

Seminar at WIRC of ICAI

*Recent Amendments under MVAT and Allied
Laws, Proposed or Effective from 1 Apr 2016*

CA Deepak Thakkar

16 Apr 2016

1. **MVAT Act & Allied Acts Amendments Proposed** vide L.A. Bill # 18 dt. 4 Apr 2016 **introduced in assembly on 7 April 2016 available on Department website on 12 April 2016**
2. **MVAT Rules Amendments made** vide Notification # VAT/1516/CR 53/Tax-1 dt 1 Apr 2016
3. **MVAT Rates Amendments made** vide Notification # VAT/1516/CR 31/Tax-1 dt 30 Mar 2016
4. **MVAT Composition Schemes Amendments made** vide Notification # VAT/1516/CR 51/Tax-1 dt 30 Mar 2016
5. **Mah. Entry Tax Act Amendments made** vide Notification # ENG/1516/CR 56/Tax dt 1 Apr 2016
6. **Mah. Profession Tax Act Amendments made** vide Notification # PFT/1216/CR 26/Tax-3 dt 2 Apr 2016
7. **New MVAT & CST Return Forms with Invoice-wise Annexure** WEF period April 2016 vide Notification # VAT/ADM-2016/1B/Adm-8 dt 24 Feb 2016 & Trade Circular # 7T dt 25 Feb 2016

MVAT Act & Allied Acts Amendments
 Proposed vide L.A. Bill # 18 dt. 4 Apr 2016
 introduced in assembly on 7 April 2016
 available on Department website
 on 12 April 2016

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*LA Bill # 18 of 2016 dt. 4 April 2016: MVAT Act : Certain Sales /
 Purchases not taxable u/s 8*

Section reference & effective date	Gist of amendment	Remark / Issue
Clause (3D) inserted in Sec 8 of MVAT Act w.e.f. 1 Apr 2016	Transfer of property in goods involved in sizing & warping of yarn to be partly or fully exempted from tax, subject to conditions, exceptions & restrictions	<ol style="list-style-type: none"> 1. Notification awaited for partial or full tax exemption to works contract relating to sizing and warping of yarn. 2. The notification / order may specify the effective date of said exemption.

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LA Bill # 18 of 2016 dt. 4 April 2016 : Registration

S r. #	Section ref & effective date	Gist of amendment	Remark / Issue
1	Proviso to Sec 16(3) substituted w.e.f. Notified date	1) The authority may reject the Online application for registration if it is incomplete or the prescribed documents are not uploaded on Dept's website or the documents so uploaded are inconsistent or illegible or prescribed conditions are not fulfilled. 2) Authority may pass rejection order, without giving hearing opportunity to dealer and give intimation to dealer.	1) However, if the applicant complies with the discrepancies intimated within 30 days of receipt of "rejection order" to authority's satisfaction, the application will be restored. 2) Applicant can comply as above, only once.
2	2nd Proviso to Sec 16(6) substituted w.e.f. Passing and Publication of this Act	If the Commissioner has reasons to believe that the registration has been obtained by fraud or misrepresentation of facts, he may cancel the registration after hearing the dealer, w.e.f. such date as he may fix in accordance with rules.	If the business is not commenced within 6 months from obtaining voluntary registration then also RC may be cancelled after hearing the dealer (Since 15 Aug 2007).

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LA Bill # 18 of 2016 dt. 4 April 2016 : Revised Return

Section ref & effective date	Gist of amendment	Remark / Issue
Sec 20(4)(a) amended w.e.f. Passing and Publication of this Act	1) Return can now be revised <i>suo motu</i> , on or before the due date of filing the Vat Audit Report of that particular year (as prescribed u/s 61 of the Act) 2) <i>Suo motu</i> revision can be made multiple times.	1) Multiple revision of returns permitted either <i>suo motu</i> or based on intimation received from Vat Authorities. 2) Revision based on Vat Audit Report can be made only once.

