO (Return Scrutiny), ACTO (Tax Recovery), Collection Clerk, Assessment Clerk (ASCL), Tax Recovery Clerk (TRCL)

#### **Functions Assigned:-**

##### **1.Return Scrutiny**

- The clerk in charge of collection will enter the DDs/ Cheques received, if any, in the Bank Draft Register, deposit in the Bank and also maintain the Progressive Collection Register (PCR).

- ACTO (Return Scrutiny) on basis of system based return scrutiny will assist in carrying out preliminary scrutiny in case of non-filers / less payment / delayed payments. The system will generate email / SMS to the dealer. In case of non-payment of tax, interest, penalty ACTO shall put up to the CTO for appropriate action to be initiated and ACTO shall follow up in each case.
- In specific number of cases, ACTO (Return Scrutiny) will assist the assessing officer in carrying out detailed scrutiny taking into account system based information, dealers profile and dealer history and other statutory forms, waybills, ITC matching etc. Where further action is necessary either in terms of calling for accounts of the dealer or recommending the dealer for Audit or carrying out escapement assessment, the ACTO (Return Scrutiny) shall record his specific observation in the system for appropriate action by the DCCT/ ACCT/ CTO.
- ACTO (Return scrutiny) assisted by the Sr. Clerk / Jr. Clerk will monitor the follow up action.
- ACTO (Return scrutiny) shall monitor ITC mismatching in the ITC ledger.
- ACTO (Return scrutiny) shall monitor non filers and nil filers and put to DCCT/ ACCT/ CTO for appropriate follow up action.
- Records relating to return scrutiny are to be kept by the Assessment Clerk.

## **2. Assessment**

- The DCCT/JCCT will assess LTU dealers and other big dealers based on

AVRs as per the allocation done by the JCCT.

- DCCT/ACCT will allocate assessments to CTO and himself. The officer involved in Tax audit of a particular dealer shall not assess the same dealer.
- The Assessment Clerk (ASCL) will maintain the file (in case of Audit Assessment, along with the AVR).
- ASCL will be the custodian of records and maintain forward dairy.
- After completion of assessment, the assessment clerk will put up for issue of demand notice and put up the records for collection proceeding in appropriate cases.
- The assessing authority will record the demands in the DCR. The ASCL shall be responsible for timely updation of DCR regarding payment, appeal and result of further statutory remedies.
- The assessing officer will ensure updating of information i.e from the issue of the notice up to generation of Demand Collection Register (DCR) in the module available in the system.
- DCCT/ ACCT/CTO will ensure that orders of appeal/revision passed by different appellate forum are complied with and Lower Court Records are sent in relevant cases.
- In case of LTU, the range office shall issue the extracts of the DCR and copy of the assessment orders to the Circle for initiation of the collection proceeding. Simultaneously, the extract of the DCR received from Range

will be recorded in the extract DCR of the Circle for monitoring further collections.

### **3. Tax recovery**

- ACCT / CTO will take steps for collection of arrears in each case as per the statute.
- The ACTO assigned to the TR Cell will assist the ACCT / CTO in the recovery process.
- The Sr. Clerk /Jr. Clerk assigned to the TR Cell will maintain the details of arrear records and information thereof.
- A register containing detailed particulars of the requisition issued by the Assessing Authority to the Tax Recovery Officer is to be maintained by the ASCL.
- The DCCT/ ACCT/ CTO will submit the Quarterly progressive return for collection of arrears from Tax recovery proceedings.
- Tax Recovery Module under VATIS shall be used / updated at every stage.

### **4. Management of electronic Statutory Forms**

- The DCCT/ ACCT/CTO will dispose of all requisitions received from the dealers within the specified time limit and also cross check the utilization with the check gate database.

## **PROFESSION TAX UNIT**

**Manpower:-** ACTO (Prof Tax) and Prof Tax Clerk (PTCL)

### **Functions Assigned:-**

- One ACTO shall be in charge of the unit.
- ACTO (Prof Tax) depending on the work load will monitor collection, demand and further proceeding under the Act segment wise-
  - a) Segment-I (Govt. organizations i.e. Central & state)
  - b) Segment-II (Non Govt. organizations i.e. Banks, LIC, PSUs, Educational institutions, Nursing homes, etc)
  - c) Segment-III (Registered dealers under VAT Act)
  - d) Segment-IV(Individual professionals)
    - Professional Tax Module under VATIS needs to be used / updated at every stage.

## **ESTABLISHMENT UNIT, CLEARANCE CERTIFICATE / TDS, & MISC. UNIT**

**Manpower:-** DCCT/ ACCT/ CTO/ ACTO (Return Scrutiny), Head Clerk, Accounts and Establishment Clerk, Statistical Investigator

### **Functions Assigned:-**

#### **1)Tax Deducted at Source(TDS)**

- A list of deducting authorities with telephone numbers will be maintained by the ACTO (Return Scrutiny).
- Particulars in VAT-605A to be ensured from deducting authorities by



ACTO (Return Scrutiny).

- Such information should be maintained by the clerk in a guard file. The details of TDS data to be entered in the system against individual dealers.
- In case of default show case notice/ penal action shall be initiated against deducting authorities by ACCT/CTO.
- The clerk shall prepare the notices and shall be the custodian of the TDS files.

## **2) Clearance certificate**

- On receipt of the application for clearance certificate through system Head Clerk will verify from the VATIS about the submission of returns and payment of tax, and will verify from the DCR about the outstanding demand and will put up the file to the DCCT/ACCT for issue of certificate.
- The DCCT / ACCT will issue NDC as per the provision of the statute.
- Statistical investigator will do statistics related work and reply to assembly questions.
- All records relating to clearance certificate / NDC will be maintained by the Sr. Clerk / Jr. Clerk.

## **3) Compliance to Assembly Questions / Audit Para**

- The DCCT / ACCT will comply the Assembly Questions and Audit Paras with assistance of ACCT / CTO / ACTO / Sr. Clerk / Jr. Clerk.

## **4) Office Establishment & Pay Accounts**

**Head Clerk** will monitor

- Issue & Diary.

- Work relating to RTI Act and Right to Public Service Delivery Act.
- Work relating to Court cases and other miscellaneous matters.

**Accounts and Establishment Clerk** shall deal with establishment related works including personal claims of the employees, service records, Accounts and Budget.

The Joint Commissioner of Commercial Taxes (JCCT) of each Range in consultation with the Deputy Commissioner Commercial Taxes (DCCT)/Assistant Commissioner of Commercial Taxes (ACCT) of the Circles under his jurisdiction will distribute the manpower to each functional unit of Circles. For “Tax Audit Unit”, Commercial Tax Officer (CTO) and Assistant Commercial Tax Officer (ACTO) should be selected on the basis of their experience & expertise in audit, honesty and efficiency. At present in 13 Circles i.e. **Angul, Barbil, Bhubaneswar-I, Bhubaneswar-II, Bhubaneswar-III, Bhubaneswar-IV, Cuttack-I East, Cuttack-I Central, Cuttack-I City, Cuttack-I West, Cuttack-II, Rourkela-I and Rourkela-II Circles** there will be 5 Functional Units. The structure of the functional units of those circles is attached in separate sheets enclosed herewith.

In circles except the aforesaid ones, all functions will be manned by the existing manpower.

Yours faithfully,

**Sd/-**  
**Commissioner of Commercial Taxes**  
**Odisha, Cuttack.**