CHAPTER 3

WORKING OF SALES TAX IN MAHARASHTRA
CHAPTER 3

Working of Sales Tax in Maharashtra

Though the focus of the study is on various sales tax systems in Maharashtra state, it is necessary to understand the broad frame in which these systems operate. The systems under study in fact, represent subsystems of the sales tax system as a whole. No sub system can function in isolation and can be studied without understanding its interrelation with the remaining components of the system. What is to be taxed, at what rate and where and how and methods to be employed in tax assessment and collection represent major decision areas in tax administration as a whole. Though each area is independent in nature at the same time it is inter related with the other areas. any change in one is bound to reflect on the functioning of the other and hence it is necessary for a researcher or a decision maker to understand the system in its total perspective. Since the objective of the study is to evaluate sales tax levying system, it is essential to get acquainted with the broad structure of Sales Tax in the state. The government decides the policy and creates the piece of legislation to translate this policy in action. For execution of the policy the decision regarding the Machinery and the manner in which the machinery shall operate are spelled out in the act concerned. Thus the act represents the basic document and organisation created for executing the act may be termed as vehicle termed as operating systems. This research mainly deals with operating systems but
as stated above the efficiency of the operating systems has to be judged with reference to the total system. hence, this chapter aims at getting acquainted with sales tax acts. Sales tax organisation and sales tax procedure. This would enable proper understanding of the system and also provide foundation for analysing the system.

1) Sales Tax Act

At present Bombay Sales Tax Act 1959 as amended from time to time is operative in the state of Maharashtra. It must be pointed out that the present state of Maharashtra came into being on 1st May 1960. Some of the regions included into Maharashtra state belonged to different neighboring states prior to the reorganisation. Naturally, therefore, they were governed by Sales Tax Act then in force in the state to which they belonged. Thus CP and Berar Sales Tax Act 1947 was applicable to the Districts of Vidarbha region. Similarly, districts now included in Marathwada region were governed by the Hyderabad general Sales Tax Act 1950. The remaining districts of the state were governed by Bombay Sales Tax Act 1946. However, with the formation of Maharashtra state a new piece of legislation namely Bombay Sales Tax Act 1959 was enacted and made applicable to the entire state of Maharashtra. It may be pointed out that a committee known as Babubhai Patel committee was appointed by the former Bilingual state of Gujrath and Maharashtra. The suggestions of this committee were accepted by the Government of bilingual state and thus the new act namely Bombay Sales Tax Act
1959 was born. In the mean time the new state of Maharashtra came into existence and the government decided to make the Bombay Sales Tax Act 1959 applicable to the newly formed state.

2 Salient Features of Bombay Sales Tax Act 1959:

At the time of commencement of act i.e. 01-01-1960, there were 116 section, 82 rules, 55 forms and 5 schedules in the act.

Schedule A was of tax free goods and there were 45 commodities in this schedule.

Schedule B was of declared goods and there were 9 items in this schedule which were declared by the central government on which rate of tax is to be decided by central government only.

Schedule C was of low rate of tax and there were 70 items in this schedule.

Schedule D was of moderate rate of tax and there were 65 items in this schedule.

Schedule E was of high rate of tax and there were 101 items in this schedule. There were number of notifications issued under section 41 and some other sections also. These notifications are issued for making changes in the Act so as to give some concessions.

Set off provisions are also there in this act. Due to grant of set off by the assessing authorities dealer gets relief in tax. This provision is for avoiding double taxation.

Declarations are there in this Act. By these declarations the dealers are granted relief in payment of tax.

In the beginning, there were four declaration viz.
Permit, Recognition, Authorisation and Licence were the four types of declarations mentioned in this act. Now the structure of the above act is changed for introducing 5th system single point first stage system which is in force from 01-07-81.

The present act consists of 79 sections, 71 rules and 44 forms and 3 declarations. There are 3 schedules viz. A, B, C.

**Schedule A** consists of 47 tax free goods

**Schedule B** consists of 9 goods which are known as declared goods and are subject to decision of central government regarding changes in rates and commodity to be kept in this schedule.

**Schedule C I** is of low rates and the rate of tax is comparatively low in this Schedule.

**Schedule C II** is of high rate of tax in which the rates are high and various luxurious goods are included in this Schedule.

Three declarations viz. Authorisation, permits and recognition and notifications are also there. At present, there are more than 347 notifications. In this way the total outlook of this act is maintained as it was, except some changes in reduction of Sections and rules. Main change is in respect of Schedule for changing system.

**3 Sales Tax Administration**:–

Organisation refer to mechanism created for the execution of the policy. This mechanism, in the present context, is termed as Sales tax department. The department was created by
the government for the purpose of administration of Sales Tax in the state. Therefore the present department was established in Oct. 1946 i.e. with the enactment of Bombay Sales Tax Act 1946. Now it is known as Maharashtra Sales Tax department. Organisational set up of this department and a brief description of various authorities created by the act are discussed in the following paragraphs.

Organisational Set up:

Sales Tax department which functions as a part of the ministry of finance is headed by chief commissioner of Sales Tax who is assisted by commissioner, deputy commissioner, Assistant Commissioners, Sales Tax officers, Sales Tax inspectors and other ministerial staff.

