

GOVERNMENT OF ASSAM
OFFICE OF THE COMMISSIONER OF TAXES, ASSAM :: KAR BHAWAN
DISPUR, GUWAHATI-6

CIRCULAR NO. 56/2019-GST

Dated Dispur the 10th May, 2019.

Subject: Submission of Form for one time option to pay tax on construction of apartments in a project by the promoters at the rate as specified for item (ie) or (if), against serial number 3 in the Table in the rate notification no. 03/2019, as the case may be, by 20th of May, 2019-reg.

No. CT/GST-15/2017/372. — You are well aware that by Rate Notification no 03/2019, the entry at Serial No. 3 of the Notification No.11/2017 (FTX.56/2017/24 dated 29th June, 2017) is amended and the new GST rates have been prescribed for the Residential Real Estate Project (RREP) and the Real Estate Project (REP).

In order to avail the benefits under rate notification no. 03/2019, it is necessary to submit a Form given in **Annexure-IV** of the said Notification for exercising the one time option to pay tax on construction of apartments in a project by the promoters at the rate as specified for **item(ie)** : *Construction of an apartment in an ongoing project under any of the schemes specified in sub-item (b), sub-item (c), sub-item (d), sub-item (da) and sub-item (db) of item (iv); sub-item (b), sub-item (c), sub-item (d) and sub-item (da) of item (v); and sub-item (c) of item (vi), against serial number 3 of the Table, in respect of which the promoter has exercised option to pay state tax on construction of apartments at the rates as specified for this item. Or item (if) : Construction of a complex, building, civil structure or a part thereof, including,- (i) commercial apartments (shops, offices, godowns etc.) by a promoter in a REP other than RREP, (ii) residential apartments in an ongoing project, other than affordable residential apartments, in respect of which the promoter has exercised option to pay state tax on construction of apartments at the rates as specified for this item in the manner prescribed therein, but excluding supply by way of services specified at items (i), (ia), (ib), (ic), (id) and (ie) above intended for sale to a buyer, wholly or partly, except where the entire consideration has been received after issuance of completion certificate, where required, by the competent authority or after its first occupation, whichever is earlier.*

In view of the mandate given in the aforesaid notification that one-time option to pay tax on construction of apartments in a project by the promoters at the rate as specified for item (ie) or (if), against serial number 3 in the Table of the Notification cited above is required to be submitted to the concerned Jurisdictional Officer of the respective Unit Office **on or before 20th May,2019.**

All the stake holders are requested to submit the option Form in the said **Annexure-IV** accordingly. It may please be noted that in case such Form is not submitted then it shall be deemed that such promoter is liable to pay tax in respect of the ongoing project as per Notification No 03/2019 at the reduced rate of 0.75% and 3.75% for the RREP and REP, respectively.

This Circular is clarificatory in nature and not meant for any interpretation of provisions of the Act and rules.

Difficulties, if any, in implementation of the above instructions may be brought to the notice of the Commissioner at an early date.

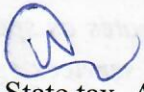
Sd/- Anurag Goel, IAS.,
Commissioner of State tax, Assam,
Dispur, Guwahati

Memo No. CT/GST-15/2017/372-A

Dated Dispur the 10th May, 2019.

Copy to :

1. The Additional Chief Secretary to the Government of Assam, Finance Department, Dispur, Guwahati-6 for favour of kind information.
2. The Commissioner & Secretary to the Government of Assam, Finance (Taxation) Department, Dispur, Guwahati-6 for favour of kind information.
3. The Commissioner of Central GST, Guwahati / Dibrugarh for information.
4. The Additional Commissioner of State tax (All) / Joint Commissioner of State tax (All) for information.
5. The Deputy Commissioner of State tax (All) / Assistant Commissioner of State tax (All) / Superintendent of State tax (All) / Inspector of State tax (All) for information and necessary action.
6. The Information Technology Officer, Office of the Commissioner of State tax, Assam for uploading it on the website of the Commissionerate for information of all concerned.


Commissioner of State tax, Assam,
Dispur, Guwahati

FORM

(Form for exercising one-time option to pay tax on construction of apartments in a project by the promoters at the rate as specified for item (ie) or (if), against serial number 3 in the Table in this notification, as the case may be, by the 20th of May, 2019)

Reference No. _____

Date _____

To _____

(To be addressed to the jurisdictional Officer)

1. GSTIN:
2. RERA registration Number of the Project:
3. Name of the project, if any:
4. The location details of the project, with clear demarcation of land dedicated for the project along with its boundaries including the longitude and latitude of the end points of the project:
5. The number, type and the carpet area of apartments for booking or sale in the project:
6. Date of receipt of commencement certificate:

Declaration

1. I hereby exercise the option to pay tax on construction of apartments in the above mentioned project as under :

I shall pay tax on construction of the apartments: (put (√) in appropriate box)	At the rate as specified for item (ie) or (if), against serial number 3 in the Table in this notification, as the case may be	At the rate as specified for item (i) or (ia) or (ib) or (ic) or (id), against serial number 3 in the Table in this notification, as the case may be

2. I understand that this is a onetime option, which once exercised, shall not be allowed to be changed.
3. I also understand that invoices for supply of the service can be issued during the period from 1st April 2019 to 20th May 2019 before exercising the option, but such invoices shall be in accordance with the option being exercised herein.

Signature _____
Name _____
Designation _____

Place _____
Date _____