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LA Bill # 18 of 2016 dt. 4 April 2016 : Assessment

Sr. #	Section ref & effective date	Gist of amendment	Remark / Issue
1	Sec 23(2A) inserted w.e.f. Passing and Publication of this Act	For the periods on or after 1 Apr 2012, if the dealer has filed all returns & paid the taxes, on or before the due date of filing the Vat Audit report of that particular year, the dealer may be assessed on basis of such returns i.e. assessment by acceptance of returns or deemed assessed a particular period on expiry of 4 years from end of the concerned year.	<p>The Commissioner should be satisfied as regards the correctness & completeness of the returns filed.</p> <p>If no assessment order passed within 4 years from the end of the particular year, returns are deemed to have been accepted. e.g. for FY 2012-13 the due date is 31-3-2017 for Assessment under this clause.</p>

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LA Bill # 18 of 2016 dt. 4 April 2016 : Assessment

Sr. #	Section ref & effective date	Gist of amendment	Remark / Issue
2	Sec 23(5A) & (5B) inserted w.e.f. Passing and Publication of this Act	In course of assessment proceedings, the Assessing Officer (AO) may issue an Intimation in prescribed form, about his observation about the tax liability, to dealer. Such intimation shall be communicated atleast 6 months before the expiry of period of limitation for completing the assessment.	<p>If the Dealer agrees / accepts all the observations specified in the intimation & accordingly pays the taxes & files revised returns, then the AO shall issue a "Confirmation Order" & said assessment proceedings shall be deemed to have been closed</p> <p>Sec 23(5B): The said amendment shall also apply to assessment proceedings pending as on 1 April 2016.</p>

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LA Bill # 18 of 2016 dt. 4 April 2016 : Determination of Tax Liability based on Fair Market Price of Sale or Purchase Transactions

Section ref & effective date	Gist of amendment	Remark / Issue
Sec 28A inserted w.e.f. Passing and Publication of this Act, deemed to be effective from 1 Apr 2011	<i>"During the course of any proceedings under the Act, if the Commissioner is of the opinion that any transaction entered into by any dealer for sales price, which is below the prescribed fair market price for commodity for a prescribed class of dealers, so as to be liable, to pay tax less than the tax, which would have been otherwise become payable on such sales or purchases, then the Commissioner shall determine the tax liability as per the fair market price of such transaction while passing an order in the said proceedings."</i>	<ol style="list-style-type: none"> 1) The government wants to replace the sale consideration i.e. actual sale price by fair market price for any sale / purchase transaction of the dealer and levy tax on such higher value of goods. 2) The Vat Authority is given such wide power by which tax liability may be increased. 3) Whether State Government has such power under the Constitution? * St of Rajasthan vs Rajasthan Chemists Asso. (2006) 147 STC 542 (SC)

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LA Bill # 18 of 2016 dt. 4 April 2016 : Vat TDS on Works Contract Transactions

Sr. #	Sec ref & effective date	Gist of amendment	Remark / Issue
1	Sec 31 (4) & (9) amended w.e.f. Passing and Publication of this Act,	<ol style="list-style-type: none"> 1) Credit of Vat TDS, deducted on or after 1 Apr 2016 by the Contractee, can be claimed either by the Principal Contractor(PC) or the sub – contractor (SC) of said works contract. 2) The principal contractor can transfer credit of such Vat TDS to the sub-contractor, in prescribed manner. 	<ol style="list-style-type: none"> 1) PC can claim credit of such VAT TDS in the period in which the TDS certificate is received by him. 2) If such Vat TDS is transferred by PC to SC then SC can claim credit of such TDS in the period in which it is transferred or in any subsequent period. 3) PC or SC shall not be called upon to pay tax himself to the extent of respective TDS claim.
2	Sec 31(8) inserted w.e.f. Notified date	An employer (URD Contractee) liable to deduct Vat TDS, shall apply in prescribed manner to prescribed authority for obtaining Sales Tax Deduction account number (STD).	RD (Registered Dealer) Contractee under MVAT Act need not apply for STD.

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LA Bill # 18 of 2016 dt. 4 April 2016 :Vat TDS

Sr.#	Section ref & effective date	Gist of amendment
3	Sec 31(10) & (11) inserted w.e.f. Passing and Publication of this Act,	The Contractee shall file VAT TDS return for the relevant period, in prescribed form, manner and by prescribed date. Vat TDS Return can be revised within 9 months from end of the relevant year.
4	Sec 31(12) inserted w.e.f. Passing and Publication of this Act,	If the Contractee fails to obtain STD account number as aforesaid, Commissioner may impose penalty of a sum upto the Vat TDS amount deductible, for the period of such failure.
5	Sec 31(13) inserted w.e.f. Passing and Publication of this Act,	Failure to file Vat TDS return within prescribed time, shall attract a penalty of Rs 5,000/-