The headquarters of this department is located at Bombay. There are seven regional offices at different places in the state. There is at least one district level office headed by the Sales Tax officer and sub regional office for every two districts. Chart A gives the organisational set up of the Sales Tax department:
Organisational Chart of the Sales Tax department

Chief Commissioner (State Level) at Bombay

Commissioner (Regional level) at region

Deputy Commissioner (Regional level) at region

Assistant Commissioner (Sub region level)

Sales Tax officer (District Level)

Sales Tax Inspector

4) Sales Tax Authorities :-

Having studied the organisational set of the Sales Tax department, a brief description of various authorities is given below. This would enable to understand the procedural matters in a clear way.

Chief Commissioner (State) :- As stated in the act, "for carrying out the provisions of the act the state government shall appoint an officer to be called as chief commissioner of Sales Tax " . Likewise the state government may appoint additional commissioner of Sales Tax if any for various purposes and for various regions. Then commissioners are appointed and for their assistance and convenience state may appoint Deputy commissioner, Assistant commissioner, and various officers and inspectors.
The chief commissioner shall have jurisdiction over the whole of the state of Maharashtra and an additional commissioner of Sales Tax if any be appointed shall have jurisdiction over the whole of the state or where the state government so directs over any local area thereof. All other officers shall have jurisdiction over such local area as the state government may specify.

5) Sales Tax Procedures:

Fixation of tax liability, assessment of tax, tax collection and settlement of disputes are the major aspects to be studied under the above topic. The Sales Tax procedure is determined by the Sales Tax department within the limits of the Sales Tax act. The procedure prescribes details in respect of the factors listed above. All officers in the Sales Tax department have to function strictly in accordance with this procedure. Amendments in the act or changes introduced by the competent authority through notification etc. may change the procedure. The following is the brief description of Sales Tax procedure followed currently:

A) Tax liability: Fixation of tax liability is a major issue in Sales Tax. The act says that the specified categories of dealers are liable to pay Sales Tax. In practice identification of such dealers becomes a problem as the purchase-sales chain comprises of many levels and many dealers. Justice in taxation demands avoidance of double taxation. Therefore it becomes necessary to prescribe the level for fixing the tax
liability. To make this point clear it may be stated that tax may be levied at manufacturer's level or at level where different types of middlemen function. Procedural clarity demands a clear indication of level where dealers fulfilling prescribed criterion may become liable to pay tax. In Sales Tax practice these are referred to as stages and points. For example, when the tax is to be charged at the manufacturer's level only, it is termed as single point first stage system. If it is to be levied on manufacturer as well reseller the system is termed as multipoint or multi stage system. It may be mentioned that different systems were adopted in the state since the inception of Sales Tax. The system in operation in the year 1992-93 is known as signal point first stage system. The procedure prescribed by Sales Tax department gives relevant details regarding the operation of the system. As the forthcoming chapter is devoted to analysis of various systems details are not given here to avoid duplication. To sum up, the fixation of the level is the starting point in Sales Tax procedure.

B) Registration Certificate :- As per rule 7, the dealer who is liable to pay tax U/S 3 has to apply in Form No 1 for registration under section 22. (Form no 1., please see appendix No.1). Then he is granted registration certificate in Form No. II

C) 'Dealer', for this purpose has been defined as "Dealer" means any person who whether for commission, renumeration or otherwise carries on the business of buying or selling goods in the state and includes [the Central Government or any State Government] which carries on such business and also
society, club or other association of person which buys goods from or sells goods to its members.

The act classifies dealers in three different categories.

i) **Manufacturer**: A dealer (as per Sales Tax Act) whose turnover exceeds Rs. 50,000/- and price of goods manufactured exceeds Rs. 5,000/- in a year is liable for registration as manufacturer.

ii) **Importer**: The term importer in this context appears to a dealer who purchases goods from outside Maharashtra State. A dealer whose turnover exceeds Rs. 50,000 and purchase price of goods purchased from other state exceeds Rs. 5,000 is liable to get registration as importer.

iii) **Reseller**: Reseller is a third category. Here the turnover of purchase or sale shall exceed Rs. 1,25,000 and after this the dealer shall apply to obtain registration certificate as reseller.

6) **Rates And Schedules** :-

A mention has been made of categories of goods and rates of taxes. These are prescribed by the Act. Following is the brief description of various schedules and the tax ratio in existence.

I) Schedule A consists of 47 goods. These goods are called as tax free goods. No tax is leviable on goods mentioned in this schedule.
II) Schedule B consists of nine goods. These are called as declared goods. Central Government has declared the rate of tax on these goods.

III) Schedule C I is of 36 goods. There is a low rate of tax on these goods, i.e. tax differs from 2 to 10 etc.

C II consists of 102 goods. On these goods tax rate is high and luxurious goods are included in this schedule.

7) Books of Account :-

On receipt of application for registration certificate, the concerned sales tax officer fixes a date for verification of books and hearing. At the time of hearing, the dealer has to prove his category. After verification the Sales Tax officer asks some questions regarding business and then the procedure of hearing is completed.

After obtaining due signatures of the dealer the sales tax officer issues a registration certificate, bearing Sales Tax number and the date from which registration certificate is effective. The nature of the dealer's business and the category in which he is covered is also described in the registration certificate is given in Appendix II.

8) Filling of returns and paying of tax :

When the application is in time the registration certificate is issued accordingly and if the application for registration certificate is late in such case there is a unregistered period is the gap between the commencement of the business and the date of obtaining registration certificate.
This is written on order sheet of unregistered period. Sales tax officer calls the dealer by giving notice in Form No. 27 for completing his assessment of unregistered periods. Now after obtaining registration certificate the filling of sales tax returns becomes liability of the dealer.

