

COMMISSIONER OF SALES TAX
MAHARASHTRA

TRADE CIRCULAR

No. VAT/MMB-1006/152/Adm-3(Adm-6)
Trade Cir. No. 27 T of 2008

Mumbai, Date: 31.07.2008

Sub: Submission of Audit Report in Form 704 for the year 2005-06

Ref: 1) Writ petition No. 3203 of 2006. The Sales Tax practitioner Association of Maharashtra and Another Versus The State of Maharashtra and Another.

- 2) Trade circular No. 9T of 2007, Mumbai dated 29.01.2007.
- 3) Trade circular No. 20T of 2007, Mumbai dated 27.02.2007.
- 4) Trade Circular No. 36T of 2007, Mumbai dated 28.04.2007.
- 5) Trade circular No. 45T of 2007, Mumbai dated 20.06.2007.
- 6) Trade circular No. 49T of 2007, Mumbai dated 30.06.2007.
- 7) Trade circular No. 51T of 2007, Mumbai dated 31.07.2007.
- 8) Trade circular No. 58T of 2007, Mumbai dated 23.08.2007.
- 9) Maharashtra Act No. XXV of 2007, dated 06.08.2007.
- 10) Trade circular No. 66T of 2007, Mumbai dated 31.10.2007.
- 11) Trade circular No. 71T of 2007, Mumbai dated 29.12.2007.
- 12) Trade Circular No. 2T of 2008, Mumbai dated 29.01.2008.
- 13) Trade Circular No. 12T of 2008, Mumbai dated 05.04.2008.
- 14) Trade Circular No. 23T of 2008 Mumbai dated 27.06.2008.

Gentlemen/Sir/Madam,

The Hon'ble High Court has dismissed the Writ petition No. 2000 of 2007 and allied petitions regarding Form 704. The date for filing of Form 704 was extended by the High Court to 30th June 2008. Accordingly, a trade circular cited at reference 13 was issued and the date for filing of **Form 704** in respect of the year 2005-06 and 2006-07 was **extended to 30th June 2008**.

2. Thereafter, in view of various representations of Trade and Association the date for filing of Form 704 was extended upto 31st July 2008 by Trade Circular No. 23T of 2008 dated 27th June 2008.

3. Various representations are received from Trade and Associations for further extension of the date for filing of Form 704. Taking into consideration their request, the date for filing of audit report in Form 704 in respect of the year 2005-06 and 2006-07 is **extended to 31st August 2008**.

4. If any discrepancies are shown in the Audit Report regarding the relevant underlying returns already filed by the dealer, then a revised return is to be filed. In such cases, the last date for filing of this revised return is now **extended to 30th**

September 2008. No legal action will be taken against the dealers who abide by the above mentioned revised deadlines.

5. In the year 2005-06, dealers were holding old B.S.T.R.C.Nos. which must be shown in the audit report form 704. From 1.4.2006 these numbers have been replaced by TIN. It is requested that while filling Form 704, the corresponding TIN should also be shown in the right hand top corner of the front page of the form in bold letters with borders in red ink as shown below:

T.I.N.	2	7	1	2	3	4	5	6	7	8	9	V
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This will facilitate the department to update the dealer's data and will also be helpful to the dealers.

6. Dealers are also requested to submit their e-mail addresses at the time of filing the audit report in form-704.

7. In Mumbai form 704 will be accepted in the office of Joint Commissioner of Sales Tax (Business Audit)1, 5th floor, New Building, Vikrikar Bhavan, Mazgaon, Mumbai 400 010.

8. In areas other than Mumbai, form 704 will be accepted in the office of the respective Joint Commissioner of Sales Tax (Adm). In the places where the office of the Joint Commissioner of Sales Tax is not located, it will be accepted in the office of the Deputy Commissioner of Sales Tax (Adm) or Assistant Commissioner of Sales Tax (Adm), as the case may be.

9. For the present, audit reports in Form 704 will be accepted in hard copy even if the soft copy is not furnished.

10. This circular cannot be made use of for legal interpretation of provisions of law as it is clarificatory in nature. If any member of the trade has any doubt, he may refer the matter to this office for further clarification.

Yours faithfully

(SANJAY BHATIA)
Commissioner of Sales Tax
Maharashtra State, Mumbai

GOVERNMENT OF MAHARASHTRA
FINANCE DEPARTMENT

Mumbai, Dated: 28th July 2008

NOTIFICATION

The Maharashtra Value Added Tax Act, 2002

No. VAT-1508/CR-47/Taxation-1. - In exercise of the powers conferred by subsection (1) of section 41 of the Maharashtra Value Added Tax Act, 2002 [Mah.IX of 2005], the Government of Maharashtra hereby amends the Government Notification, Finance Department, No. VAT.1507/ CR-41/ Taxation -1, dated the 25th June 2007, as follows, namely: -

In schedule to the said notification,

(A) In Part (I), in column (3), in condition (i), the following words and figures shall be added.

“Except in the case of the Czech Republic where the price of goods purchased through a single invoice, shall not be less than Rupees Eight Thousand two Hundred”

(B) In Part (II), Column (2) in entry (viii) for the word “Czechoslovakia” the words “Czech Republic” shall be substituted.

By order and in the name of the Governor of Maharashtra.

CHITRA KULKARNI

Officer on Special Duty Government

**GOVERNMENT OF MAHARASHTRA
FINANCE DEPARTMENT**

Mumbai, Dated: 28th July, 2008

NOTIFICATION

Maharashtra Value Added Tax Act, 2002

No. VAT-1508/CR-59/Taxation-1.- In exercise of the powers conferred by clause (b) of sub-section (4) of section 41 of the Maharashtra Value Added Tax Act, 2002 [Mah. IX of 2005], the Government of Maharashtra hereby amends the Government Notification, Finance Department No.VAT-1506/CR-135-B/ Taxation-1, dated 30th November, 2006, as follows, namely:-

In the Schedule appended to the said notification, in column (3) after condition at Sr. No. (iii), the following conditions shall be added, namely: -

(iv) For the removal of doubts it is hereby declared that the exemption accorded by this notification will be available only if the retail outlet has made the corresponding purchases of motor spirits (excluding aviation turbine fuel and aviation gasoline) from registered dealers and the said registered dealers have paid the tax due under the Act on such sales made to the said retail outlet.

By order and in the name of the Governor of Maharashtra

CHITRA KULKARNI

Officer on Special Duty to Government
