# COMPILED BY

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| SL.NO | State | Audit Date | Section | By |
|---|---|---|---|---|
| 1 | Andhra Pradesh | As per direction of commissioner | 42 | CA/CWA/STP |
| 2 | Arunanchal Pradesh | Within Six Months | 50 | CA |
| 3 | Assam | Within Seven Months | 62 | CA/CWA |
| 4 | Bihar | 31st December for Companies & 31st July for others | 54 | CA/CWA |
| 5 | Chandigarh | 20th November | 43 | CA |
| 6 | Chattish garh | Within Eight Months (with form- 18) | 41 | CA |
| 7 | Delhi | Within 9 Months | 49 | CA/CWA |
| 8 | Punjab | 20th November | 43 | CA |
| 9 | Jammu & Kashmir | 30th September | 60 | CA/CWA |
| 10 | Rajasthan | Within 9 Months | 73 | CA/CWA |
| 11 | Uttranchal | 31st December | 62 | CA/CWA |
| 12 | Haryana | N.A | NIL | NIL |
| 13 | H.P | N.A | NIL | NIL |
| 14 | U.P | Within Six Months | 21 | CA/CWA |
| 15 | Dadra and Nagar Haveli | Within Six Months | 49 | CA |
| 16 | Daman and Diu | Within Six Months | 49 | CA |
| 17 | Goa | Within 10 Months | 70 | CA |
| 18 | Gujarat | Within 9 Months | 63 | CA/CWA/STP |
| 19 | Jharkhand | Within 9 Months | 63 | CA/CWA/STP |
| 20 | Karnataka | Within 9 Months | 31 | CA/CWA/STP |
| 21 | Kerela | 31st December for Companies & 31st October for others | 42 | CA/CWA |
| 22 | M.P | 31st October | 39 | CA/CWA |
| 23 | Maharastra | Within 10 Months | 61 | CA/CWA |
| 24 | Manipur | Within Six Months | 58 | CA |
| 25 | Meghalaya | Within Six Months | 86 | CA |
| 26 | Mizoram | Within Six Months | 53 | CA/CWA |
| 27 | Nagaland | Within Six Months | 58 | CA |
| 28 | Orrisa | Within Six Months | 65 | CA/CWA |
| 29 | Puducherry | 30th September | 54 | CA/CWA |
| 30 | Sikkim | Within Six Months | 58 | CA |
| 31 | Tamil Nadu | N.A / Departmental Audit | NIL | NIL |
| 32 | Tripura | Within Six Months | 53 | CA/CWA |
| 33 | West Bengal | 31st December | 30E | CA/CWA |

## Understanding the Audit Provisions for Professionals: Who & Where

| **A. Total States Having Audit Provisions** | **State / U.T/ Laws** |
|---|---|
| **1. Total No. of VAT Acts** | **33** |
| **2. There is no Audit Provision in (Haryana & H.P.)** | **02** |
| **3. There is Departmental Audit in (Tamil Nadu)** | **01** |
| **4. At the Direction of the Commissioner** | **01** |
| **4 Total States with Audit provisions (1-2-3-4)** | **29** |

**B. How the Professionals are entitled in VAT laws to conduct Audit**

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|---|---|
| **1. Chartered / Cost Accountants** | **15** |
| **2. Chartered / Cost Accountants / STP (incl. A.P @ direction of the Commissioner)** | **04** |
| **3. Chartered Accountants only** | **11** |
| **4. Total** | **30** |

## Understanding Audit Due Dates under Various VAT Acts

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|---|---|
| **1. Total No. of Auditable States (Specified)** | **29** |
| **2. Audit within 6 Months (Incl. 30th September)** | **13** |
| **3. Audit within 7 Months** | **02** |
| **4. Audit within 8 Months** | **03** |
| **5. Audit within 9 Months** | **09** |
| **6. Audit within 10 Months** | **02** |

**(Note: in the State of Bihar the date other than for the companies is 31st July and in Kerela the date is 31st October)**

## STATEWISE AUDIT PROVISIONS /ANALYSIS

### 1. Andhra Pradesh Audit Provision- Section 42 of the Act.

(1) Every VAT dealer or TOT dealer shall maintain the documents and records specified in the rules at the place of business so registered in the English language or in any of the languages specified in the Eighth Schedule to the Constitution.

(2) Every person registered under the Act, every dealer liable to get himself registered under the Act every agent acting on behalf of a resident principal and every other dealer who is required so to do by the authority prescribed by notice served in the prescribed manner, shall keep and maintain a true and correct account promptly in any of the languages mentioned in sub-section (1) showing such particulars as may be prescribed; and different particulars may be prescribed for different classes of persons or dealers.

(3) The Commissioner may get the books of accounts maintained by any dealer audited by a Chartered Accountant or Cost Accountant or an enrolled Sales Tax Practitioner for any tax period.

(4) Records required to be maintained under sub-section (1) shall be retained for a period of six years after the end of the year to which they relate or where the assessment is subject matter of appeal or revision under Sections 31, 32, 33, 34 or 35, the records shall be retained for a period of six years after the assessment has become final.

| Provision | Comments |
|---|---|
| Every ***VAT dealer or TOT dealer shall maintain the documents and records*** specified in the ***rules*** at the ***place of business so registered*** | Vat or TOT dealer should maintain the documents and records as given the rules at the registered place of business |
| Every person registered under the Act, every dealer liable to get himself registered under the Act every agent acting on behalf of a resident principal and every other dealer who is required so to do by the authority prescribed by notice served in the prescribed manner, shall keep and maintain a true and correct account promptly in any of the languages mentioned in sub-section (1) showing such particulars as may be prescribed; and different particulars may be prescribed for different classes of persons or dealers. | Every **person registered**, every **dealer liable to get himself registered**, every **agent acting on behalf of a resident principal** and every **other dealer who is required so to do** by the authority prescribed by notice served in the prescribed manner, shall keep and maintain a true and correct account showing such particulars as may be prescribed; and different particulars may be prescribed for different classes of persons or dealers. |
| The Commissioner may get the books of accounts maintained by any dealer audited by a Chartered Accountant or | The Commissioner may get the books of accounts by any dealer audited by a Chartered Accountant or Cost Accountant |

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| Cost Accountant or an enrolled Sales Tax Practitioner for any tax period. | or an enrolled Sales Tax Practitioner for any tax period.<br><br>Therefore in the state the audit is not automatic but on the discretion of the commissioner and has the power to ask for audit for any period including that of last six years or in the any year for which assessment is pending or within six years after the assessment has been finalized. |
| Records required to be maintained under sub-section (1) shall be retained for a period of six years after the end of the year to which they relate or where the assessment is subject matter of appeal or revision under Sections 31, 32, 33, 34 or 35, the records shall be retained for a period of six years after the assessment has become final. | |

**2. Arunanchal Pradesh Audit Provision- Section 50 of the Act.**

| If in respect of any particular year, the gross turnover of a dealer exceeds Rupees fifty lakh or such other amount as may be prescribed, then such dealer shall get his accounts in respect of such year audited by an accountant within six months from the end of that year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed. A true copy of such report shall be furnished by such dealer to the Commissioner by the date prescribed. | |
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| **Provision** | **Comments** |
| If in respect of any particular year, the gross turnover of a dealer exceeds Rupees fifty lakh or such other amount as may be prescribed, then such dealer shall get his accounts in respect of such year audited by an accountant within six months from the end of that year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed. A true | If the gross turnover of a dealer exceeds Rupees fifty lakh or such other amount as may be prescribed, then such dealer shall get his accounts audited by an ***accountant*** within six months from the end of that year.<br><br>Where Accountant in Section (2) has been defined as:- |

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| copy of such report shall be furnished by such dealer to the Commissioner by the date prescribed. | "Accountant" means<br><br>(i) a Chartered Accountant within the meaning of the Chartered Accountants Act, 1949;<br><br>(ii) a person who by virtue of the provisions of section 226(2) of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered; or<br><br>(iii) a person referred to in Section 619 of the Companies Act, 1956. |

**3. Assam Audit Provision- Section 62 of the Act.**

(1) Where in any particular year, the gross turnover of a dealer exceeds forty lakhs rupees or such other amount as the Commissioner may, by notification in the Official Gazette, specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within seven months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed:

Provided that in a case where such dealer is required under any other law to get his accounts audited, it shall be deemed to be sufficient compliance if he gets his accounts audited under such law and furnishes an audit report as required under such law and a further report in the form prescribed under this section within the time specified under sub-section (2).