9) Categories of registered dealers of filling returns

There are three categories of filling returns:

i) Small dealer: As per this category when the yearly tax liability is below Rs.5,000/- the dealer has to file yearly returns.

ii) Medium dealers: This category includes those dealers whose tax liability exceeds Rs.5,000 and is below Rs.20,000. The dealers in this category has to file quarterly returns and monthly returns for January, February, and March. Example: First return from 1st April to 30th June, second return from 1st July to 30th Sept. Third return from 1st Oct. to 31st December. Then monthly returns i.e. fourth return in January, fifth in February, sixth return in March.

iii) Big Dealers: This is an important category. Big dealers are those dealers whose tax liability in a year exceeds Rs.20,000 are required to file monthly returns. Appendix III

10) Calling for assessment:

Every dealer is required to be assessed by S.T.O. Assessment may be completed u/s 33(2) i.e. without calling the dealer in the office for assessment. The Sales Tax assessment is completed on the basis of return filed. Secondly some dealers,
due to their negligence do not file the return. Thus on test check or defaulter as per the discretion of the authority, the dealer is given notice in Form no. 27. as per Section 32 and 33 of the B.S.T. Act 1959. Period of 15 days is granted to the dealer to attend for hearing on this notice.

On the date mentioned in the notice, the dealers attend the office. Due to same difficulties if he is unable to attend he can give request application to the authorities for adjournment of his case to date convenient to both.

While hearing the dealer has to exhibit Books of Accounts maintained by him. On verification Sales tax officer has to see that if there are purchases out of Maharashtra and if so then whether Sales Tax on particular goods is levied as per scheduled rate or not.

Secondly, if there are some goods purchased from Un-registered dealer there are also to be checked and taxed as per scheduled rate. After this if he is satisfied that all the bills bear a R.C. number and 12 A certificate are of all the dealers from whom the goods are purchased.

In the case of manufacturer, the goods manufactured will bear tax and such tax is properly recovered by the manufacturing dealer and then paid along with the return.

In single point first stage system the authorities mainly have to see that purchases out of Maharashtra are properly taxed- secondly that the manufactured goods are also given proper
set off and the required declaration like permit, authorization registration are properly used. Also the authority has to see proper use of "C" form "F" form and all other forms granted by the office for obtaining concession in tax payments.

In this way assessing authorities have to see that the bill on which there is no R.C. No. such U.R.D. purchases are also taxed.

In other system such as single point last stage the procedure of assessment was different one. Also the procedure of assessment defers according to the nature of the system adopted.

11) **Assessment Order**

Assessment order is a document of completion of Assessment. Every year every registered dealer must get assessment order. This order is prepared and signed by Sales Tax officer. In this order the categories of the goods and the rate at which the tax is levied are shown. Secondly the total sales and purchases of the dealers is also shown.

The interest and penalty levied is also shown in respective columns and respective sections are also quoted. On the last page there is a description of the order i.e how the assessment is completed and the name of persons who attended the office and their designation is also mentioned. With this Assessment order the demand notice is enclosed. This is an important part of the assessment order and in this demand notice the demand is mentioned and the date before which the tax payable is mentioned. Authority for filling the appeal, if requires is
also indicated in the order of Appendix IV (Assessment order).

12) Regarding Grievances:

Thus the assessment is completed and if the assessee is not satisfied by the assessment order then within 60 days he can file appeal to the Assistant Commissioner of Appeals in form no 37. This appeal memo shall be in duplicate with court fees stamp as per rule. Original order of Sales tax officer or certified true copy and demand notice shall also be attached to this Memo. Grounds of appeals are to be written in this memo and shall be signed by the dealer. Appendix V (Appeal memo Form No.37)

Assistant Commissioner gives first notice of preliminary hearing and in this hearing the acceptable tax is required to be paid and thus on payment the appeal is admitted for final hearing. Meanwhile a stay may be granted to the dealer for recovery.

After this again dealer is called for final hearing where the case is discussed on merits and after hearing the Assistant Commissioner pass an order of granting relief or part relief dismissing the appeal filed by dealer. After this the dealer is at liberty to file appeal against Assistant Commissioner to Deputy Commissioner of Sales Tax appeals or second appeal to the honourable tribunal.

On the order of the tribunal the dealer can again request full bench of tribunal to be heard again. If he is not satisfied by this he can send a reference application to high
court for legal matter. Thus reference application is heard by High Court and then in the end may be referred to Supreme Court. The entire procedure is described in the following chart:

WORKING OF SALES TAX

1 DEALER

<table>
<thead>
<tr>
<th>RESALER</th>
<th>MANUFACTURER</th>
<th>IMPORTER</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Turnover limit: 1,25,000)</td>
<td>(Turnover limit 50,000 with goods manufactured 5000)</td>
<td>(Turnover limit 50,000 with OMS of 5000)</td>
</tr>
</tbody>
</table>

2 Obtain From No. 1 (Application for registration)
3 Fill it properly & attach required documents and affix photograph of required person
4 Give above to Sales Tax Officer
5 Hearing for R.C. is fixed
6 S.T.O. grants R.C.
7 After R.C. returns are filed

