

GOVERNMENT OF ODISHA  
FINANCE DEPARTMENT  
NOTIFICATION

The 16th January, 2016.

SRO No. \_\_\_\_\_/In exercise of the powers conferred by sub section (3) of section 11 of the Odisha Value Added Tax Act, 2004 (Odisha Act 4 of 2005), the State Government do hereby, provide a scheme, for the registered dealers who undertake the construction of flats, dwellings or buildings or premises and transfer of property along-with land or interest underlying the land to pay tax, by way of composition, in lieu of VAT, at the rate of 3.5 percent of the aggregate amount determined in the agreement or value determined for the purpose of Stamp Duty in respect of said agreement under the Odisha Stamp Rules, 1952, whichever is higher, subject to the following conditions and restrictions, namely :-

- (1) All the payments received on or after 1<sup>st</sup> October, 2015 towards construction of flats, dwellings or buildings or premises and transfer of property along-with land or interest underlying the land shall be covered under this composition scheme.
- (2) The dealer opting for composition under this notification shall;-
  - (i) not claim any input tax credit under the Act;
  - (ii) not claim any deduction provided under sub-section(2) of section 11 of the Act;
  - (iii) not issue any 'Tax Invoices'; and
  - (iv) maintain accounts and records as required under section 61 of the Act.
- (3) The dealer opting for payment of tax by way of composition shall make an application electronically in Form C-1 together with the details of work(s).
- (4) An option once exercised shall remain binding on the dealer until he opts out of the Scheme by exercising option in Form C-2 electronically.
- (5) Upon receipt of an application, the assessing authority may, grant permission to the dealer for payment of tax by way of composition from such date in Form C-1.
- (6) Every dealer registered under the Act and opting for composition under this scheme shall furnish return for each tax period in Form C-5 within twenty-one days from the date of expiry of such tax period to the Deputy or Assistant Commissioner or Sales Tax Officer of the Circle or assessment unit, as the case may be, where, the place of business or the principal place of business is located, failing which he may be proceeded against and the provisions contained in section 34 of Act shall mutatis mutandis apply.

B.O. (Policy)  
18.1.2016

A  
18/01/16

FORM C-1

APPLICATION FOR EXERCISING OPTION BY A WORKS-CONTRACTOR  
FOR PAYMENT OF TAX BY COMPOSITION

1. Office address

D D M M Y Y Y Y

[Grid for date entry]

2. TIN [Grid for TIN entry]

3. Name and address of the dealer

PART-I

- 4. I satisfy the conditions as provided in the notification issued by the Government under section 11 (3) of the Act.
- 5. I hereby exercise my option for payment of tax by way of composition, in lieu of VAT payable with effect from \_\_\_\_\_
- 6. I am enclosing herewith the copy of the documents as detailed below.
- 7. I undertake to abide by the conditions as provided in the notification issued under section 11 (3) of the Act.

DECLARATION

8. I (Name) \_\_\_\_\_ being \_\_\_\_\_ of the business \_\_\_\_\_ do hereby declare that the information given in this form is true and correct to my knowledge.

Documents enclosed

- 1.
- 2.
- 3.

## PART-II

01. Please refer to your application for payment of tax by composition in lieu of VAT, which has been received in this Office on \_\_\_\_/\_\_\_\_/\_\_\_\_.

02. After careful examination of your application, you have been granted permission for payment of tax by way of composition with effect from \_\_\_\_/\_\_\_\_/\_\_\_\_.

03. You are now instructed to intimate the name and address of the deducting authorities if any, in respect of the works, you are executing in Form VAT-620, within days from the date of receipt of this notice.

Assessing Authority

Place \_\_\_\_\_

Date \_\_\_\_\_

FORM C-2

WITHDRAWAL OF OPTION TO MAKE PAYMENT OF TAX BY COMPOSITION

1. OFFICE ADDRESS

D D      M M      Y Y Y Y

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2. TIN

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3. NAME AND ADDRESS OF THE DEALER

4. I hereby withdraw my option for payment of tax by way of composition, in lieu of VAT payable with effect from the quarter ending as on \_\_\_\_\_.

5. You are now requested to allow me to pay VAT under clause (a) of section 9 of the Act.

Place \_\_\_\_\_

Date \_\_\_\_\_

FORM C-5

**RETURN OF TAX PAYABLE BY WAY OF COMPOSITION BY THE BUILDERS & WORKS CONTRACTOR**

1. TIN

2. Period covered by this return

From 

D	D	M	M	Y	Y	Y	Y
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

To 

D	D	M	M	Y	Y	Y	Y
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

3. Name of the business

Address

PIN  FAX  PHONE

4. If you have no purchase and sale mark this box "X"

5. I-For Builders & Developers:

Sl. No.	Name of the project	Approved Project cost or revised project cost	Part or full payment received during this tax period	Total payment received till date including the payment received during this tax period
(1)	(2)	(3)	(4)	(5)
<b>Total</b>				

II. For Works contractor:

Sl. No.	Work order/contract number in respect of which, payment is received	Name and address of the contractee with Enrollment No.	Gross value of the works contract, in respect of which part or full payment is received	Amount of payment received during this tax period	Total payment received till date including the payment received during this tax period
(1)	(2)	(3)	(4)	(5)	(6)
<b>Total</b>					

**PART-B**

III- Computation of Tax

- 6. Total amount received
- 7. Computation of tax
  - (i) Composition @2%
  - (ii) Composition @3%
  - (iii) Composition @3.5%
  - (iv) Composition @4%
  - (v) Composition @6%
  - (vi) Total tax payable

Turn Over "A"	Tax "B"

IV – Tax payable and tax paid

- 8. Total Tax payable [07(vi)]
- 9. Less tax paid
  - (i) Self deposit
  - (ii) TDS
  - (iii) check gate payment
  - (iv) excess paid in previous quarter, if any
  - (v) Total
- 10. Balance payable, if any [08-09(v)]
- 11. Excess paid if any [09(v)-08]


PART-C

## 12. Payment details

Sl. No.	Challan No./D.D.No. / M.R No.	Date	Treasury / Bank	Branch Code	Amount
1.					
2.					
3.					
Total					

DECLARATION

I (name) \_\_\_\_\_ being (status) \_\_\_\_\_ of the above business do hereby declare that the information given in this return is true and correct to the best of my knowledge and belief.

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

This notification shall come into force with effect from the 1<sup>st</sup> October, 2015.

[No. 1461 /FIN-CT1-TAX-0035/2015]

By order of the Governor

Deputy Secretary to Government

Memo No. 1462 /F., Date- 16.01.2016

Copy forwarded to the Gazette Cell of Commerce & Transport (Commerce) Department, Government of Odisha, Bhubaneswar for information and necessary action with a request to publish this notification in an extraordinary issue of the Odisha Gazette immediately


Four hundred copies of the notification may please be supplied to this Department and One hundred copies to C.C.T., Odisha, Cuttack.

This is statutory and will bear SRO Number.

  
Deputy Secretary to Government

Memo No. 1463 /F., Date- 16.01.2016

Copy forwarded to Commissioner of Commercial Taxes, Odisha, Cuttack for information and necessary action.

  
Deputy Secretary to Government

Memo No. 1464 /F., Date- 16.01.2016

Copy forwarded to the Head State Portal Group, IT Centre, Secretariat for hosting in the Odisha Government website- [www.Odishagov.ocac.in](http://www.Odishagov.ocac.in)- Finance Department.

  
Deputy Secretary to Government

DCCT(VAD)