(2) A copy of such report shall be furnished by such dealer to the Prescribed Authority along with the annual return within seven months from the end of the year to which the return relates.

(3) If any dealer fails to get his accounts audited under sub-section (1) and fails to furnish a true copy of the audit report within the time specified in sub-section (2), the Prescribed Authority may, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to half percent of the gross turnover or a sum of rupees one lakh, whichever is less.

*Explanation.-For the purpose of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 (*Central Act 38 of 1948*) or a Cost Accountant within the meaning of the Cost and Works Accountants Act, 1959 (*Central Act 23 of 1959*) and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956 (*Central Act 1 of 1956*), is entitled to be appointed to act as an auditor of Companies registered under the said Act.*

| Provision | Comments |
|---|---|
| Where in any particular year, the gross turnover of a dealer exceeds forty lakhs rupees or such other amount as the Commissioner may, by notification in the Official Gazette, specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within seven months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed:<br><br>Provided that in a case where such dealer is required under any other law to get his accounts audited, it shall be deemed to be sufficient compliance if he gets his accounts audited under such law and furnishes an audit report as required under such law and a further report in the form prescribed under this section within the time specified under sub-section (2). | If the gross turnover of a dealer exceeds Rupees forty lakh or such other amount as may be prescribed, then such dealer shall get his accounts audited by an ***accountant*** within seven months from the end of that year.<br><br>Provided that in a case where such dealer is required under any other law to get his accounts audited, it shall be deemed to be sufficient compliance if he gets his accounts audited under such law and furnishes an audit report as required under such law ***and a further report in the form prescribed under this section.*** |
| A copy of such report shall be furnished by such dealer to the Prescribed Authority along with the annual return within seven months from the end of the year to which the return relates. | A copy of such report shall be furnished to the Prescribed Authority **along with the annual return** within seven months from the end of the year to which the return relates. |
| If any dealer fails to get his accounts audited under sub-section (1) and fails to furnish a true copy of the audit report within the time specified in sub-section (2), the Prescribed Authority may, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to half percent of the gross turnover or a sum of rupees one lakh, whichever is less. | If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to half percent of the gross turnover or a sum of rupees one lakh, whichever is less.** |

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| *Explanation.-For the purpose of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 (*Central Act 38 of 1948*) or a Cost Accountant within the meaning of the Cost and Works Accountants Act, 1959 (*Central Act 23 of 1959*) and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956 (*Central Act 1 of 1956)*, is entitled to be appointed to act as an auditor of Companies registered under the said Act.* | |

**4. Bihar Audit Provisions- Section 54 of the Act**

(1) Every dealer whose gross turnover exceeds forty lakh rupees shall, for the purposes of this Act, get his annual accounts audited by an accountant before the due date within the meaning of the Explanation to sub-section (3) of section 24 of this Act.

(2) Every dealer referred to in sub-section (1) shall obtain, by the date specified in that sub-section, a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed and a true copy of such report shall be furnished by such dealer to the prescribed authority, on or before the due date within the meaning of the Explanation to sub-section (3) of section 24 of this Act.

Explanation 2. - For the purposes of this section, "accountant" means a Chartered Accountant within the meaning of the Chartered Accountants Act 1949 (38 of 1949) and institute of Cost and works Accountants of India Act, 1959 and includes a person who, by virtue of the provisions of sub section (2) of Section 226 of the Companies Act, 1956 (1 of 1956), is entitled to be appointed to act as an auditor of companies registered in any State.

Provided that the Commissioner may, by a notification and for specific reasons to be recorded in writing, extend the date of furnishing such report for a period not exceeding three months from the due date.

| Provision | Comment |
|---|---|
| Every dealer whose gross turnover exceeds forty lakh rupees shall, for the purposes of this Act, get his annual accounts audited by an accountant before the due date within the meaning of the Explanation to sub-section (3) of section | Every dealer whose gross turnover exceeds forty lakh rupees shall, get his annual accounts audited by an ***accountant*** |

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| 24 of this Act. | |
| Every dealer referred to in sub-section (1) shall obtain, by the date specified in that sub-section, a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed and a true copy of such report shall be furnished by such dealer to the prescribed authority, on or before the due date within the meaning of the Explanation to sub-section (3) of section 24 of this Act.<br><br>Explanation 2.- For the purposes of this section, "accountant" means a Chartered Accountant within the meaning of the Chartered Accountants Act 1949 (38 of 1949) and institute of Cost and works Accountants of India Act, 1959 and includes a person who, by virtue of the provisions of sub section (2) of Section 226 of the Companies Act, 1956 (1 of 1956), is entitled to be appointed to act as an auditor of companies registered in any State.<br><br>Provided that the Commissioner may, by a notification and for specific reasons to be recorded in writing, extend the date of furnishing such report for a period not exceeding three months from the due date. | "accountant" means a Chartered Accountant and Cost Accountant<br><br>Provided that the Commissioner may, by a notification and for specific reasons to be recorded in writing, extend the date of furnishing such report for a period not exceeding three months from the due date. |

**5. Chandigarh Audit Provisions- Section 43 of the Act**

Every person whose gross turnover in a year exceeds the prescribed limit, shall have his accounts audited by an accountant and shall submit to the designated officer a VAT audit report in the prescribed form duly signed by such accountant and setting forth such particulars and certificates as may be prescribed.

Explanation.- In this section "accountant" means a chartered accountant within the meaning of the Chartered Accountants Act, 1949 (Central Act No. 38 of 1949), and includes any person, who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956 (Central Act No. 1 of 1956), is entitled to be appointed to act as

| an auditor of companies. | |
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| **Provision** | **Comments** |
| **Every person whose gross turnover in a year exceeds the prescribed limit , shall have his accounts audited by an accountant and shall submit to the designated officer a Vat audit report in the prescribed form duly signed by such accountant and setting forth such particulars and certificates as may be prescribed.**<br><br>**Explanation :- In this section " accountant" means a chartered accountant within the meaning of the Chartered Accountants Act ,1949 ( Central Act No. 38 of 1949 ), and includes any person , who by virtue of the provisions of sub section (2) of section 226 of the Companies Act ,1956 (Central Act No. 1 of 1956), is entitled to be appointed to act as an auditor of companies.** | Every person whose gross turnover in a year exceeds the prescribed limit , shall have his accounts audited by an accountant<br><br>"accountant" means a ***Chartered Accountant*** |

**6. Chattisgarh Audit Provisions- Section 41 of the Act**

(1) Every registered dealer and every dealer liable to pay tax under this Act shall maintain correct account of his purchases, sales and stocks showing value, of different kinds of goods subject to different rates of tax under this Act.

(2) Every dealer whose turnover in a year exceeds rupees forty lac shall get his accounts audited by a chartered accountant before the prescribed date and furnish the report of such audit in such form and in such manner and within such time as may be prescribed.

(3) If the Commissioner considers that the accounts maintained by any dealer or any class of dealers do not sufficiently enable him to verify the returns referred to in sub-section (1) of Section 19 or the assessment cannot be made on the basis thereof, he may by an order, require any dealer or by notification any class of dealers, to keep such accounts including records of manufacture, sales, purchases or transfers in such form and in such manner as he may, subject to rules made under this Act, direct.