<table>
<thead>
<tr>
<th>Yearly Return</th>
<th>Quarterly Return</th>
<th>Monthly Return</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below Rs.5000</td>
<td>Above 5000 &amp; below 20000</td>
<td>Above 20000 &amp; onwards</td>
</tr>
</tbody>
</table>

8 After Filling Returns Assessment is conducted by S.T.O.
9 S.T.O. Passes an order and issues Demand Notice if required
10 If the dealer is not satisfied he can file appeal to Assistance Commissioner
11 If he is not satisfied second appeal to

Deputy Commissioner (Appeals) or Maharashtra Sales Tax Tribunal

12 If not satisfied then to High Court (Law Points reference)
13 If not satisfied then to Supreme Court
FORM-1 (See rule 7) नमूना १ (नियम ७ पाहा)

APPLICATION FOR REGISTRATION UNDER SECTION 22 OF THE BOMBAY SALES TAX ACT, 1959

To
THE REGISTERING AUTHORITY/रजिस्ट्री अधिकारी,


1. carrying on the proprietary business known as

2. (state here the capacity such as partner, manager, managing trustee, director, secretary, principal officer) or

3. (state here the name of the firm, company, local authority, corporation, society, club, association of individuals, Hindu undivided family or trust) carrying on the business known as

4. the Officer-in-charge of the business known as

5. carried on by the Government of the State of

6. in the district of

7. is situated at Room/Flat No.

Municipal No. of building
Village
Post Office
Taluka

hereby apply for registering the said firm, company, local authority, corporation, society, club, association of individuals, Hindu undivided family, trust (or Government) under section 22 of the Bombay Sales Tax Act, 1959.

1. the names and permanent residential addresses of all the partners (or members of the managing committee of the society, club or other association or of all persons having any interest in the business (including the members of a Hindu undivided family business), their age and father's name are as follows (not to be filled in if the applicant is a body corporate incorporated by any law or a department of Government).

2. * other

* If more than one person is involved, the number indicates the number of persons who have signed.

Serial No./बहुमाणकः 81
<table>
<thead>
<tr>
<th>Name</th>
<th>Father's Name</th>
<th>Age</th>
<th>Permanent residential address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

(If more than five names, the above particulars should be entered in a separate sheet which should be affixed to this form duly signed and dated by an applicant.)

1. *I, am/is not registered.*

2. The said(s) *have not been formerly registered under the Bombay Sales Tax Act, 1959 or any of the earlier laws.*

3. *The said(s) have not been registered under the Bombay Sales Tax Act, 1959 or any of the earlier laws.*

4. The details of certificate of Registration held by the said(s) are as follows:

   - *Name:
   - *Date of issue:
   - *Date of cancellation:
   - Registration Certificate No./
   - Licence No./
   - Authorisation No./
   - Under the Bombay Sales Tax Act, 1959/No./
   - Registration Certificate No./
   - Licence No./
   - Authorisation No./
   - Recognition No./
   - Permit No./
   - Under the Central Sales Tax Act, 1956/No./
   - Registration Certificate No./

   Date of commencement of business/
The application for registration is made on account of shifting of place of business from __________________________ with effect from __________________________.

The application for registration is made on account of change in constitution from the partnership business to the proprietary business, with effect from __________________________.

The application for registration is made on account of change in constitution from the proprietary business to the partnership business, with effect from __________________________.

The application for registration is made on account of change in constitution from the proprietary concern partnership firm to Private Limited/Public Limited Company, with effect from __________________________.

The application for registration is made on account of part transfer of business known as Messrs __________________________ with effect from __________________________.

The application for registration is made on account of entire transfer of business known as Messrs __________________________ with effect from __________________________.

The application for registration is made on account of turnover for the purpose of section 3 having first exceeded, during this year, the relevant limit as an importer/manufacturer/reseller, the following particulars are furnished :

* *(i) Value of taxable goods sold or purchased from 1st April to __________________________ Rs.$ ________.

* *(ii) Turnover of all sales and turnover of all purchases of business in, here name the relevant goods or classes of goods, in which the dealer deals, from 1st April to __________________________ Rs.$ ________.

* *(iii) Value of any goods imported into the State of Maharashtra from 1st April to __________________________ Rs.$ ________.

* *(iv) Value of any goods manufactured for sale in the State of Maharashtra from 1st April to __________________________ Rs.$ ________.

The accounts of the said business are kept as per the financial year/the accounting year starting on __________________________ and ending on __________________________.

* However in accordance with clause (37) of section 2 of the Act, the said __________________________ hereby opt for the financial year for the purposes of the Act (except section 3 and Chapter IV thereof).
6. The accounts of the business are kept in the ____________________________ language.

7. * I have ____________________________ additional places of business at the address enumerated below and ____________________________ have/has no other place of business in the State of Maharashtra:

<table>
<thead>
<tr>
<th>Name and style of business of the additional place of business</th>
<th>Address of the additional place of business</th>
<th>District</th>
<th>State whether warehouse (Yes/No)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. The nature of the business is wholly/mainly/partly manufacturing, exporting, wholesale distribution, retail distribution or Commission Agency.

9. * I deal ____________________________ in the following Classes of goods (general description):

10. The turnover of taxable goods purchased, sold or resold during the year ____________________________ first exceed Rs. 5,000.

