



No 2819 /ICT
REV-24/8/2016 - REV-CCT

Dated 23.02.2017

To
DCCTs / ACCTs of Circles

Sub: OVAT Assessment Check-Sheet

Madam/Sir,

Assessment Orders are the most vital document under the OVAT administration. If an Assessment Order is correctly made, it can stand the scrutiny of higher Appellate Authorities. On the other hand, if it is not correctly made, it runs the risk of being set-aside by the higher Appellate Authorities.

Therefore, to guide Assessing Officers in making correct Assessment Orders, a Check-Sheet for OVAT Assessment is enclosed herewith.

1. The OVAT Assessment Check-Sheet (5 pages) has to be filled-up personally by the Assessing Officer before finalizing the Assessment Order.
2. The filled-up Check-Sheet, duly signed by the Assessing Officer, shall be kept in the assessment file in proper manner as an official document.
3. Assessment Order shall be finalized after completion of the step mentioned above.

Please note that the OVAT Assessment Check-Sheet is designed and prescribed only for the guidance of Assessing Officers so that some basic and important aspects of OVAT assessment are not lost sight of. It should not be construed that the Assessment shall be limited only to the points mentioned in the Check-Sheet. In fact, the assessment must dwell upon all points relevant to the assessment irrespective of whether the points are mentioned in the Check-Sheet or not.

This should be brought to the notice of all Assessing Officers for immediate compliance. Non-compliance of this instruction shall be treated as dereliction of duty.

Yours faithfully



Commissioner of Commercial Taxes
Government of Odisha, Cuttack

Memo No 2815 /CT

Dated 23.02.17

Copy to all JCCTs of Territorial Ranges for information and necessary action.
They are requested to bring this to the notice of all JCCT (Appeal) / DCCT (Appeal) of their Range.



Commissioner of Commercial Taxes
Government of Odisha, Cuttack

Memo No 2816 /CT

Dated 23.02.17

Copy to all Spl. CCTs / Addl. CCTs of Commercial Tax Organization for information.



Commissioner of Commercial Taxes
Government of Odisha, Cuttack

OVAT ASSESSMENT CHECK SHEET
(To be filled up by the AO and kept in the assessment file)

<i>Name of the dealer:</i>	
<i>TIN:</i>	
<i>Nature of Business:</i>	
<i>Period of Assessment:</i>	

1. Scrutiny of Returns

		<u>Description</u>	<u>Yes/ No</u> (Write Yes or No)	<u>Amount</u> (Write the Amount)
(a)		Whether all returns falling under the period of assessment have been filed in time.		
	(i)	If not, whether due interest and penal interest for late filing as per Section 34(1) / 34(3) of the OVAT Act has been paid.		
	(ii)	If paid, mention the amount so paid		
	(iii)	If not paid, the same should be calculated at the time of assessment. Mention the amount so calculated for payment.		
(b)		Whether verification all the returns falling under the assessment period under the OVAT Act has been done to detect mismatch between closing balances of ITC/Excess Payment of the preceding tax period with the opening balance of ITC/Excess Payment of the succeeding tax period.		
	(i)	Whether any mismatch detected		
	(ii)	If Yes, the same should be properly addressed to in the Assessment Order. Mention the relevant amount.		

2. ITC Position

	<u>Description</u>	<u>Amount</u> (Write the Amount)		
		As per Return filed by the dealer	As per Audit	As determined by the Assessing Officer
(a)	ITC brought forward from the tax period immediately preceding the period of assessment, i.e. OB			
(b)	ITC generated during the period of assessment			
(c)	ITC carried forward to the next tax period (post assessment) i.e. CB			
(d)	ITC available before making reduction [(a)+(b)-(c)]			
(e)	Reduction on account of Dispatch of Goods otherwise than by way of sale			
(f)	Reduction on account of sale in course of inter-state trade and commerce			
(g)	Reduction on account of sale value being less than corresponding purchase value			
(h)	Reduction on account of VAT Paid on goods which are not input			
(i)	Reduction on account of VAT Paid on goods for use in mining, generation of electricity including captive power plant			
(j)	Reduction on account of Proportionate reduction towards sale of goods exempted from tax			
(k)	Reduction on account of ITC adjusted against CST payable			
(l)	Reduction of ITC on consumables utilized in the works contract. (Applicable to works contractor only)			
(m)	Reduction due to any other reason			
(n)	Total amount of ITC to be reduced (e+f+g+h+i+j+k+l+m)			
(o)	ITC available for adjustment during the period of assessment [(d)-(n)]			