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LA Bill # 18 of 2016 dt. 4 Apr 16: Advance Rulings under MVAT Act

Section ref. & effective date	Gist of amendment for Advance Ruling (AR)	Remark / Issue
Sec. 55 substituted w.e.f. 1 May 2016	<ol style="list-style-type: none"> Old Provisions of Advance Ruling u/s 55 was never implemented. Old DDQ provisions merged with New AR provisions. Make an application to Commissioner for Advance Ruling (AR) on the Questions, Form & Manner as Prescribed. Advance Ruling Authority (ARA) to be constituted by the Commissioner by issuing notification, comprising of 3 officials, not below the rank of JC. Commissioner may allot any or all the questions prescribed to such ARA. Commissioner may also allot any pending DDQ application u/s 56 to such ARA. Commissioner or ARA shall make Advance Ruling within 90 days from the dt of acceptance of application. Applicant may withdraw his application within 30 days from the date of submission of application. 	<ol style="list-style-type: none"> Earlier provision regarding DDQ u/s 56 deleted from 1 May 2016. DDQ applications pending as on 1 May 2016 will be dealt with under this new AR provisions.

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LA Bill # 18 of 2016 dt. 4 Apr 16: Advance Rulings under MVAT Act

Section ref. & effective date	Gist of amendment for Advance Ruling (AR)	Remark / Issue
Sec. 55 substituted w.e.f. 1 May 2016	<p>7. If the Question/issue is already pending before the Tribunal or BHC or SC in respect of the Applicant OR relates to a transaction which is designed apparently for tax avoidance then such issue can not be applied for.</p> <ul style="list-style-type: none"> - Commr or ARA may call for a Report from concerned officer - Communication about acceptance of application shall be made to applicant within 30 days of submission of application - Rejection of application only after hearing & recording reasons in order <p>8. AR of Commr shall be binding on all Subordinate officers including appellate authority and AAR</p> <ul style="list-style-type: none"> - AR of AAR shall be binding on all Subordinate officers including appellate authority but not to Commissioner. <p>9. Commissioner / AAR may protect the liability of applicant/ other similar Person, for any sale/pur effected prior to AR</p>	

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LA Bill # 18 of 2016 dt. 4 Apr 16: Advance Rulings under MVAT Act

Section ref. & effective date	Gist of amendment for Advance Ruling (AR)	Remark / Issue
Sec. 55 substituted w.e.f. 1 May 2016	<p>10. Appeal against ARO lies before Tribunal which shall be subject to prescribed conditions</p> <p>11. Appeal shall be filed within 30 days from the date of communication of ARO. Belated appeal will not be entertained under any circumstances whatsoever.</p> <p>12. ARO passed by ARA shall be subject to any directions / instructions u/s 10(10) or DDQ order issued by Commr</p> <p>13. Rectification of apparent mistake in AR: Commr or ARA may rectify any mistake apparent from the record & after hearing applicant, pass rectification order before original order's effect is given by concerned officer. Applicant may also apply for rectification of AR, within 30 days of receipt of AR. Rectification order shall be passed within 60 days from the date of receipt of AR by applicant.</p>	

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LA Bill # 18 of 2016 dt. 4 Apr 16: Advance Rulings under MVAT Act

Section ref. & effective date	Gist of amendment for Advance Ruling (AR)	Remark / Issue
Sec. 55 substituted w.e.f. 1 May 2016	<p>14. Commr may review the AR of ARA & if it is erroneous such that prejudicial to the interest of revenue then after hearing applicant, pass review order within 6 mths from end of the year containing the date of AR. Commr may review his own AR or earlier DDQ Order, after obtaining prior permission of State Govt., & after hearing applicant, pass review order within next 3 mths. of getting such permission.</p> <p>Review Order may protect the liability of applicant/ other similar Person, for any sale/pur effected prior to review order.</p> <p>15. Commr shall formulate Regulations regarding the procedure to be followed for AR</p>	

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LA Bill # 18 of 2016 dt. 4 Apr 16: Collection of Statistics u/s 70

1. Commr has powers u/s 70 to direct that Specific Statistics be collected relating to any matter from any person for better administration of MVAT Act for which he may issue Notification & notice in newspapers
2. Any person who fails to furnish information as notified u/s 70, within prescribed period, shall be liable to pay penalty of a sum not exceeding Rs. 1 Lakh and in case of continuing default for a period beyond 2 months, a further penalty of Rs.1000 per day of delay.

