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#### NOTIFICATION

**No. J. 19013/1/2005-TAX, the 20<sup>th</sup> May, 2015.** In supercession of this Department's Notification of even no : dt.24.5.2013, and in exercise of the powers conferred by sub-section (1) of Section 48 of the Mizoram Value Added Tax, 2005 (Act No. 1 of 2005) ,hereinafter referred to as the Act, the Governor of Mizoram, is pleased to notify the "Composition Scheme for works contract" (hereinafter referred to as the "Scheme") and permits a dealer of the State who executes works contract, to pay at this option, in lieu of the amount of tax payable by him under the provisions of the Act, by way of composition, an amount at the rate of 4% (four per cent) of the total aggregate value of the works contracts received or receivable by him, subject to the following conditions :-

1. The dealer who elects to compound the tax for any year under this Schemes shall submit an application in Form - WC I appended to this scheme to the Prescribed Authority, within thirty days from the commencement of the Scheme or within thirty days from the date of the commencement of the business of works contract, if such business of works contract commences after the commencement of the Scheme.

Provided that the application in every subsequent year shall be filed by 30th April of such year:

Provided further that the Prescribed Authority having jurisdiction may, on sufficient cause and for reasons to be recorded in writing, condone the delay up to sixty days in respect of applicant not filed within the time stipulated in the Scheme.

2. The application shall be signed by a person competent to sign the application for registration under the Act.
3. (i) The concerned Prescribed Authority, after conducting such verification, as may be necessary, may permit such dealer to pay in lieu of the amount of tax payable by him during the year, in respect of which such permission is granted an amount by way of composition as provided in this Scheme.  
(ii) Such permission for the composition shall be granted within thirty days from the date of the receipt of the application for the year for which the composition is applied for. The permission shall be in Form - WC II appended herewith and shall be valid for a particular year. Once the composition certificate is issued, the dealer during the composition period shall not be entitled to opt out of the Scheme for a part of the financial year.  
(iii) The Prescribed Authority may cancel such permission in the following cases :-  
(a) if the dealer fails to pay tax or file the return, within the prescribed period:

- (b) if the dealer has suppressed whole or part of the turnover in the return filed by him or, the return filed by the dealer is incomplete or incorrect :
    - (c) if the dealer contravenes any provisions of the Act or the Rules made thereunder.
  - (iv) The cancellation of such permission shall be without prejudice to the action, penal or other wise, for which such dealer shall be liable under the provisions of the Mizoram Value Added Tax Act, 2005 and the Rules made thereunder.
4. Every person responsible for making any payment to any contractor under sub-section (1) of Section 84 of the Mizoram Value Added Tax Act, 2005, shall be supplied, with the copy of the permission issued by the Prescribed Authority with regard to the tax liabilities of the dealer who opts for payment of compounded tax under this Scheme and such person responsible for making any payment shall deduct at the rate of 4% (four per cent) from any amount paid to such dealer. All other provisions of section 84 shall mutatis mutandis apply to this Scheme.
  5. The Dealer opting for this scheme shall be liable to make purchase of goods in the course of inter-State trade and commerce on the strength of declarations in Form 'C' prescribed under the Central Sales Tax (Registration & Turnover) Rules, 1957. The dealer shall also be eligible to make use of "Way Bill" (Form - 33) prescribed under the Mizoram Value Added Tax Rules, 2005 for the purpose of importing the consignments of goods for being used in execution of works contract into Mizoram.
  6. The Government may, from time to time, notify the category of works contract for which the Scheme of payment of tax by composition shall not apply.
  7. The dealer opting for composition of tax under this Scheme shall be subject to all other provisions of the Mizoram Value Added Tax Act, 2005 and the Rules made thereunder and the terms and conditions contained in this Scheme.
  8. The option once exercised shall be final and cannot be revoked by the dealer during the year. Further, a dealer who has been awarded more than one contracts in the State, shall have to opt for making payment of tax by way of composition in respect of all the contracts.
  9. Every dealer opting to pay tax by way of composition under this Scheme shall :-
    - (a) Display his certificate at a prominent location in his main place of business;
    - (b) Pay tax, by way of composition, at the rate as notified by this Scheme;
    - (c) Not issue any tax invoice;
    - (d) Not receive any tax invoice; and
    - (e) Not claim any input tax credit on his purchase.
  10. Every dealer who has been granted permission by the Prescribed Authority under this Scheme shall be liable to make payment of tax under this Scheme monthly calculated at 4% (four per cent) of the payment receivable by him during the month for execution of the contract. The payment of tax so calculated shall be made after reducing therefrom the amount paid by the contractee on behalf of the dealer under section section 84 for that month, on or before the thirtieth day of the next month. The dealer shall furnish a tax return for each quarter in Form - WC III appended herewith within thirty days of the succeeding month from the date of expiry of each quarter. The dealer shall also furnish a consolidated annual return in the same Form to the Prescribed Authority within two months after the close of the year to which such return relates. The tax return shall be accompanied by proof of full payment of the tax due, in accordance with Rule 18 and of the certificate of deduction of tax at source issued by the contractee.