(4) If the Commissioner considers that any class of dealers are not in a position to maintain accounts in accordance with the provisions of sub-section (1), he may, for reasons to be recorded in writing, exempt such class of dealers from the operation of the provisions of the said sub-section.

| Provision | Comments |
|---|---|
| **Every registered dealer and every dealer liable to pay tax under this Act shall maintain correct account of his purchases, sales and stocks showing value of different kinds of goods subject to different rates of tax under this Act.** | Every registered dealer are required to maintain correct account of his purchases, sales and stocks showing value of different kinds of goods subject to different rates of tax under this Act. |
| **Every dealer whose turnover in a year exceeds rupees forty lac shall get his accounts audited by a chartered accountant before the prescribed date and furnish the report of such audit in such form and in such manner and within such time as may be prescribed.** | **Every dealer whose turnover exceeds rupees forty lac in a year shall get his account audited by a chartered accountant.** |
| **If the Commissioner considers that the accounts maintained by any dealer or any class of dealer do not sufficiently enable him to verify the returns referred to in sub-section (1) of Section 19 or the assessment cannot be made on the basis thereof, he may by an order, require any dealer or by notification any class of dealer, to keep such account including records of manufacture, sales, purchases or transfers in such form and in such manner as he may, subject to rules made under this Act, direct.** | If the accounts maintained do not sufficiently verify the returns or the assessment cannot be made on the basis thereof, then the Commissioner may by an order, require any dealer or by notification any class of dealer, to keep such account including records of manufacture, sales, purchases or transfers in such form and manner as he may, subject to rules made under this Act, direct. |
| **If the Commissioner considers that any class of dealers are not in a position to maintain accounts in accordance with the provisions of sub-section (1), he may, for reasons to be recorded in writing, exempt such class of dealers from the operation of the provisions of the said sub-section**. | If any class of dealers is not in a position to maintain accounts in accordance with the provisions of sub-section (1), Commissioner may, for reasons to be recorded in writing, exempt such class of dealers from the operation of the provisions. |

7. **Delhi Audit Provisions- Section 49 of the Act**

If, in respect of any particular year, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as may be prescribed, then, such dealer shall get his accounts in respect of such year ***audited by an accountant*** within a period of nine months from the end of that year and obtain within that period a report of such audit in the form duly signed and verified by such accountant and setting forth such particulars as may be prescribed under section 44AB of the Income Tax Act, 1961 (43 of 1961), as amended from time to time, and a true copy of such report shall be furnished by such dealer to the Commissioner within twenty eight days from the end of the tax period ending on 31st December of the following year :

Provided that in a case where the dealer is required under section 44AB of the Income Tax Act, 1961 (43 of 1961) to get his accounts audited, it shall be sufficient compliance with the provisions of this section if such dealer gets his accounts audited under the said section 44AB of the Income Tax Act 1961 (43 of 1961) and the rules framed thereunder and furnishes to the Commissioner a true copy of the report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed under section 44AB of the Income Tax Act, 1961 (43 of 1961):

Provided further that the Commissioner may require a dealer or class or classes of dealers to get his or their accounts audited by an accountant and obtain report of such audit duly signed and verified by such accountant and setting forth such particulars and in such format as may be notified by the Commissioner and furnish copy of such report to the Commissioner by the date notified by him.

| Provision | Comments |
|---|---|
| If, in respect of any particular year, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as may be prescribed, then, such dealer shall get his accounts in respect of such year ***audited by an accountant*** within a period of nine months from the end of that year and obtain within that period a report of such audit in the form duly signed and verified by such accountant and setting forth such particulars as may be prescribed under section 44AB of the Income Tax Act, 1961 (43 of 1961), as amended from time to time, and a true copy of such report shall be furnished by such dealer to the Commissioner within twenty eight days from the end of the tax period ending on 31st December of the following year :<br><br>Provided that in a case where the dealer is required under section 44AB of the Income Tax Act, 1961 (43 of 1961) to get his accounts audited, it shall be sufficient compliance with the provisions of this section if such dealer gets his accounts | If, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as may be prescribed, then, such dealer shall get his accounts ***audited by an accountant*** within a period of nine months from the end of that year and setting forth such particulars as may be prescribed under section 44AB of the Income Tax Act, 1961 (43 of 1961), |

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| audited under the said section 44AB of the Income Tax Act 1961 (43 of 1961) and the rules framed there under and furnishes to the Commissioner a true copy of the report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed under section 44AB of the Income Tax Act, 1961 (43 of 1961):<br><br>Provided further that the Commissioner may require a dealer or class or classes of dealers to get his or their accounts audited by an accountant and obtain report of such audit duly signed and verified by such accountant and setting forth such particulars and in such format as may be notified by the Commissioner and furnish copy of such report to the Commissioner by the date notified by him. | ***Provided further that the Commissioner may require a dealer or class or classes of dealers to get his or their accounts audited by an accountant and obtain report of such audit duly signed and verified by such accountant and setting forth such particulars and in such format as may be notified by the Commissioner and furnish copy of such report to the Commissioner by the date notified by him.*** |

## 8. Punjab Audit Provisions- Section 43 of the Act

Every person whose gross turnover in a year exceeds the prescribed limit, shall have his accounts audited by an accountant and shall submit to the designated officer a VAT audit report in the prescribed form duly signed by such accountant and setting forth such particulars and certificates as may be prescribed.

**Explanation.-** In this section "accountant" means a chartered accountant within the meaning of the Chartered Accountants Act, 1949 (Central Act No. 38 of 1949), and includes any person, who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956 (Central Act No. 1 of 1956), is entitled to be appointed to act as an auditor of companies.

| Provision | Comments |
|---|---|
| Every person whose gross turnover in a year exceeds the prescribed limit, shall have his accounts audited by **an accountant** and shall submit to the designated officer a VAT audit report in the prescribed form duly signed by such accountant and setting forth such particulars and certificates as may be prescribed | Every person whose gross turnover in a year exceeds the prescribed limit, shall have his accounts audited by **an accountant** and setting forth such particulars and certificates as may be prescribed |

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| **Explanation.-** In this section "accountant" means a chartered accountant within the meaning of the Chartered Accountants Act, 1949 (Central Act No. 38 of 1949), and includes any person, who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956 (Central Act No. 1 of 1956), is entitled to be appointed to act as an auditor of companies | "accountant" means a chartered accountant . |

### 9. Jammu & Kashmir Audit Provisions- Section 60 of the Act

(1) Any dealer whose gross turnover in a year exceeds rupees forty lac or such other amount as the Commissioner may, by a notification in the Government Gazette, specify, shall get his accounts in respect of that year audited by a Chartered Accountant or Costs and Works Accountant within such period from the end of that year as may be specified by the Commissioner by notification in the Government Gazette. The dealer shall obtain a report of such audit in the prescribed form duly signed and verified by such Chartered Accountant or Costs and Works Accountant and setting forth such particulars as may be prescribed.

(2) A dealer liable to get his accounts audited under sub-section (1) shall furnish such report to the Assessing Authority concerned within such period as may be specified by the Commissioner by notification in the Government Gazette. A true copy of the Audit report shall also be furnished to the Commissioner within the stipulated period.