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LA Bill # 18 of 2016 dt. 4 April 2016: Entry Tax

Reference & effective date	Gist of amendment
Sec 6A inserted w.e.f. Passing and Publication of this Act.	The provisions of MVAT Act & Rules pertaining to electronic return filing, tax payment, electronic application, appeal or any other electronic documents made applicable under Entry Tax law also.

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LA Bill # 18 of 2016 dt. 4 Apr 16: Prof. Tax

Sr. #	Reference & effective date	Gist of amendment	Remark / Issue
1	Amnesty Scheme for Self Employed Persons (PT EC Holder) from 1 Apr 2016 to 30 Sept 2016 (Sec. 3(3))	New Applicants for PT EC, applications pending as on 1 April 2016 and PT EC applications filed from 1 Apr 2016 to 30 Sep 2016 Can be asked to pay tax for the periods only after 1 Apr 2013. Thus, max liability for FY 2013 – 2014 onwards, waiving liability for earlier periods.	<ol style="list-style-type: none"> 1) To pay full tax + interest @ 1.25% p.m. for delayed period. 2) To pay above sum between 1 Apr 2016 and 30 Sept 2016. 3) Also to pay tax for FY 2016 -2017 before 30 June 2016. 4) If benefit of this not taken then, liability payable since 2008-09 and onwards.
2	Clause (h) inserted in Sec 27A w.e.f. 1 April 2016	Armed members of CRPF & BSF, serving in MAH. State have been exempted from the levy & charge of Profession Tax.	

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MVAT Rules Amendments

made vide Notification # VAT/1516/CR 53/Tax-1
dt 1 Apr 2016

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Amendment to MVAT setoff Rules w.e.f. 1 Apr 2016.....

Sr. #	Rule reference & effective date	Existing Rule 52B effective from 1 Jan 2016	Gist of amendment from 1 Apr 2016
1	Rule 52B amended from 1 April 2016	Rule 52B was inserted from 1 Jan 2016 such that: 1) If a dealer purchases “ aerated and carbonated non-alcoholic beverages (D-13) & Cigar/cigarettes (D-14) ” and resales in interstate trade, then setoff will be granted only to the extent of CST paid or payable. 2) If said goods are resold locally or resold in the course of export then full set off is allowable. 3) Setoff can be claimed only in the month in which the dealer effects resale of such goods.	Now category of goods under this Rule is expanded from 1 Apr 2016. <u>Rule 52B (1) [sub clause (ii) inserted]:</u>Purchase of “ mobile phones / cellular handsets ”.... Note 1) If such goods are manufactured and sold then this rule is applicable qua such manufactured goods? Note 2) If such goods are purchased for use by self/staff/guests then setoff is allowable?

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..... Amendment to MVAT setoff Rules w.e.f. 1 Apr 2016

Sr. #	Rule reference & effective date	Gist of Provision u/r 54(a) from 1 May 2013 till 31 Mar 2016	Gist of amendment u/r 54(a) & inserting clause (11) u/r 53, effective from 1 Apr 2016
2	Rule 53(11) inserted wef from 1 April 2016	<p>Purchase of passenger motor vehicle is not eligible for setoff, if it is a capital asset used for self .</p> <p>If it is given on hire then setoff was available till 30 Apr 2013. However, from 1 May 2013, even such person does not get said setoff.</p>	<p>If dealer is engaged in business of transferring right to use (hire/rental) of "passenger motor vehicles" then setoff will be granted on its purchase, only to the extent of tax payable on such transfer of right to use.</p> <p>Said setoff shall be claimed in the period in which such right to use is transferred.</p> <p>Note1: Vehicle-wise record of purchase and its hire, is required to be maintained</p> <p>Note2: Unabsorbed setoff in a Financial Year has to be ignored? Or Carried Forward? Or Claimed?</p>

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..... Amendment to MVAT setoff Rules w.e.f. 1 Apr 2016

Sr. #	Rule reference & effective date	Gist of amendment	Remark / Issue
3	Rule 54(b) amended wef from 1 April 2016	<p><u>the word</u> "purchases" <u>substituted by</u> words "entry or purchase..."</p> <p>Thus set off of entry tax paid or vat paid on purchase of diesel, petrol, ATF... is denied as provided u/r 54(b)</p>	<p>Dealer used to interpret that Rule 54(b) is applicable only to VAT paid on purchases of such goods and not on Entry Tax paid on such goods. So, said clause amended.</p>

