

**(TO BE PUBLISHED IN PART IV OF THE DELHI GAZETTE
EXTRAORDINARY)
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF TRADE AND TAXES
BIKRI KAR BHAWAN, I.P. ESTATE, NEW DELHI**

No.F.4(1)/P-II/VAT/NOTI/2005/1014

Dated : 23rd Sept. 2005

NOTIFICATION

In exercise of powers conferred by proviso to sub-section (3) of section 24 of the Delhi Value Added Tax Act, 2004 (Delhi Act No.3 of 2005) (hereinafter referred to as the "said Act"). I, R.K. Verma, Commissioner, Value Added Tax, Delhi hereby exempt the following class of dealers who have been deemed to be registered under the said Act in pursuance of provisions contained in sub-section (1) of section 24 from furnishing of a fresh security as required under sub-section (3) of section 24 of the said Act.

- (i) The dealers who have opted to pay tax under the composition scheme under section 16 of the said Act.
- (ii) The dealers whose security furnished under the Delhi Sales Tax Act, 1975, Delhi Sales Tax on Works Contract Act, 1999 and Delhi Sales Tax on Right to Use Goods Act, 2002 (hereinafter referred to as "the repealed Acts") was for the amount not less than one lakh rupees, subject to furnishing in the concerned ward within the time stipulated under the said Act, an undertaking, in the form annexed herewith, duly signed by the existing surety Bank/dealer, to the effect that such security executed under the repealed Acts would be valid and shall be enforceable against him under the Delhi Value Added Tax Act, 2004.
- (iii) The dealers whose security furnished under the repealed Acts was for the amount less than one lakh rupees but not less than the amount of security computed in accordance with the provisions contained in the proviso to sub-rule (1) of rule 22 of the Delhi Value Added Tax Rules, 2005, subject to furnishing in the concerned ward within the time stipulated under the said Act, an undertaking in the annexed form, duly signed by the existing surety dealer/bank that such security executed under the repealed Acts shall be valid and shall be enforceable against him/them under the Delhi Value Added Tax Act, 2004 also along with the self attested copies of the documents in support of the reduction of the security amount.

Provided further that this exemption shall not be available to the dealers who have not filed their due returns by the due date under the Delhi Value Added Tax Act, 2004 or those dealers against whom proceedings have been initiated on the ground of evasion of tax or concealment of turnover under the repealed Acts or the said Act.

Provided further that this exemption shall not restrain the Department from requiring any dealer to furnish a fresh security in the event of such dealer becoming return defaulter or found indulging in activities prejudicial to the interest of revenue.

(R.K. Verma)

Commissioner (Value Added Tax)

No.F.4(1)/P-II/VAT/NOTI/2005/1014

Dated : 23rd Sept. 2005

Copy forwarded for information and necessary action to:-

1. The Pr. Secretary (GAD), Govt. of NCT of Delhi with one spare copy for its publication in Delhi Gazette Part-IV (extraordinary) in today's date.
2. The Secretary to Finance Minister, GNCT of Delhi, Delhi Sachivalaya, I.P. Estate, New Delhi.
3. The Pr. Secretary (Finance), GNCT of Delhi, Delhi Sachivalaya, I.P. Estate, New Delhi.
4. The Registrar, Sales Tax Appellate Tribunal, Bikrikar Bhawan, I.P. Estate, New Delhi.
5. The System Analyst, EDP, for uploading the notification on the Departmental Website.
6. All Additional Commissioners, Joint Commissioners, Deputy Commissioners, VATOs and AVATOs.
7. The President, Sales Tax Bar Association (Regd.), Delhi.
8. Guard File.

(R.K. Verma)

Commissioner (Value Added Tax)

(TO BE EXECUTED ON STAMP PAPER OF RS. 10/-)

UNDERTAKING

I, _____ S/o _____
R/o _____ and Proprietor / Partner / Director / Principal Officer of
M/s _____ (Surety Dealer holding
TIN No. _____) do hereby state as under :-

1. that I / my concern / firm / company had executed surety bond for Rupees _____ in favour of M/s _____ (dealer) under Delhi Sales Tax Act, 1975 / Delhi Sales Tax on Works Contract Act, 1999 / Delhi Sales Tax on Right to Use Goods Act, 2002;
2. that I / my concern / firm / company undertakes to stand surety for the aforesaid amount in favour of M/s _____ under Delhi Value Added Tax Act, 2004 and the aforesaid surety bond shall be enforceable against me / us under this Act also;
3. that the aforesaid undertaking has been given on the request of M/s _____ who is registered vide TIN No. _____.

DEPONENT

VERIFICATION

Verified on _____ that the contents of the above undertaking are true and correct.

DEPONENT