

**GOVERNMENT OF WEST BENGAL
DIRECTORATE OF COMMERCIAL TAXES
14, BELIAGHATA ROAD, KOLKATA-700 015**

Trade Circular No. 13/2012

Dated 29th August, 2012.

Sub : Registration of One-off Sellers.

Representations have been received from various quarters about the rigours of obtaining registration under the WBVAT Act, 2003 and subsequent compliance in the form of submission of regular returns etc. by entities who have made only one-off sale of taxable goods in West Bengal in excess of the taxable quantum of Rs. 5 lakh. The examples cited include the case of a firm which is only a service provider and is not otherwise liable to pay tax on sale or purchase of goods in West Bengal but may acquire liability to pay tax if one-off sale of old office equipment is made in excess of Rs. 5 lakh. Such a firm may have to incur costs for complying with the formalities of obtaining VAT registration and submission of regular returns, audit reports etc. thereafter without any commensurate revenue implications.

Section 10(3)(b) of the Act sets the liability from the following date and section 23(1) bars carrying on business without being registered. Thus after consideration of the representation, reading of the laws and to facilitate better service delivery through increased ease-to-do-business to the concerned entities, it has been decided that a trust or a body corporate which makes only one-off sale of taxable goods purchased from within West Bengal, but does not carry on business as a “dealer” thereafter for the next three years or does not otherwise become liable to pay tax under the WBVAT Act, 2003 during such period, need not obtain registration under section 24(1)(a) of the WBVAT Act, 2003. In this context “one-off sale” refers to a single sale of goods by a trust or a body corporate which is not engaged in the business involving buying or selling goods in West Bengal.

(Binod Kumar)
Commissioner,
Sales Tax, W.B.

Memo No. 624(225)CT/PRO
3C/PRO/2008

Dated : 29.08.2012

Copy forwarded for information and necessary action to :

- 1) The Principal Secretary, Finance (Revenue) Department, Government of West Bengal.
- 2) Spl. Commissioner, Sales Tax, W.B./Addl. Commissioner, Sales Tax, W.B.
- 3) Spl. Officer, Bureau of Investigation.
- 4) Sr. Joint Commissioner, Sales Tax (H.Q.)
- 5) Sr. Joint Commissioner, Sales Tax.....
Circle/Range/Central Section.
- 6) Jt. Commissioner, Sales Tax.....Circle/Charge.
- 7) Public Relations Officer, Directorate of Commercial Taxes, W.B.
- 8) Trade Bodies.
- 9) Website HYPERLINK <http://www.wbcomtax.gov.in>

for Commissioner,
Sales Tax, W.B.