11. * The turnover of the said ____________________________ of all sales and the turnover of all purchases in respect of all my/us places of business during the year commencing from 1st April ____________________________ not exceeded the limits applicable to me/us under section 3 (4) of the Bombay Sales Tax Act, 1959, on ____________________________.
12. The said @ imported into the State of Maharashtra from places outside the State of Maharashtra, during the year goods the value of which exceeded Rs. 5,000 on ......................

13. The said @ manufactured for sale, during the year ...................... goods the value of which exceeded Rs. 5,000 on ......................

13A. * A copy of my recent photograph is furnished with this application as required by sub-rule (6-A) of Rule 7.

14. The above statements are true to the best of my knowledge and belief.

15. Declaration by partner of a firm.—We, the withinsigned, hereby declare that we are carrying on the business in partnership known as ...................... at ...................... and other places in the State of Maharashtra and we state that the statements contained in the application for the registration of the said partnership firm and this declaration are true to the best of our knowledge and belief:

16. भागीदारी संबंधी भागीदारी करतमध्ये श्राध्यात्मक—आपूर्ती भागीदारी माझ्यांच्या तस्तीले यांच्या श्राध्यात्मक करती की, आपूर्ती येथे आपल्यांच्या (महाराष्ट्र ग्रन्थालय) येथे शिल्पकारी व नवाचारांच्या अभ्यासांनी यांनी अभ्यासांनी यांनांनी अभ्यासांनी यांनांनी अभ्यासांनी यांनांनी अभ्यासांनी यांनांनी अभ्यासांनी यांनांनी अभ्यासांनी यांनांनी अभ्यासांनी.  

[PTO/9]
<table>
<thead>
<tr>
<th>Serial No</th>
<th>Full name of each partner including his name, father's name and surname</th>
<th>Permanent residential address</th>
<th>Extent of share in partnership</th>
<th>Names and addresses of all other businesses in which the partner has any share or interest</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**For Office use only**

Date/vidhan

Date on which called/या तारीख पर कौन्सल करते समय ही तारीख

Place at which called/या विधायति के लिए ऐसे स्थान पर तारीख

Officer before whom called/या अधिकारी के फॉर्म में नीचे नाम लिखिए

Signature of Receiving Officer

**Acknowledgment/विचार**

Received an application in Form I from... for registration under section 22 of the Bombay Sales Tax Act, 1959.

**Note:**

- Strike out whichever is not applicable/
- State here firm, company, local authority, corporation, society, club, association of individuals, Hindu undivided family, trust/
- Government.
- Whether cancelled, state Yes/No and if 'Yes' state date of cancellation.
- Here specify the day on which the turnover exceeded the relevant limit/
N.° -355017

FORM 2 / \n
(See Rule 8)/(महान दर्शक)

CREDIT OF REGISTRATION UNDER SECTION 22 OF THE BOMBAY SALES TAX ACT, 1956

No. of the letter:

This is to certify that 'Shri/Messrs. the .................

who/which is carrying on the business known as

whereof the *only/chief place of business in the District of

is situated at Room/Flat No. .......................

Municipal Number of Building ....................... Ward/Locality

Village ..................... Post Office ....................

has been registered as a dealer under section 22 of the Bombay Sales Tax Act, 1956,.............

This business is/\n
*Partly/mainly/\n
*Partly/\n
This dealer deals in the following classes of goods (describe):

This dealer has additional places of business, at the addresses specified below:

Additional places of business:

(a) (Other than Warehouses)/(\n
Place/Description ....................

Date ....................

* Strike out whichever is not applicable. Name of the authority/\n
* State here the name of Hindu undivided family/firm/company/corporation/society/club/association of individuals/\n
* State here whether the business is wholly manufacturing, exporting, wholesale distribution, retail distribution, commission agent, or a combination of any two or more etc./\n
* If the dealer has only one place of business the unnecessary words should be deleted. Name of the authority/\n
* state here whether the business is wholly manufacturing, exporting, wholesale distribution, retail distribution, commission agent, or a combination of any two or more etc.Indian goods and/or Indian goods and/or Indian goods and/or Indian goods and/or Indian goods and/or Indian goods and/or Indian goods and/or Indian goods and/or Indian goods...
**FORM N-18**

**Return of Turnover of Tax Payable by a Dealer under the Bombay Sales Tax Act, 1959.**

(If filled in Part II, see Rules 22 and 36) (All figures should be rounded off to the nearest rupee)

<table>
<thead>
<tr>
<th>Part</th>
<th>Description</th>
<th>Sales Rs.</th>
<th>Purchases Rs.</th>
</tr>
</thead>
</table>

### PART I: Turnover of Sales and Purchases

1. **Name and address of the dealer:**

<table>
<thead>
<tr>
<th>B.S.T.R.C. No.</th>
<th>C.S.T.R.C. No.</th>
<th>Sec. 41 certificate No.</th>
<th>Period from</th>
<th>Name of the dealer</th>
</tr>
</thead>
</table>

#### 4) Balance:

- **Amount:**
  - A) Liable to reduced rate of Tax u/s 41.
  - B) Liable to reduced rate of Tax u/s 11.
  - C) Liable to full rate of Tax.