(3) If any dealer, liable to get his accounts audited under sub-section (1), fails to get his accounts audited or fails to furnish the audit report or true copy thereof within the period specified under sub-section (2), the Assessing Authority shall, after giving such dealer an opportunity of being heard, impose on him. In addition to any tax payable, a penalty equal to 0.25% of the turnover as he may determining to the best of his judgment, in his case, in respect of the said period.

| Provision | Comments |
|---|---|
| Any dealer whose gross turnover in a year exceeds rupees forty lac or such other amount as the Commissioner may, by a notification in the Government Gazette, specify, shall get his accounts in respect of that year audited by a **Chartered Accountant or Costs and Works Accountant** within such period from the end of that year as may be specified by the Commissioner by notification in the Government Gazette. The dealer shall obtain a report of such audit in the | If the gross turnover of a dealer exceeds Rupees fifty lakh or such other amount as may be prescribed, then such dealer shall get his accounts audited by a **Chartered Accountant or Costs and Works Accountant** within such period from the end of that year as may be specified by the Commissioner by notification in the Government Gazette. |

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| prescribed form duly signed and verified by such Chartered Accountant or Costs and Works Accountant and setting forth such particulars as may be prescribed. | |
| (2) A dealer liable to get his accounts audited under sub-section (1) shall furnish such report to the Assessing Authority concerned within such period as may be specified by the Commissioner by notification in the Government Gazette. A true copy of the Audit report shall also be furnished to the Commissioner within the stipulated period. | (2) A dealer shall furnish such report to the Assessing Authority concerned within such period as may be specified. |
| (3) If any dealer, liable to get his accounts audited under sub-section (1), fails to get his accounts audited or fails to furnish the audit report or true copy thereof within the period specified under sub-section (2), the Assessing Authority shall, after giving such dealer an opportunity of being heard, impose on him. In addition to any tax payable, a penalty equal to 0.25% of the turnover as he may determining to the best of his judgment, in his case, in respect of the said period. | (3) If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** 0.25% of the turnover as he may determining to the best of his judgment, in his case, in respect of the said period. |

**10. Rajasthan Audit Provisions- Section 73 of the Act**

(1) Every registered dealer, *other than* the dealer who has opted for payment of tax under sub-section (2) of section 3 or under section 5 or who files e-returns with prescribed documents or submits returns and documents in soft copy to the assessing authority or the officer authorised by the Commissioner, shall, if his turnover exceeds rupees one hundred lacs in any year, get his accounts in respect of such year audited by an Accountant within the prescribed period from the end of that year and furnish within the prescribed period the report of such audit in the prescribed form duly signed and verified by such Accountant setting forth such particulars and certificates as may be prescribed.

**Explanation.-** For the purposes of this section "Accountant" means:-

(i) a Chartered Accountant within the meaning of the Chartered Accountans Act, 1949 (Central Act No. 38 of 1949); and

(ii) a Cost Accountant within the meaning of the Cost and Works Accountants Act, 1959 (Central Act No. 23 of 1959).

(2) If any dealer liable to get his accounts audited under sub-section (1) fails to furnish a copy of such report within the time as aforesaid, the assessing authority or the officer not

below the rank of an Assistant Commercial Taxes Officer authorised by the Commissioner may, impose on him, in addition to any tax payable, a sum by way of penalty equal to one tenth percent of the total turnover of that year or rupees one lac, whichever is less.

| Provision | Comments |
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| Every registered dealer, *other than* the dealer who has opted for payment of tax under sub-section (2) of section 3 or under section 5 or who files e-returns with prescribed documents or submits returns and documents in soft copy to the assessing authority or the officer authorised by the Commissioner, shall, if his turnover exceeds rupees one hundred lacs in any year, get his accounts in respect of such year audited by an Accountant within the prescribed period from the end of that year and furnish within the prescribed period the report of such audit in the prescribed form duly signed and verified by such Accountant setting forth such particulars and certificates as may be prescribed.<br><br>**Explanation.-** For the purposes of this section "Accountant" means:-<br><br>(i) a Chartered Accountant within the meaning of the Chartered Accountans Act, 1949 (Central Act No. 38 of 1949); and<br><br>(ii) a Cost Accountant within the meaning of the Cost and Works Accountants Act, 1959 (Central Act No. 23 of 1959).<br><br>(2) If any dealer liable to get his accounts audited under sub-section (1) fails to furnish a copy of such report within the time as aforesaid, the assessing authority or the officer not below the rank of an Assistant Commercial Taxes Officer authorised by the Commissioner may, impose on him, in addition to any tax payable, a sum by way of penalty equal to one tenth percent of the total turnover of that year or rupees one lac, whichever is | Every registered dealer, *other than* the dealer who has opted for payment of tax under sub-section (2) of section 3 or under section 5 or who files e-returns with prescribed documents or submits returns and documents in soft copy to the assessing authority or the officer authorized by the Commissioner, shall, if his turnover exceeds rupees one hundred lacs in any year, get his accounts audited by an Accountant<br><br>The report of such audit is to be furnish within the prescribed period.<br><br>"Accountant" means:-<br><br>(i) a Chartered Accountant<br><br>(ii) a Cost Accountant<br><br>(2) If any dealer fails to furnish a true copy of the audit report within the time specified ,then after giving the dealer a reasonable opportunity of being heard, , a **fine can be imposed on him equal to** one tenth percent of the total turnover of that year or rupees one lac, whichever is less. |

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| less. | |

**11. Uttranchal Audit Provisions- Section 62 of the Act**

(1) Where in any particular year gross turnover of a dealer exceeds One crore rupees or such other amount as the State Government may, by notification in the Official Gazette, specify, then such dealer shall get his accounts, in respect of that year, audited by an accountant before 31st December in the following year and obtain a report of such audit duly signed and verified by such accountant and setting forth such particulars as may by prescribed.

(2) A true copy of such report shall be furnished by such dealer to the assessing authority within two months after the expiry of the period during which the audit is required to be completed as per sub-section (1).

(3) Where in any particular year gross turnover of a dealer exceeds forty lakh rupees but does not exceed one crore rupees then such dealer shall furnish a true copy of the audit report of his accounts duly signed and verified by a chartered accountant, or a Cost Accountant or an Auditor. This report shall be submitted to the assessing authority by 31st December of the following Year.

Explanation- For the purpose of this Section. "Accountant" means a Chartered Accountant as defined in the Chartered Accountant Act, 1949, a Cost Accountant as defined in the Cost and Works Accounts Act, 1959, and includes a person who by virtue of the provisions of sub-section (2) of Section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act.

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| (1) Where in any particular year gross turnover of a dealer exceeds One crore rupees or such other amount as the State Government may, by notification in the Official Gazette, specify, then such dealer shall get his accounts, in respect of that year, audited by an accountant before 31st December in the following year and obtain a report of such audit duly signed and verified by such accountant and setting forth such particulars as may by prescribed.<br><br>(2) A true copy of such report shall be furnished by such dealer to the assessing authority within two months after the expiry of the period during which the audit is required to be completed as per sub-section (1).<br><br>(3) Where in any particular year gross | (1) If the gross turnover of a dealer exceeds Rupees fifty lakh or such other amount as may be prescribed, then such dealer shall get his accounts audited by an ***accountant*** before 31st December.<br><br>(2) A true copy of such report shall be furnished by such dealer to the assessing authority within two months after the expiry of the audit period. |

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| turnover of a dealer exceeds forty lakh rupees but does not exceed one crore rupees then such dealer shall furnish a true copy of the audit report of his accounts duly signed and verified by a **chartered accountant, or a Cost Accountant or an Auditor**. This report shall be submitted to the assessing authority by 31st December of the following Year.<br><br>Explanation- For the purpose of this Section. "Accountant" means a Chartered Accountant as defined in the Chartered Accountant Act, 1949, a Cost Accountant as defined in the Cost and Works Accounts Act, 1959, and includes a person who by virtue of the provisions of sub-section (2) of Section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. | (3) Where gross turnover of a dealer exceeds forty lakh rupees but does not exceed one crore rupees then such dealer shall furnish a true copy of the audit report of his accounts duly signed and verified by a **chartered accountant, or a Cost Accountant or an Auditor**. This report shall be submitted to the assessing authority by 31st December of the following Year.<br><br>"Accountant" means a Chartered Accountant, a Cost Accountant, and includes a person who by virtue of the provisions of sub-section (2) of Section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. |

**12. Haryana-------- No Audit Provision**
**13. H.P.-------------- No Audit Provision**

**14. U.P Audit Provisions- Section 21 of the Act**

(1) Every taxable dealer shall keep and maintain a true and correct account showing the value of the goods sold and bought by him, and in case the accounts maintained in the ordinary course do not show the same in an intelligible form, he shall maintain true and correct account in such form, as may be prescribed in this behalf.