- 11. Any tax already paid by the dealer or deducted at source on account of the dealer under the Act during the year 2015- 2016, shall be adjusted against the composition amount payable.
- 12. The dealer shall also keep complete account of, payments receivable by him for the execution of the contract and, the payments actually received by him.

**COMPOSITION SCHEME FOR WORKS CONTRACT UNDER THE MIZORAM  
VALUE ADDED TAX, 2005**

**FORM - WC I**

To

(The Prescribed Authority)

.....  
.....

I/We.....(status)..... on behalf  
of M/s.....(name & address)  
..... holding Registration No. (TIN).....dated  
.....carrying on bussiness of executing works contracts in Mizoram do  
hereby apply for permission to pay lump sum by way of composition of tax as per the provisions of the  
'Composition Scheme for Works Contract' framed under Section 48 (1) of the Mizoram Value Added  
Tax Act, 2005.

- 2. The nature of my/our business is of executing works contracts of the nature of.....
- 3. I/We opt to pay lump sum by way of composition in lieu of tax payable in respect of year ending  
on.....
- 4. I/We hereby undertake that I/We shall regularly file return in the prescribed Form and shall pay the  
amount of composition due according to the provisions of the said Scheme.
- 5. I/We solemnly declare that the above statements are true to the best of my/our knowledge and belief.

Place.....

Signature.....

Date.....

Status.....

**COMPOSITION SCHEME FOR WORKS CONTRACT UNDER THE MIZORAM  
VALUE ADDED TAX ACT, 2005**

**FORM - WC II**

Permission to pay Composition Amount

Composition Permit No. .... Date :

This permission is hereby granted under the 'Composition Scheme for Works Contract' subject to the provisions of the Mizoram Value Added Tax Act, 2005 (hereinafter referred to as 'The Act') rules and also the conditions specified ( herein to M/s..... hereinafter called 'permission holder') who is a registered dealer holding Certificate of Registration No. (TIN) .....dated.....

**CONDITIONS**

1. The permission shall be effective in respect of year ending on.....
2. The permission is authorised to pay lump sum by way of composition in lieu of tax payable under the Act and Rules in regards thereto.
3. The permission holder regularly file return in the prescribed Form within the prescribed time limit.
4. The permission if final and irrevocable.
5. This permission is liable to be suspended or cancelled if the permission holder contravenes any of the provisions of the Act or Rules made thereunder or the conditions mentioned above.

Seal

Place:.....

Signature.....

Date :.....

Designation.....

**COMPOSITION SCHEME FOR WORKS CONTRACT UNDER THE MIZORAM  
VALUE ADDED TAX ACT, 2005**

**FORM - WC III**

Form of return to be furnished by a Contractor opting for Composition Scheme

Return for the Quarter ended on :

D	D	M	M	Y	Y	Y	Y

**(1) Dealer's identity :**

Name and style of business	M/s												
Address					Contact No								
TIN													

**(2) Details of execution of works contract and computation of lump sum payable :**

Sl. No.	Numbere, date and name, if any, and nature of works contract under execution during the period.	Name and complete address of the contractee(s)	Total value of works contract	Amount Receivable		Lump sum payable @ _____ of (e)
				During the return period	Progres-sive	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
TOTAL						

**(3) Details of tax deduction at source by the contractee(s) in respect of contracts in (2) above**

Name of the contractee	Treasury Receipt No	Date	Amount	Name of Treasury
(1)	(2)	(3)	(4)	(5)
TOTAL				

**(4) Tax payable (2)(7)-3(4) :**

Rs
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**(5) Details of tax deposited :**

Sl. No.	Name of Designated Bank where tax deposited or Bank on which DD/Payorder is drawn	Bank Challan/DD/PO			Amount
		Type of instrument	No	Date	
	Excess paid brought forward from last return				
TOTAL					

Date :

Signature of Authorised Person

(6) Value of goods purchased in the State from VAT dealers (enclose list) :

Rs.

(7) Value of goods purchased in the course of inter-State trade (enclose list) :

Rs.

(8) Value of goods imported into the State (enclose list) :

Rs.

(9) Account of Forms

Sl. No.	Type of Forms	Opening stock at the beginning of the return period	Blank forms received or authenticated during the return period	Number of forms used during the return period	Aggregate of amount of transactions for which forms used
1.	C				
2.	Others specify, if any.				

**DECLARATIONS**

I, \_\_\_\_\_ (name in CAPITAL), hereby, solemnly affirm that I am authorised to furnish this return and all its contents including tables, lists, statements, declarations, certificates & other documents appended to it or filed with it are true, correct and complete and nothing has been concealed therein.

Place :

Signature

Date :

**Statis** : Tick whichever is applicable (Karta, proprietor, partner, director, president, secretary, manager, authorised by him in this behalf officer)

**(For use in the office of the Prescribed Authority)**

(1)	Date of data entry in Register/Computer	
(2)	Signature of the official making the data entry (Affix stamp of name & designation)	
(3)	Signature of the Prescribed Authority with date (Affix stamp of name & designation)	

**ACKNOWLEDGEMENT**

The undersigned hereby acknowledged having received the original of this return on the date mentioned below :

(1) Date of receipt of Return :

(2) Signature with stamp of name & designation of receipt clerk

**L.N. Tochwang,**  
Secretary to the Govt. of Mizoram,  
Taxation Department.