#### PART II: Levy of Sales Tax:

1. **Turnover of all Sales/Purchases:**

### PART III: Levy of Purchase Tax u/s 13, 13A, 14, 15 and 41 (2)

#### 6) Balance liable to purchase tax u/s 13.

7) **Purchases of goods against declarations in form IS and form ISC liable to purchase tax u/s 13A.**

8) **Purchases of goods purchased against declarations u/s 8A, 11, and 12 liable to purchase tax u/s 14.**

9) **Purchases liable to purchase tax u/s 41 (2).**

10) **Purchases liable to purchase tax u/s 15.**

11) **Total purchases liable to purchase tax u/s 13, 13A, 14, 15 and 41 (2) [total of items 6, 7, 8, 9 and 10].**
### Part IV: Computation of taxes payable

<table>
<thead>
<tr>
<th>Description</th>
<th>Calculation of Sales Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Rate 1</td>
<td>Turnover liable to Sales Tax (Column 1)</td>
</tr>
<tr>
<td>Deduction under the Act (Column 2)</td>
<td>Balance Turnover liable to Sales Tax (Column 3)</td>
</tr>
<tr>
<td>Tax at the rate specified in column 4</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Calculation of Purchase Tax (Item 11)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax Rate 1</td>
<td>Turnover liable to purchase tax (Column 1)</td>
</tr>
<tr>
<td>Tax at the rate specified in column 4</td>
<td></td>
</tr>
</tbody>
</table>

---

**Part V: Calculation of taxes payable**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deduct: A</td>
<td>Amount credited under refund adjustment order No. dated...</td>
</tr>
<tr>
<td>B</td>
<td>Refund due as per previous return.</td>
</tr>
<tr>
<td>C</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
<tr>
<td>D</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
<tr>
<td>E</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deduct: A</td>
<td>Amount credited under refund adjustment order No. dated...</td>
</tr>
<tr>
<td>B</td>
<td>Refund due as per previous return.</td>
</tr>
<tr>
<td>C</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
<tr>
<td>D</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
<tr>
<td>E</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
</tbody>
</table>

---

**Balance:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Amount credited under refund adjustment order No. dated...</td>
</tr>
<tr>
<td>B</td>
<td>Refund due as per previous return.</td>
</tr>
<tr>
<td>C</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
<tr>
<td>D</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
<tr>
<td>E</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
</tbody>
</table>

---

<table>
<thead>
<tr>
<th>Description</th>
<th>Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deduct: A</td>
<td>Amount credited under refund adjustment order No. dated...</td>
</tr>
<tr>
<td>B</td>
<td>Refund due as per previous return.</td>
</tr>
<tr>
<td>C</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
<tr>
<td>D</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
<tr>
<td>E</td>
<td>Amount paid by Challan No. dated...</td>
</tr>
</tbody>
</table>

---

The above statement is true to the best of my knowledge and belief.

Date:

---

**Date of Entry:**

**Challan No.:**
(See rule 22 & 30 of the Bombay Sales Tax Rules, 1959.)

04th Sales Tax Receipt under the State Sales Tax Act, Tax Collection.

---

<table>
<thead>
<tr>
<th>S. No.</th>
<th>B. S. T. R. C. No.</th>
<th>C. S. T. R. C. No.</th>
<th>Period From</th>
<th>Period To</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Amount paid with the return-chalan (in words)

Amount paid with the return-chalan (in figures)

Penalty Rs.

Total Amount Rs.

---

For Treasury use only

Date of Receipt

For Treasury use only

Date of Receipt

---

Signature

Designation

Received (in words)

Received (in figures)

Received (in words)

Received (in figures)
### Form N-30
Order of Assessment of Tax U/S-33/35 of the Bombay Sales Tax Act, 1959

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>90</td>
</tr>
</tbody>
</table>

**Name and address of the Dealer**

**Assessed U/S**

**Period of Assessment**

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
</tr>
</thead>
</table>

**Books of Accounts produced**

**Accounting Method**

### Part I: Turnover of Sales and Purchases

<table>
<thead>
<tr>
<th>Description</th>
<th>As in Dealer's Return</th>
<th>As Determined U/S 33/35</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Rs.</td>
<td>Purchases Rs.</td>
<td>Sales Rs.</td>
</tr>
<tr>
<td>Sales</td>
<td>Purchases</td>
<td></td>
</tr>
</tbody>
</table>

1. **Total amount paid or payable to/by the Dealer for all Sales/Purchases during the period.**

   **Deduct:**
   - (A) Value of goods returned under rule 4.
   - (B) Cost of Insurance for transit or of installation U/S 2 (22), 2 (29).
   - (C) Sales/Purchases U/S 3(1), 3(2) and 3(3).
   - (D) Sales/Purchases exempted U/S 5.
   - (E) Interstate Sales/Purchases U/S 75.
   - (F) Other Sales/Purchases U/S 75.

2. **Net Turnover of all Sales/Purchases.**

### Part II: Levy of Sales Tax

<table>
<thead>
<tr>
<th>Description</th>
<th>As in Dealer's Return</th>
<th>As Determined U/S 33/35</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Rs.</td>
<td>Purchases Rs.</td>
<td>Sales Rs.</td>
</tr>
<tr>
<td>Sales</td>
<td>Purchases</td>
<td></td>
</tr>
</tbody>
</table>

3. **Net Turnover of sales of goods liable to Sales Tax.**

   **Deduct:**
   - (A) Resales U/S 7 (1) (K), 7(1) (ii), 7(1) (iii), 8(0), 8(ii), and 8(iii).
   - (B) Sales or resales U/S 7(1) (IV) and 8 (IV).
   - (C) Sales or resales U/S 7 (2).
   - (D) Sales or resales U/S 8 Alan.
   - (E) Sales wholly exempt U/S 41.
   - (F) Sales on which Tax has been paid by Commission Agents.