(2) A manufacturer liable to pay tax under this Act shall, in addition to the accounts referred to in other sub-sections, maintain stock books in respect of goods used or consumed in manufacture as well as the products obtained at every stage of production.

Provided that in the case of any class of manufacturers, the aggregate of whose turnover, in an assessment year does not exceed twenty five lakh rupees, the Commissioner, or in any other case the State Government, may relax the requirements of this sub-section subject to such conditions and restrictions as may be deemed fit to be specified.

(3) The accounts, documents and the stock books required to be maintained under this section shall be preserved by the dealer for such period as may be prescribed.

(4) Every registered dealer who consigns or delivers any goods or class of goods specified in the rules made thereunder or such other goods or class of goods, as the State

Government may, by notification in the Gazette, specify in this behalf, of such quantity, measure or value as may be notified, to a dealer whether by reason of sale or otherwise, shall issue to the purchaser or consignee person of goods, a transport-memo in prescribed manner and in prescribed form obtained from the assessing authority having jurisdiction over the area in which principal place of business of such dealer is situated.

(5) Except as provided in sub-section (4) every dealer liable to pay tax while consigning or delivering any taxable goods to another dealer whether as a result of sale or otherwise, shall issue to the purchaser or consignee of goods, a legible challan or transfer invoice in the prescribed manner containing such particulars, as may be prescribed,.

(6) Where any goods are transported by road, original copy of transport memo referred to in sub-section (4), challan or transfer invoice referred to in sub-section (5), as the case may be, completed in all respects shall accompany the goods during journey of goods.

(7) Person transporting the goods for delivery to the consignee shall fill in the particulars in the relevant columns provided on transport memo, challan or transfer invoice, as the case may be, and shall deliver such transport memo, challan or transfer invoice to the consignee dealer along with goods.

(8) Every dealer who receives any form of declaration or certificate prescribed under this Act or rules made thereunder, from its assessing authority or from any other person, shall use them in the prescribed manner and shall keep an account, in the prescribed manner, of all such used and unused forms of declaration or certificates including forms of declaration or certificates received from other persons.

(9) No dealer shall transfer to any person and no person shall receive from any person any certificate or any form of declaration prescribed under the rules made under this Act except as provided under this Act or the rules made thereunder.

(10) Where a dealer disposes of taxable goods in more than one of the following ways:

(i) makes sale of goods inside the State; or

(ii) consigns goods to other dealers for sale inside the State; or

(iii) makes sale of goods in the course of inter-state trade or commerce; or

(iv) makes sale of goods in the course of the export of the goods out of or in the course of the import of the goods into, the territory of India; or

(v) consigns goods out side the State otherwise than as a result of sale,

shall, as far as possible, keep separate account of purchase, sale, receipt and dispatch of goods for each such purpose.

(11) A dealer who claims input tax credit under section 13 shall maintain a register in respect of tax period wise computations of amount of input tax credit.

(12) A dealer who maintains or keeps books, accounts or documents in a computer, shall also maintain day to day print out of all such books, accounts and documents.

(13) Every dealer liable to pay tax shall prepare an inventory of all goods held in stock, as mentioned hereunder, along with their purchase value, on following dates:

(a) goods held in opening stock on the date on which the dealer becomes liable to pay tax;

(b) goods held in closing stock on the last date of each assessment year;

(c) goods held in closing stock on the date of discontinuance of business;

(d) in the case of a dealer who has opted for payment of composition money under section 6

> (i) goods held in opening stock on the date on which provisions of section 6 has become applicable and;
>
> (ii) goods held in opening stock on the date on which provisions of section 6 ceases to apply.

Provided that a manufacturer shall also prepare a list of goods used or consumed in manufacture, processing or packing of any manufactured or semi-manufactured goods held in stock on the aforesaid dates along with their purchase value.

(14) Where in any tax invoice, issued by the registered selling dealer to the registered purchasing dealer, in respect of sale of any goods, amount shown as tax exceeds the amount of tax payable on such sale under this Act, such selling dealer, within 30 days from the date of issue of tax invoice, shall provide such purchasing dealer with a credit note of excess amount realized as tax and the purchasing dealer shall provide to the selling dealer with a debit note of such amount containing such requisite particulars as may be prescribed.

(15) Where in respect of sale of any goods, amount of tax payable under this Act exceeds amount shown as tax in the tax invoice issued by the registered selling dealer to the registered purchasing dealer, such selling dealer, within 30 days from the date of issue of tax invoice, shall provide to such purchasing dealer with a debit note of differential amount of tax and the purchasing dealer shall provide to the registered selling dealer a credit note containing such requisite particulars as may be prescribed.

(16) In case of goods returned or rejected by the purchaser, a credit note shall be issued by the selling dealer to the purchasing dealer and debit note shall be issued by the purchasing dealer to the selling dealer containing such requisite particulars as may be prescribed:

(17) If in respect of any particular assessment year, gross turnover of purchase or sale or both, as the case may be, of any dealer exceeds rupees one crore, then such dealer shall

get his accounts verified and audited by a specified authority within six months from end of that assessment year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such specified authority along with such particulars as may be prescribed. A true copy of such report shall be furnished by such dealer to the assessing authority within such period as may be prescribed.

Explanation: For the purpose of this section, expression "specified authority" means-

(i) a Chartered Accountant within the meaning of the Chartered Accountants Act, 1940 and includes persons by virtue of provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of companies;

(ii) a Cost Accountant within the meaning of the Cost and Works Accountant Act, 1959;

(18) If any dealer liable to get his accounts audited under sub-section (1) fails to furnish copy of such report within the prescribed time, the assessing authority shall, after giving the dealer a reasonable opportunity of being heard, impose on him in addition to tax payable, a sum by way of penalty not exceeding ten thousand rupees, as he may determine.

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| (1) Every taxable dealer shall keep and maintain a true and correct account showing the value of the goods sold and bought by him, and in case the accounts maintained in the ordinary course do not show the same in an intelligible form, he shall maintain true and correct account in such form, as may be prescribed in this behalf. | (1) Every taxable dealer shall keep and maintain a true and correct account showing the value of the goods sold and bought by him, and if it not shows the same in an intelligible form, he shall maintain true and correct account in such form, as may be prescribed in this behalf. |
| (2) A manufacturer liable to pay tax under this Act shall, in addition to the accounts referred to in other sub-sections, maintain stock books in respect of goods used or consumed in manufacture as well as the products obtained at every stage of production. | (2) A manufacturer shall maintain stock books in respect of goods used or consumed in manufacture as well as the products obtained at every stage of production. |
| Provided that in the case of any class of manufacturers, the aggregate of whose turnover, in an assessment year does not exceed twenty five lakh rupees, the Commissioner, or in any other case the State Government, may relax the requirements of this sub-section subject to such conditions and restrictions as may be | In the case of any class of manufacturers, the aggregate of whose turnover, in an assessment year does not exceed twenty five lakh rupees, the Commissioner, or in any other case the State Government, may relax the requirements of this sub-section. |