3. Details of tax deposited

	<u>Description</u>	<u>Amount</u> (Write the Amount)		
		As per Return filed by the dealer	As per Audit	As determined by the Assessing Officer
(a)	Excess payment (including TDS) brought forward from the previous tax period prior to assessment as excess payment i.e. OB			
(b)	Tax deposited (including TDS/ Checkgate etc) during the period of assessment			
(c)	Excess payment (including TDS) carried forward to the next tax period as excess payment (post assessment period) as OB			
(d)	Payment available for adjustment against tax payable [(a)+(b)-(c)]			

4. Amount of refund already availed during the assessment period (prior to the date of assessment)

	<u>Description</u>	<u>Yes/ No</u> (Write Yes or No)	<u>Amount</u> (Write the Amount)
(a)	Whether any refund has been sanctioned in favor of the dealer during the period of assessment		
(b)	If Yes, mention the refund amount		
	(i) On account of excess carry forward ITC		
	(ii) On account of excess payment including TDS		
	(iii) On account of export		
	(iv) Total refund amount		
(c)	In case refund sanctioned as above, whether necessary reduction of ITC in the respective return has been made or not.		
(d)	If no, such reduction should be made in the assessment. Mention the amount.		

5. Total value of goods purchased and received

	<u>Description</u>	<u>Amount</u> (Write the Amount)		
		As per VAT Return	As per OET Return	Discrepancy (If any)
(a)	From within the State			
(b)	From outside the state			
(c)	By import			
(d)	Branch Transfer from outside the State			
(e)	Total			

6. Works Contractor (This is to be filled up if the dealer is a works contractor)

	<u>Description</u>	<u>Yes/ No</u> (Write Yes or No)
(a)	Whether books of accounts have been maintained to record the expenditure towards labour and service charges.	
(b)	If maintained, whether these are acceptable (If acceptable, the amount of labour and service charges has to be derived as per books of account)	
(c)	If books of account is not maintained or maintained but is not acceptable, whether the amount of labour and service charges is ascertainable from the Works Agreement. (If yes, the amount of labour and service charges has to be derived as per agreement)	
(d)	In the absence of books of accounts or if the books of account are maintained but are not acceptable or where labour and service charges are not ascertainable from the agreement, whether amount of labour and service charges has been determined on the basis of percentage mentioned in Appendix to Rule 6(e) of OVAT Rules	
(e)	If No, whether the details have been mentioned in the Assessment Order or not.	

7. Calculation Sheet

<u>Description</u>	<u>Yes/ No</u> (Write Yes or No)
Whether the calculation sheet showing GTO and TTO determined, Taxable Turnover under different tax groups, details of Output Tax payable, adjustment made on account of available ITC / tax paid / TDS available, etc has been kept in file.	

8. Out-come of assessment

	<u>Description</u>	
(a)	What is the outcome of the assessment (Demand/ Refund/ No Demand—No Refund)	Demand / Refund/ No Demand No Refund (Tick the correct one)
(b)	In case of demand, whether mandatory penalty equal to twice the tax payable has been imposed for assessment period ending on or before 30.09.2015 (If no, explain the reason in the Assessment Order)	Yes/ No (Tick the correct one)
(c)	In case of refund, mention the refund amount	

Name and Signature of the Assessing Officer

Date:

Important

Please note that this Check-sheet has been designed and prescribed only for the guidance of Assessing Officers so that some basic and important aspects of OVAT assessment are not lost sight of. It should not be construed that the assessment shall be limited only to the points mentioned in this Check-sheet. In fact, the assessment must dwell upon all points relevant to the assessment irrespective of whether the points are mentioned in the Check-Sheet or not.