4. **Balance:**
   - (1) Liable to Reduced Rate of Tax U/S 41.
   - (2) Liable to Reduced Rate of Tax U/S 41.
   - (3) Liable to Full Rate of Tax.

5. **(A) Calculation of Sales Tax.**

   **B—Schedule goods**

<table>
<thead>
<tr>
<th>Tax Rate</th>
<th>As IN DEALER’S RETURN</th>
<th>AS DETERMINED UNDER SECTION 33/35</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Sales</td>
<td>Deduction U/R 46-A</td>
</tr>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Part I: Sales Tax

<table>
<thead>
<tr>
<th>Rate of Sales Tax</th>
<th>AS IN DEALER'S RETURN</th>
<th>AS DETERMINED UNDER SECTION 33/35</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total sales</td>
<td>Deduction U/R 46-A</td>
</tr>
<tr>
<td>(1)</td>
<td>(2)</td>
<td>(3)</td>
</tr>
</tbody>
</table>

Total

(5) (B) — (i) Total of Sales Tax [i.e. total of Column 9 of (a) and Column 9 of (b) above]

(ii) Turnover-tax payable at . . . . . . . . per cent on the turnover in Column 8 of (b) above.

(iii) Total of Sales Tax and Turnover Tax [i.e. (i) + (ii) above]

### Part III: Levy of Purchase Tax U/S 10, 10-A, 14, 15 and 41 (2)—

(6) Net Turnover of all Purchases (Item 2)

**Deduct** — (A) Purchases of goods from Registered Dealer's

(B) Purchases of goods from Unregistered Dealer's for resale

(C) Purchase U/S 7 (2) (not shown in B above)

(D) Purchases wholly exempt U/S 41

(7) Balance — Li able to Purchase Tax U/S 13

(8) Purchases of goods against declaration U/S 12 (b) or 12 (d) liable to Purchase Tax U/S 11-A

(9) Purchases of goods against declaration U/S 8-A, 11, 12 or 41

(i) During the period under Assessment

(ii) Value of goods which were in stock at the beginning of the period under Assessment

Total of (i) and (ii)

**Deduct** — (A) Purchase price of goods sold used wholly in compliance with terms of declaration

(B) Purchase price of goods in stock for which the period of compliance is not yet over

Add — Purchases of goods against declaration U/S 12 (b) or 12 (d) during current and any preceding period liable to Purchase Tax U/S 14.

(10) Total Purchases liable to Purchase Tax U/S 14 and 41(2)

(11) Aggregate Purchase price liable to Purchase Tax U/S 15

(12) Grand Total Turnover of Purchase liable to Purchase Tax (total of items 7 + 8 + 10 + 11)

(13) (A) Calculation of Purchase Tax
<table>
<thead>
<tr>
<th>Tax Rate</th>
<th>Balance for Purchase Tax ₹</th>
<th>Balance for Purchase Tax ₹</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total**

(13) (B) Total of Purchase Tax

**Part IV**

(14) Total Taxes payable [(5) (B) - (13) (B)]

Add—(A) Amount additional tax payable under section 15-A-1

Deduct—(B) Set-off admissible

Under rule

Under rule

Under rule

(C) Set-off under second proviso to section 14 (1) and proviso to section 41 (2)

Deduct—(D) Amount credited under refund adjustment order

No

(E) Advance payment of tax, if any

(F) Amount paid with returns

(15) (A) Balance of Tax Due Refund, if any

Add—(B) Penalty under section

Penalty under section

Penalty under section

Penalty under section

Penalty under section

(C) Amount forfeited being the sum collected in contravention of section 46.

(D) Amount for forfeited being the sum collected in contravention of section 15 A-1 (2)

(16) Total tax and penalty due/refund, if any

(17) Details of payments made by the Dealer with returns—

<table>
<thead>
<tr>
<th>Period</th>
<th>From</th>
<th>To</th>
<th>Chalan No.</th>
<th>Date</th>
<th>Amount ₹</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Total**

91
Appeal against an order of assessment, penalty or fine under section 55 of the Bombay Sales Tax Act, 1959

(Mumbai Vitrakar Ardhanirmam, 1959, Kalam 55, Abvile Abhavirva, Shashtirvicha Hiva Rangavirva Aprile

(See rule 58 of the Bombay Sales Tax Rules, 1959)

(Pune Vitrakar Nyam, 1959, Nyam 58 Paha)

Space for Court-fee Stamps

(State here the amount of Court-fee Stamps affixed)

To

The

Prat

Date of order against which the appeal is made

Date of receipt of the order

Name and designation of the officer who passed the order

Period of assessment from to

The appeal petition of who is

known as

holding Registration Certificate No. dated
Licence No. __________________________ dated __________________________ and/or Authorization

No. __________________________ dated __________________________ and/or Authorization

No. __________________________ dated __________________________ and/or Authorization

No. __________________________ dated __________________________ and/or Authorization

under the Bombay Sales Tax Act, 1959, whose only/chief place of business in the district of __________________________ is situated at __________________________ Post Office __________________________ Taluka __________________________

Residing at __________________________ showeth as follows:

<table>
<thead>
<tr>
<th>Licence No.</th>
<th>Authority No.</th>
<th>Date</th>
<th>Place of Business</th>
</tr>
</thead>
</table>