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| deemed fit to be specified. | |
| (3) The accounts, documents and the stock books required to be maintained under this section shall be preserved by the dealer for such period as may be prescribed. | (3) The accounts, documents and the stock books shall be preserved by the dealer for such period as may be prescribed. |
| (4) Every registered dealer who consigns or delivers any goods or class of goods specified in the rules made thereunder or such other goods or class of goods, as the State Government may, by notification in the Gazette, specify in this behalf, of such quantity, measure or value as may be notified, to a dealer whether by reason of sale or otherwise, shall issue to the purchaser or consignee person of goods, a transport-memo in prescribed manner and in prescribed form obtained from the assessing authority having jurisdiction over the area in which principal place of business of such dealer is situated. | (4) Every registered dealer who consigns or delivers any goods or class of goods, of such quantity, measure or value as may be notified, to a dealer whether by reason of sale or otherwise, shall issue to the purchaser or consignee person of goods, a transport-memo in prescribed manner and form obtained from the assessing authority having jurisdiction over the area in which principal place of business of such dealer is situated. |
| (5) Except as provided in sub-section (4) every dealer liable to pay tax while consigning or delivering any taxable goods to another dealer whether as a result of sale or otherwise, shall issue to the purchaser or consignee of goods, a legible challan or transfer invoice in the prescribed manner containing such particulars, as may be prescribed,. | (5) Except as provided in sub-section (4) every dealer liable to pay tax while consigning or delivering any taxable goods to another dealer whether as a result of sale or otherwise, shall issue to the purchaser or consignee of goods, a legible challan or transfer invoice. |
| (6) Where any goods are transported by road, original copy of transport memo referred to in sub-section (4), challan or transfer invoice referred to in sub-section (5), as the case may be, completed in all respects shall accompany the goods during journey of goods. | (6) Where any goods are transported by road, original copy of transport memo, challan or transfer invoice, as the case may be, completed in all respects shall accompany the goods during journey of goods. |
| (7) Person transporting the goods for delivery to the consignee shall fill in the particulars in the relevant columns provided on transport memo, challan or transfer invoice, as the case may be, and shall deliver such transport memo, challan | (7) Person transporting the goods for delivery to the consignee shall fill in the particulars in the relevant columns provided on transport memo, challan or |

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| or transfer invoice to the consignee dealer along with goods. | transfer invoice, as the case may be, and shall deliver such transport memo, challan or transfer invoice to the consignee dealer along with goods. |
| (8) Every dealer who receives any form of declaration or certificate prescribed under this Act or rules made thereunder, from its assessing authority or from any other person, shall use them in the prescribed manner and shall keep an account, in the prescribed manner, of all such used and unused forms of declaration or certificates including forms of declaration or certificates received from other persons. | (8) Every dealer who receives any form of declaration or certificate, from its assessing authority or from any other person, shall use them and keep an account, of all such used and unused forms of declaration or certificates including forms of declaration or certificates received from other persons. |
| (9) No dealer shall transfer to any person and no person shall receive from any person any certificate or any form of declaration prescribed under the rules made under this Act except as provided under this Act or the rules made thereunder. | (9) No dealer shall transfer to any person and no person shall receive from any person any certificate or any form of declaration prescribed under the rules made under this Act. |
| (10) Where a dealer disposes of taxable goods in more than one of the following ways: | (10) Where a dealer disposes of taxable goods in more than one of the following ways: |
| (i) makes sale of goods inside the State; or | (i) makes sale of goods inside the State; or |
| (ii) consigns goods to other dealers for sale inside the State; or | (ii) consigns goods to other dealers for sale inside the State; or |
| (iii) makes sale of goods in the course of inter-state trade or commerce; or | (iii) makes sale of goods in the course of inter-state trade or commerce; or |
| (iv) makes sale of goods in the course of the export of the goods out of or in the course of the import of the goods into, the territory of India; or | (iv) makes sale of goods in the course of the export of the goods out of or in the course of the import of the goods into, the territory of India; or |
| (v) consigns goods out side the State otherwise than as a result of sale, | (v) consigns goods out side the State otherwise than as a result of sale, |
| shall, as far as possible, keep separate account of purchase, sale, receipt and | Shall, as far as possible, keep separate account of purchase, sale, receipt and dispatch of goods for each such purpose. |

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| dispatch of goods for each such purpose.<br><br>(11) A dealer who claims input tax credit under section 13 shall maintain a register in respect of tax period wise computations of amount of input tax credit.<br><br>(12) A dealer who maintains or keeps books, accounts or documents in a computer, shall also maintain day to day print out of all such books, accounts and documents.<br><br>(13) Every dealer liable to pay tax shall prepare an inventory of all goods held in stock, as mentioned hereunder, along with their purchase value, on following dates:<br><br>(a) goods held in opening stock on the date on which the dealer becomes liable to pay tax;<br><br>(b) goods held in closing stock on the last date of each assessment year;<br><br>(c) goods held in closing stock on the date of discontinuance of business;<br><br>(d) in the case of a dealer who has opted for payment of composition money under section 6<br><br>(i) goods held in opening stock on the date on which provisions of section 6 has become applicable and;<br><br>(ii) goods held in opening stock on the date on which provisions of section 6 ceases to apply.<br><br>Provided that a manufacturer shall also prepare a list of goods used or consumed in manufacture, processing or packing of any manufactured or semi-manufactured goods held in stock on the aforesaid dates along with their purchase value. | (11) A dealer shall maintain a register in respect of tax period wise computations of amount of input tax credit.<br><br>(12) A dealer shall also maintain day to day print out of all such books, accounts and documents.<br><br>(13) Every dealer liable to pay tax shall prepare an inventory of all goods held in stock, as mentioned hereunder, along with their purchase value, on following dates:<br><br>(a) goods held in opening stock on the date on which the dealer becomes liable to pay tax;<br><br>(b) goods held in closing stock on the last date of each assessment year;<br><br>(c) goods held in closing stock on the date of discontinuance of business;<br><br>(d) in the case of a dealer who has opted for payment of composition money under section 6<br><br>(i) goods held in opening stock on the date on which provisions of section 6 has become applicable and;<br><br>(ii) goods held in opening stock on the date on which provisions of section 6 ceases to apply.<br><br>Provided that a manufacturer shall also prepare a list of goods used or consumed in manufacture, processing or packing of any manufactured or semi-manufactured goods held in stock on the aforesaid dates |

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| | along with their purchase value. |
| (14) Where in any tax invoice, issued by the registered selling dealer to the registered purchasing dealer, in respect of sale of any goods, amount shown as tax exceeds the amount of tax payable on such sale under this Act, such selling dealer, within 30 days from the date of issue of tax invoice, shall provide such purchasing dealer with a credit note of excess amount realized as tax and the purchasing dealer shall provide to the selling dealer with a debit note of such amount containing such requisite particulars as may be prescribed. | (14) Where in any tax invoice, amount shown as tax exceeds the amount of tax payable on sale under this Act, such selling dealer, within 30 days from the date of issue of tax invoice, shall provide such purchasing dealer with a credit note of excess amount realized as tax and the purchasing dealer shall provide to the selling dealer with a debit note of such amount containing such requisite particulars as may be prescribed. |
| (15) Where in respect of sale of any goods, amount of tax payable under this Act exceeds amount shown as tax in the tax invoice issued by the registered selling dealer to the registered purchasing dealer, such selling dealer, within 30 days from the date of issue of tax invoice, shall provide to such purchasing dealer with a debit note of differential amount of tax and the purchasing dealer shall provide to the registered selling dealer a credit note containing such requisite particulars as may be prescribed. | (15) Where in respect of sale of any goods, amount of tax payable under this Act exceeds amount shown as tax in the tax invoice, then such selling dealer, within 30 days from the date of issue of tax invoice, shall provide to such purchasing dealer with a debit note of differential amount of tax and the purchasing dealer shall provide to the registered selling dealer a credit note containing such requisite particulars as may be prescribed. |
| (16) In case of goods returned or rejected by the purchaser, a credit note shall be issued by the selling dealer to the purchasing dealer and debit note shall be issued by the purchasing dealer to the selling dealer containing such requisite particulars as may be prescribed: | (16) In case of goods returned or rejected by the purchaser, a credit note shall be issued by the selling dealer to the purchasing dealer and debit note shall be issued by the purchasing dealer to the selling dealer containing such requisite particulars as may be prescribed: |
| (17) If in respect of any particular assessment year, gross turnover of purchase or sale or both, as the case may be, of any dealer exceeds rupees one crore, then such dealer shall get his accounts verified and audited by a specified authority within six months from end of that assessment year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such specified authority | (17) If in a year, gross turnover of purchase or sale or both, of any dealer exceeds rupees one crore, then such dealer shall get his accounts verified and audited by a specified authority within six months from end of that assessment year and obtain within that period a report of such audit in the prescribed form. |