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MVAT Rates Amendments made vide Notification # VAT/1516/CR 31/Tax-1 dt 30 Mar 2016

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Notfn No. VAT 1516/CR 31/ Taxn1 dt. 30 March 2016 effective from 1 April 2016: **Tax free period extended**

Schedule Entry	Goods Description	Rate upto 31 Mar 16	Rate wef 1 Apr 16	Remark/ condition
A-9A	(a) Paddy, rice, wheat and pulses in whole grain, split or broken form	NIL	NIL till 31 March 2017	Taxfree when sold from 1st May 2006 to 31 Mar 2017 (Exemption extended)
A-9A	(b) The flour of wheat & rice including atta, maida, rawa and suji whether sold singly or in mixed form;	NIL	NIL till 31 March 2017	..do..
A-9A	(c) The flour of pulses including besan when sold singly and not mixed with flour of other pulses or cereals	NIL	NIL till 31 March 2017	..do..

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**Notfn No. VAT 1516/CR 31/ Taxn1 dt. 30 March 2016
effective from 1 April 2016: Tax free period extended**

Schedule Entry	Goods Description	Rate upto 31 Mar 16	Rate wef 1 Apr 16	Remark/ condition
A-51	(i) Papad except when served for consumption	NIL	NIL till 31 March 2017	Taxfree when sold from 1st May 2006 to 31st March 2017 (Exemption extended)
A-51	(ii) Gur	NIL	NIL till 31 March 2017	..do..
A-51	iii) Chillies, turmeric and tamarind whole, powdered or separated but excluding Chilly seed and tamarind seed when sold in separated form;	NIL	NIL till 31 March 2017	..do..

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**Notfn No. VAT 1516/CR 31/ Taxn1 dt. 30 March 2016
effective from 1 April 2016: Tax free period extended**

Schedule Entry	Goods Description	Rate upto 31 Mar 16	Rate wef 1 Apr 16	Remark/ condition
A-51	iv) Coriander seeds, Fenugreek and Parsley (Suva) whole or powdered;	NIL	NIL till 31 March 2017	Taxfree when sold from 1st May 2006 to 31st March 2017 (Exemption extended)
A-51	v) Coconut in shell and separated kernel of coconut, other than copra	NIL	..do..	..do..
A-51	vi) Solapuri chaddars;	NIL	..do..	..do..
A-51	vii) Towels under CETH 6304 9260	NIL	..do..	Exemption extended upto 31st March 2017. (Terry towel now taxed @ 5.5% from 1 Apr 16 u/e C-81)
A-51	viii) Wet dates,	NIL	..do..	Taxfree when sold from 1st May 2006 to 31st March 2017 (Exemption extended)

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Notfn No. VAT 1516/CR 31/ Taxn1 dt. 30 March 2016
effective from 1 April 2016: Tax free / Lower rate period extended

Schedule Entry	Goods Description	Rate upto 31 Mar 16	Rate wef 1 Apr 16	Remark/ condition
A-59	Raisins & Currants	NIL	NIL till 31 March 2017	Taxfree when sold from 1 June 2010 to 31 March 2017 (Exemption extended). Other dry fruits @ 5.5% u/e C-108 A from 1 Apr 16
C-108(1) (b)	Tea in leaf or powder form including instant tea.	5% from 1 Apr 2010 to 31 Mar 2016	5.5% upto 31 Mar 2017	(a) Lower rate continued for 1 more year; (b) coffee beans & seeds, cocoa pod, <u>green tea leaf</u> and chicory taxed @ 5.5% u/e. C-23 wef 1 April 2016

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Notfn No. VAT 1516/CR 31/Taxn1 dt. 30 March 2016
effective from 1 April 2016: Goods made Tax free

Schedule Entry	Goods Description	Rate upto 31 Mar 16	Rate wef 1 Apr 16	Remark/ condition
A-12A (2) (new)	Mammography Machines, used for the diagnosis of Breast Cancer	12.5%	NIL	
A-13A	Hybrid electric & battery operated buses	12.5% u/e. E-1, 5% u/e. C-115 (C-115: Vehicles operated on battery or solar power)	NIL	Only if sold to public transport undertaking in Mah. for public transport
A-27B	Handicrafts made of Bamboo	5% u/e. C-10	NIL	Bamboo & other Bamboo products (even furniture) which is taxable @ 5.5% u/e.C-10
A-59A	Retrofit kits used to modify the vehicles of handicapped persons	12.5%	NIL	Dealers shall be authorized by testing agencies prescribed under Central Motor Vehicle Rules 1989.

