

No.C1/520/2006

Office of the Commissioner  
Dept of Commercial Taxes,  
Thiruvananthapuram.  
dt 18-11-2006

**CIRCULAR No.39/2006**

Sub:- Kerala Value Added Tax Act,2003 – Transport of notified goods into the State-Section 46(3)- insistence on Delivery Note in Form 15 – instructions – issued – reg

As per the amendment to sub section (3) of section 46 of the Kerala Value Added Tax Act, 2003 made by Kerala Finance Act, 2006 every transport of notified goods into or out of the State shall be accompanied by Delivery Note in Form 15, prescribed under the said Act. Feedback received on the issue from various quarters reveals that there exists some inconvenience especially when such goods are transported into the State from other States in pursuance to an agreement/order of interstate purchase. When dealers outside the State consign goods in pursuance of an order of interstate sale, they may not be in a position to get the Form 15 from the purchasing dealer in Kerala well in advance, which may cause inconvenience in such transaction. The statutory provision is mainly intended to see that transports of notified goods are done only in bonafide cases. The issue has been examined and the following instructions are issued:

When notified goods are consigned by registered dealers outside the State in pursuance of an order or agreement of interstate purchase by a dealer in the State of Kerala, Form 15 prescribed under KVAT Act,2003 need not be insisted upon, provided the consignments are accompanied by

- i) a Delivery Note prescribed under the respective local Acts of the State from where the goods are consigned and
- ii) a letter of confirmation issued by the consignee dealer to the effect that the consignment in question is against a valid purchase agreement/order given by such consignees, or a copy of the purchase order.

All officers are directed to see that the above directions are strictly complied with.

Commissioner.