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| alongwith such particulars as may be prescribed. A true copy of such report shall be furnished by such dealer to the assessing authority within such period as may be prescribed.<br><br>Explanation: For the purpose of this section, expression "specified authority" means-<br><br>(i) a Chartered Accountant within the meaning of the Chartered Accountants Act, 1940 and includes persons by virtue of provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of companies;<br><br>(ii) a Cost Accountant within the meaning of the Cost and Works Accountant Act, 1959;<br><br>(18) If any dealer liable to get his accounts audited under sub-section (1) fails to furnish copy of such report within the prescribed time, the assessing authority shall, after giving the dealer a reasonable opportunity of being heard, impose on him in addition to tax payable, a sum by way of penalty not exceeding ten thousand rupees, as he may determine. | A true copy of such report shall be furnished by dealer to the assessing authority within such period as may be prescribed.<br><br>"specified authority" means-<br><br>(i) a Chartered Accountant and includes persons by virtue of provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of companies;<br><br>(ii) a Cost Accountant.<br><br>(18) If any dealer fails to furnish a copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him** not exceeding ten thousand rupees, as he may determine. |

**15. Dadra and Nagar Haveli Audit Provisions- Section 49 of the Act**

If in respect of any particular year, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as may be prescribed, then, such dealer shall get his accounts in respect of such year audited by an accountant within six months from the end of that year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed and a true copy of such report shall be furnished by such dealer to the Commissioner by the prescribed date.

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| If in respect of any particular year, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as may be prescribed, then, such dealer shall get his accounts in respect of such year audited by an accountant within six | Where gross turnover of a dealer exceeds forty lakh rupees in a year or such other amount as may be prescribed, then, such dealer shall get his accounts audited by an accountant within six months from the end of that year |

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| months from the end of that year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed and a true copy of such report shall be furnished by such dealer to the Commissioner by the prescribed date**.** | |

**16. Daman and Diu Audit Provisions- Section 49 of the Act**

If in respect of any particular year, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as may be prescribed, then, such dealer shall get his accounts in respect of such year audited by an accountant within six months from the end of that year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed and a true copy of such report shall be furnished by such dealer to the Commissioner by the prescribed date.

| Provision | Comments |
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| If in respect of any particular year, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as may be prescribed, then, such dealer shall get his accounts in respect of such year audited by an accountant within six months from the end of that year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed and a true copy of such report shall be furnished by such dealer to the Commissioner by the prescribed date | If gross turnover of a dealer exceeds forty lakh rupees in a year or such other amount as may be prescribed, then, such dealer shall get his accounts audited by an accountant within six months from the end of that year. |

**17. Goa Audit Provisions- Section 70 of the Act**

(1) Every dealer liable to pay tax shall, if his gross turnover of sales exceeds rupees one crore in any year, or in any other case, if the amount of input tax credit claimed by him in any year exceeds rupees ten lacs, get his accounts in respect of such year audited by an accountant by such date and in such manner as may be prescribed and furnish within the prescribed period the report of such audit in the prescribed form duly verified and signed by such accountant and setting forth such particulars and certificates as may be prescribed.

(2) For the purposes of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountants Act, 1949 (Central Act 38 of 1949).

(3) If any dealer liable to get his accounts audited under sub-section (1) fails to furnish a copy of such report within the period prescribed, the Commissioner shall, impose on him, in addition to any tax payable, a penalty of rupees one thousand plus rupees one hundred per day during the first sixty days of default and rupees two hundred fifty per day thereafter, subject to a maximum of rupees one lac cumulatively.",

(4) Notwithstanding anything contained in sub-section (3), the Commissioner, upon an application from the dealer and subject to such rules as may be prescribed, remit the whole or any part of the penalty imposed on such defaulting dealer.

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| (1) Every dealer liable to pay tax shall, if his gross turnover of sales exceeds rupees one crore in any year, or in any other case, if the amount of input tax credit claimed by him in any year exceeds rupees ten lacs, get his accounts in respect of such year audited by an accountant by such date and in such manner as may be prescribed and furnish within the prescribed period the report of such audit in the prescribed form duly verified and signed by such accountant and setting forth such particulars and certificates as may be prescribed.<br><br>For the purposes of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountants Act, 1949 (Central Act 38 of 1949).<br><br>If any dealer liable to get his accounts audited under sub-section (1) fails to furnish a copy of such report within the period prescribed, the Commissioner shall, impose on him, in addition to any tax payable, a penalty of rupees one thousand plus rupees one hundred per day during the first sixty days of default and rupees two hundred fifty per day thereafter, subject to a maximum of rupees one lac cumulatively.<br><br>Notwithstanding anything contained in sub-section (3), the Commissioner, upon an application from the dealer and subject to such rules as may be prescribed, remit | Every dealer liable to pay tax shall, if in a year his gross turnover of sales exceeds rupees one crore or if the amount of input tax credit claimed by him exceeds rupees ten lacs, get his accounts in respect of such year audited by an accountant.<br><br>"Accountant" means a Chartered Accountant<br><br>If any dealer fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** rupees one thousand plus rupees one hundred per day during the first sixty days of default and rupees two hundred fifty per day thereafter, subject to a maximum of rupees one lac cumulatively.<br><br>Not with standing anything contained in sub-section (3), the Commissioner, upon an application from the dealer and subject to such rules as may be prescribed, remits |

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| the whole or any part of the penalty imposed on such defaulting dealer. | the whole or any part of the penalty imposed on such defaulting dealer. |

**18. Gujrat Audit Provisions- Section 63 of the Act**

If in respect of any particular year, total turnover of a dealer exceeds such amount, not being less than one crore, as may be prescribed, then such dealer shall get his accounts verified and audited by a specified authority within nine months from the end of that year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such specified authority alongwith such particulars as may be prescribed. A true copy of such report shall be furnished by such dealer to the Commissioner within such period as may be prescribed.

Explanation.-- For the purposes of this section,

(a) "specified authority" means,

(i) a Chartered Accountant within the meaning of the Chartered Accountants Act, 1949 38 of 1949. and includes persons who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, 1 of 1956. is entitled to be appointed to act as an auditor of companies;

(ii) a Cost Accountant within the meaning of the Cost and Works Accountants Act, 1959 23 of 1959.;

(iii) a legal practitioner or a Sales Tax Practitioner whose name is entered in the list maintained by the Commissioner in accordance with the provisions of section 81.

(b) "total turnover" shall have the same meaning as given in Explanation below sub-section (1) of section 3.

(2) If any dealer liable to get his accounts audited under sub-section (1) fails to furnish a true copy of such report within the prescribed time the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty not exceeding rupees ten thousand, as he may determine.

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| If in respect of any particular year, total turnover of a dealer exceeds such amount, not being less than one crore, as may be prescribed, then such dealer shall get his accounts verified and audited by a specified authority within nine months from the end of that year and obtain within that period a report of such audit in the prescribed form duly signed and verified by such specified authority along | If total turnover of a dealer exceeds such amount, not being less than one crore, as may be prescribed, then such dealer shall get his accounts verified and audited by a specified authority within nine months from the end of that year<br><br>A true copy of such report shall be |

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| with such particulars as may be prescribed. A true copy of such report shall be furnished by such dealer to the Commissioner within such period as may be prescribed. | furnished by dealer to the Commissioner within such period as may be prescribed. |
| Explanation.-- For the purposes of this section,<br><br>(a) "specified authority" means,<br><br>(i) a Chartered Accountant within the meaning of the Chartered Accountants Act, 1949 38 of 1949. and includes persons who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, 1 of 1956. is entitled to be appointed to act as an auditor of companies;<br><br>(ii) a Cost Accountant within the meaning of the Cost and Works Accountants Act, 1959 23 of 1959.;<br><br>(iii) a legal practitioner or a Sales Tax Practitioner whose name is entered in the list maintained by the Commissioner in accordance with the provisions of section 81.<br><br>(b) "total turnover" shall have the same meaning as given in Explanation below sub-section (1) of section 3. | "specified authority" means,<br><br>(i) a Chartered Accountant, and includes persons who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, 1 of 1956. is entitled to be appointed to act as an auditor of companies;<br><br>(ii) a Cost Accountant<br><br>(iii) a legal practitioner or a Sales Tax Practitioner whose name is entered in the list maintained by the Commissioner in accordance with the provisions of section 81. |
| (2) If any dealer liable to get his accounts audited under sub-section (1) fails to furnish a true copy of such report within the prescribed time the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on | (2) If any dealer fails to furnish a true copy of the audit report within the time specified ,then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** a sum not exceeding rupees ten thousand, |