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List of goods taxed @ 2% or 3% even after 1 Apr 2016

Schedule Entry	Goods description	Tax rate
C-4 (a)	Cotton yarn excluding cotton yarn waste	2% wef 1 Apr 12
C-25 (a)	Cotton excluding cotton waste	2% wef 1 Aug 14
C-58 (a)	Kerosene sold through PDS	3% wef 8 Jul 11
C-58 (b)	LPG for domestic use	3% wef 1 Apr 12

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Following goods continue to be taxed @ 5% even after 1 Apr 16 (i.e. other Schedule 'C' goods will be taxed @5.5% wef 1 Apr 16)....

Sch Entry	Goods Description gist
C-8	ATF sold to Turbo-prop aircraft (DG)
C-22	Coal including coke in all forms excluding charcoal (DG)
C-27	Crude Oil... (DG)
C-45	Hides & skins, whether in raw or dressed state (i.e. leather) (DG)

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**...Following goods continue to be taxed @ 5% even after 1 Apr 16
(i.e. other Schedule 'C' goods will be taxed @5.5% wef 1 Apr 16)**

Sch Entry	Goods Description gist
C-55	Iron & Steel (DG (Declared Goods)....CST Sec. 14)
Note	Tool, alloy, special steels.... Covered by C-55B will be taxed @5.5% from 1 Apr 16
C-57	Jute.... (DG)
C-68	Oilseeds...(DG)
C-101(a)	Fabrics & sugar defined as DG (other notified varieties of textile & textile articles covered u/e c-101(b) will be taxed @ 5.5% from 1 Apr 16)

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**Notfn No. VAT 1516/CR 31/ Taxn1 dt. 30 March 2016
effective from 1 April 2016: Tax Rate Lowered**

Schedule Entry	Goods Description	Rate upto 31 Mar 16	Rate wef 1 Apr 16	Remark/ condition
C-3A (new)	Barbed wire, wire mesh, chain link	12.5%	5.5%	
C-25(c) (new)	Cotton seed (Gossypium Spp)	5% u/e. C-68(iii)	2%	Entry C-68(iii) deleted from 1 Apr 16
C-29A (e) (new)	Sterile water for injection	12.5%	5.5%	
C-79A (new)	Pyrolysis oil made from plastic scrap and organic waste	12.5%	5.5%	

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**Notfn No. VAT 1516/CR 31/ Taxn1 dt. 30 March 2016
effective from 1 April 2016: Tax Rate Lowered**

Schedule Entry	Goods Description	Rate upto 31 Mar 16	Rate wef 1 Apr 16	Remark/ condition
C-82B (new)	Repossessed motor vehicles, sold by banks and financial institutions	12.5%	5.5%	1. Entry tax or sales tax should have been paid at earlier stage in the State 2. Dealer in used vehicles continue to pay CS @ 1.88% of sales turnover subject to prescribed conditions 3. Others will continue to pay @ 12.5%
C-104 (c) (amended to include said products)	Pencil box, gum, glue sticks, stapler pins, tape dispensers, dusters & files	12.5%	5.5%	Schedule Entry Amended to include said products

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**Notfn No. VAT 1516/CR 31/ Taxn1 dt. 30 March 2016
effective from 1 April 2016: Tax Rate Lowered / increased**

Schedule Entry	Goods Description	Rate upto 31 Mar 16	Rate wef 1 Apr 16	Remark/ condition
C-111 (amended)	LED tube lights	12.5%	5.5%	LED bulbs taxed @ 5% from 1 Apr 15 & @ 5.5% from 1 Apr 16
C-29(a)	'Hair Oil' excluded from this entry of drug	5%	12.5%	Thus, medicated hair oil will also be taxed @12.5%
Expl. Added to C-30	Coconut oil measuring upto 500ml & sold in any form of packaging is excluded from this entry	5%	12.5%	Generally, such oil is used as hair oil so taxed at higher rate
C-107 Clause (g) (new)	Processed, semi-processed, semi cooked, ready-mix, ready to eat, shelled sweet corn whether or not sold in a frozen state / sealed container / brand name	NIL or 5% or 12.5%?? (dispute pending before court)	5.5%	1. Corn (maize) is a cereal i.e. taxfree u/e. A-9. 2. Processed corn, etc now taxed @ 5.5% 3. When served for consumption, taxed @ 12.5%

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**Notfn No. VAT 1516/CR 31/ Taxn1 dt. 30 March 2016
effective from 1 April 2016: Sch Entry number changed, rate changes
from 5% to 5.5% w.e.f. 1 Apr 2016**

- Vegetable oil including gingili oil, castor oil & bran oil which was covered by Sch Entry C-102, now deleted & shifted to Sch Entry C-30(b), taxable @ 5.5% wef 1 Apr 16.