1. During the period from __________________________ to __________________________ the appellant has been assessed/reassessed under the Bombay Sales Tax Act, 1959, to tax as shown in column 2 of the table below but the appellant's turnover of sales/purchases liable to tax is as shown in column 3 of the following table:

<table>
<thead>
<tr>
<th>Licence No.</th>
<th>Authority No.</th>
<th>Date</th>
<th>Place of Business</th>
<th>Turnover of Sales/Purchases Liable to Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kinds of tax leviable or penalty or fine imposed</td>
<td>As assessed बाकारणी केल्याअसामाय</td>
<td>As admitted by the appellant बाकारणाचे खालील केल्याअसामाय</td>
<td>Amounts in dispute (2(b) - 3(b)) सर्वसम्मान (2(b) - 3(b))</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>----------------------------------</td>
<td>----------------------------------</td>
<td>----------------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Net turnover of sales or purchases subjected to tax कारकाच असलेली विक्रेत्यांची विक्रेत्यांनी देऊने प्रेमकर विक्रेत्यांनी निहित उमारासी (Please see Note 1) किंमत तालिका 1 पहा</td>
<td>Tax assessed or penalty or fine imposed कारकाच असलेली विक्रेत्यांनी देऊने प्रेमकर विक्रेत्यांनी निहित उमारासी 4 (a) (b) (c)</td>
<td>Tax leviable or penalty or fine leviable कारकाच असलेली विक्रेत्यांनी देऊने प्रेमकर विक्रेत्यांनी निहित उमारासी 4 (a) (b) (c)</td>
<td></td>
</tr>
<tr>
<td>Sales Tax विक्रेत्यांनी देऊने प्रेमकर 4 (a) (b) (c)</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>General Sales Tax विक्रेत्यांनी देऊने प्रेमकर 4 (a) (b) (c)</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Retail Sales Tax विक्रेत्यांनी देऊने प्रेमकर 4 (a) (b) (c)</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Purchase Tax विक्रेत्यांनी देऊने प्रेमकर 4 (a) (b) (c)</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Additional Tax विक्रेत्यांनी देऊने प्रेमकर 4 (a) (b) (c)</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Penalty under section 36(1) अन्वय शास्त्री 9 कलम 36(1) अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Penalty under section 36(2) (a) अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Penalty under section 36 (2)(b) अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Penalty under section 36 (2) (c) अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Penalty under section 36 (2A) अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Penalty under section 36 (2B) अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Penalty under section 36(3) अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Penalty under section 36(4) अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Amount forfeited अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Penatly under section 37 अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Fine under section 53(3) अन्वय शास्त्री</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
<tr>
<td>Total एकूण</td>
<td>1/1</td>
<td>2/2</td>
<td>3/3</td>
<td>4/4</td>
</tr>
</tbody>
</table>
The turnover of sales and the turnover of purchases as shown in column 3 of table above was the whole turnover of the appellant during the period. The appellant had no other turnover either subject to tax or otherwise during the said period.

2. The notice of demand is attached hereto.

3. A certified copy of the order appealed against is attached.

4. The appellant has paid the tax assessed including any amount forfeited and penalty or fine imposed under the order appealed against as shown below:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paid before assessment</td>
<td></td>
</tr>
<tr>
<td>Paid after assessment</td>
<td></td>
</tr>
<tr>
<td>Paid after first appeal, if any</td>
<td></td>
</tr>
<tr>
<td>Balance due, if any, at the time of filing first/second appeal</td>
<td></td>
</tr>
</tbody>
</table>

5. The appellant's first appeal against the order passed by ________________________ has been rejected/dismissed/partly allowed by ________________________

6. The appellant has made returns of the tax payable by him to the office of ________________________ under section 32 of the said Act and has complied with all the terms of the notice served on him by the ________________________ under section 33 of the said Act.
8. The appellant, therefore, prays—

That he may be assessed accordingly or that he may be declared not to be chargeable under the said Act or that the assessment may be cancelled and/or remanded to ——

That the order(s) of the ——

imposing a penalty of Rs. ———— under section ———— and of Rs. ———— under section ———— upon your petitioner that the order of the ———— forfeiting Rs. ———— under section ———— or that the order of the ———— imposing a fine of Rs. ———— under section ———— may be set aside.

9. The grounds relied on for the purpose of this appeal—

The appellant, therefore, prays—

That he may be assessed accordingly or that he may be declared not to be chargeable under the said Act or that the assessment may be cancelled and/or remanded to ————

That the order(s) of the ————

imposing a penalty of Rs. ———— under section ———— and of Rs. ———— under section ———— upon your petitioner that the order of the ———— forfeiting Rs. ———— under section ———— or that the order of the ———— imposing a fine of Rs. ———— under section ———— may be set aside.
The appellant named above, does hereby declare that what is stated herein is true to the best of his knowledge and belief.

Date

Day of

Place

Signature

(To be signed by the appellant or by an agent duly authorised in writing in this behalf by the appellant.)

Ver. (1) If this is a second appeal against an order in appeal the figures in column 7 of table below paragraph 1 must be the figures, if any, as arrived at by the first appellate authority.

Ver. (2) The amount in dispute means the difference between the amount of tax or penalty, if any, of fine forfeited, demanded and the amount admitted by the dealer to be payable.

Ver. (3) Strike out whichever is not required.

Ver. (4) जाना का नाम, कान्दा, छोटा से छोटा से।