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**MVAT Composition Schemes Amendments
made vide Notification # VAT/1516/CR
51/Tax-1 dt 30 Mar 2016**

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**Composition schemes amended vide Notfn No. VAT 1516/CR 51/
Taxn1 dt. 30 March 2016 effective from 1 April 2016:**

1. **Restaurant, Hotels, Clubs, caterers,... having gradation upto 3 stars:**
 - I. CS @ 5% of turnover of sales if RD's turnover is upto Rs. 3 cr in previous year
 - II. CS @ 8% of turnover of sales if RD's turnover exceeds Rs. 3 cr in previous year
 - III. CS @ 10% of turnover of sales in case of of URD
 - IV. Application in Form 1 or 2 be made to JC (Vat Adm) concerned or JC of concerned Nodal division.
 - V. New condition # viii & ix inserted to grant or reverse setoff on stock & purchases from the date of opting out or opting in, composition scheme.

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**Composition schemes amended vide Notfn No. VAT 1516/CR 51/
Taxn1 dt. 30 March 2016 effective from 1 April 2016:**

2. **Bakers:**
 - I. Composition sum not payable on sales of bread in loaf / rolls / slices, toasted or otherwise, in case of RD as well as URD
 - II. Composition rate 4 % for RD & 6% for URD continues.
 - III. Application in Form-3 be made to JC (Vat Adm) concerned or JC of concerned Nodal division.
3. **Retailers:**
 - I. Retailers having turnover of sales upto Rs. 50 lakhs in previous year were eligible for Composition scheme. The said turnover limit now raised upto Rs. 1 Cr
 - II. Condition # vi deleted which means return periodicity will be as per normal dealer i.e. quarterly or half yearly or as per Dept website
 - III. CS rate @ 1% of total sales or @ 1.5% of sale of taxable goods, continue.

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1. Mah. Entry Tax Act Amendments made vide Notification # ENG/1516/CR 56/Tax dt 1 Apr 2016
2. Mah. Profession Tax Act Amendments made vide Notification # PFT/1216/CR 26/Tax-3 dt 2 Apr 2016

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Amendment under Entry Tax w.e.f. 1 Apr 2016

Reference & effective date	Gist of amendment	Remark / Issue
New Sch. Entry 15 (2) inserted under Mah. Tax on Entry of Goods into Local Areas Act, 2002 wef 1 April 2016	<p>“Slabs of Marble & Granite” brought under the Entry Tax net by inserting sub-entry (2) to Sch. Entry 15;</p> <p>Entry Tax to be levied @ 12.5% w.e.f. 1 Apr 2016</p>	<p>1) The original entry 15 which was inserted from 1 Apr 2008... “All types of tiles whether..... & earthen roofing tiles” reclassified as sub-entry (1) to Sch. Entry 15.</p> <p>2) ET paid is eligible for setoff under MVAT Rules, as per setoff provisions.</p>

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Amendment to Profession Tax w.e.f. 1 Apr 2016

Sch ref & effective date	Gist of amendment	Conditions
New Entry (6) Inserted wef 1 Apr 2016 in the Schedule appended to Profession Tax Act	Educational Institution receiving state govt. grant, is exempt from payment of late fee for late uploading of returns up to the period ending on 31 Mar 2016	1) Returns upto March 2016 to be filed on or before 30 June 2016. 2) However, Taxes payable should have been paid before 31 March 2016. 3) Interest u/s 9(2) to be paid on or before 30 June 2016. 4) Application to be made to prescribed authority along with proof of it being an aided educational institution.

■ For New MVAT & CST Return Forms with Invoice-wise Annexure WEF the period

April 2016 refer:

Notification # VAT/ADM-2016/1B/Adm-8 dt 24 Feb 2016 &

Trade Circular # 7T dt 25 Feb 2016



Thank you

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