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| him, in addition to any tax payable, a sum by way of penalty not exceeding rupees ten thousand, as he may determine. | as he may determine. |

**19. Jharkhand Audit Provisions- Section 63 of the Act**

(1) Where in any particular year, the gross turnover of a dealer exceeds 40 lakh rupees or such other amount as the prescribed authority may, by a Notification in the Official Gazette specify, then such dealer shall get his Accounts audited for the purpose of this Act, in respect to that year, by an "Accountant" or "Tax Practitioners", within nine months from the end of that year and obtain a report of such Audit in the Prescribed Form, duly signed and verified by such "Accountant" or "Tax Practitioners", and setting forth such particulars, as may be prescribed.

(2) A true copy of such report shall be furnished by such Dealer to the Prescribed Authority by the end of the month after expiry of the period of nine months during which the Audit would have been completed.

(3) If any dealer liable to get his Accounts audited under sub-Section (1) fails to get his Accounts audited and furnish a true copy of the Audit Report within the time specified in sub-Section (2), the Prescribed Authority shall, after giving the Dealer a reasonable opportunity of being heard, impose on him, in addition to any Tax Payable, a sum by way of penalty equal to 0.1% of the turnover as he may determine to the best of his judgment in his case in respect of the said period.

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| (1) Where in any particular year, the gross turnover of a dealer exceeds 40 lakh rupees or such other amount as the prescribed authority may, by a Notification in the Official Gazette specify, then such dealer shall get his Accounts audited for the purpose of this Act, in respect to that year, by an "Accountant" or "Tax Practitioners", within nine months from the end of that year and obtain a report of such Audit in the Prescribed Form, duly signed and verified by such "Accountant" or "Tax Practitioners", and setting forth such particulars, as may be prescribed. | (1) If the gross turnover of a dealer exceeds Rupees 40 lakh or such other amount as may be prescribed, then such dealer shall get his accounts audited by an "Accountant" or "Tax Practitioners", within nine months from the end of that year. |
| (2) A true copy of such report shall be furnished by such Dealer to the Prescribed Authority by the end of the month after expiry of the period of nine months during which the Audit would have been | (2) A true copy of such report shall be furnished by Dealer to the Prescribed Authority by the end of the month after expiry of the audit period. |

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| completed.<br><br>(3) If any dealer liable to get his Accounts audited under sub-Section (1) fails to get his Accounts audited and furnish a true copy of the Audit Report within the time specified in sub-Section (2), the Prescribed Authority shall, after giving the Dealer a reasonable opportunity of being heard, impose on him, in addition to any Tax Payable, a sum by way of penalty equal to 0.1% of the turnover as he may determine to the best of his judgment in his case in respect of the said period. | <br><br>(3) If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** 0.1% of the turnover as he may determine to the best of his judgment in his case in respect of the said period. |

**20. Karnataka Audit Provisions- Section 31 of the Act**

(1) Every registered dealer and every dealer liable to pay tax under this Act shall keep and maintain a true and correct account, in Kannada or English or Hindi or in such other language as the Government may, by notification, specify, of all his purchases, receipts, sales, other disposals, production, manufacture and stock showing the values of goods subject to each rate of tax under this Act including input tax paid and output tax payable.

(2) If the Commissioner or prescribed authority is of the opinion that the accounts kept and maintained by any dealer or any class of dealers do not sufficiently enable him or it to verify the returns required under this Act or to make any assessment under it, he or it may, by order, require any dealer or class of dealers, to keep such accounts and records including tax invoices of manufacture, sales, purchases, disposals or transfers of stock other than by way of sales in such form and in such manner as he or it may direct.

(2-A) The Commissioner may require every registered dealer belonging to a class of dealers as may be notified by him to install and use an electronic tax register of such type and description and secured in such manner as may be prescribed, for the purpose of accessing information regarding any matter or transaction which may affect the tax liability of such dealer.

(2-B) Notwithstanding anything contained in sub sections (1) to (3) of section 29, every registered dealer, falling under sub section (2-A), shall issue tax invoices or bills of sale, through the electronic tax register, irrespective of the value of the goods sold and such dealer shall be allowed to recover the cost of the electronic tax register, in the manner and subject to such conditions as may be prescribed.

(3) If the Commissioner considers that any class of dealers is not in a position to keep and maintain accounts in accordance with the provisions of this Section, he may, for reasons to be recorded in writing, permit such class of dealers to maintain accounts in the prescribed manner.

(4) Every dealer whose total turnover in a year exceeds forty lakh rupees shall have his accounts audited by a Chartered Accountant or a Cost Accountant or a Tax Practitioner

subject to such conditions and such limits as may be prescribed and shall submit to the prescribed authority a copy of the audited statement of accounts and prescribed documents in the prescribed manner.

(5) Omitted w.e.f 1st Aug. 08

(6) Every registered dealer and every dealer including owner of a land, liable to get registered under this Act, entering into a written agreement during any tax period for executing, partly or wholly, a works contract of construction of a building or other civil work either by himself or through another, shall submit a copy of such agreement within the end of the subsequent tax period to the prescribed authority to whom he is required to submit a return.

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| (1) Every registered dealer and every dealer liable to pay tax under this Act shall keep and maintain a true and correct account, in Kannada or English or Hindi or in such other language as the Government may, by notification, specify, of all his purchases, receipts, sales, other disposals, production, manufacture and stock showing the values of goods subject to each rate of tax under this Act including input tax paid and output tax payable.<br><br>(2) If the Commissioner or prescribed authority is of the opinion that the accounts kept and maintained by any dealer or any class of dealers do not sufficiently enable him or it to verify the returns required under this Act or to make any assessment under it, he or it may, by order, require any dealer or class of dealers, to keep such accounts and records including tax invoices of manufacture, sales, purchases, disposals or transfers of stock other than by way of sales in such form and in such manner as he or it may direct.<br><br>(2-A) The Commissioner may require every registered dealer belonging to a class of dealers as may be notified by him to install and use an electronic tax register of such type and description and secured in such manner as may be prescribed, for the purpose of accessing information | (1) Every registered dealer and every dealer liable to pay tax under this Act shall keep and maintain a true and correct account, in Kannada or English or Hindi or in such other language as may be specified, of all his purchases, receipts, sales, other disposals, production, manufacture and stock showing the values of goods subject to each rate of tax under this Act including input tax paid and output tax payable.<br><br>(2) If the Commissioner or prescribed authority unable to verify the returns required under this Act or to make any assessment under it, he or it may, by order, require any dealer or class of dealers, to keep such accounts and records including tax invoices of manufacture, sales, purchases, disposals or transfers of stock other than by way of sales in such form and manner as he or it may direct.<br><br>(2-A) The Commissioner may require every registered dealer to install and use an electronic tax register of such type and description and secured in such manner as may be prescribed, for the purpose of accessing information regarding any |

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| regarding any matter or transaction which may affect the tax liability of such dealer. | matter or transaction which may affect the tax liability of such dealer. |
| (2-B) Notwithstanding anything contained in sub sections (1) to (3) of section 29, every registered dealer, falling under sub section (2-A), shall issue tax invoices or bills of sale, through the electronic tax register, irrespective of the value of the goods sold and such dealer shall be allowed to recover the cost of the electronic tax register, in the manner and subject to such conditions as may be prescribed. | (2-B) Notwithstanding anything contained in sub sections (1) to (3) of section 29, every registered dealer, falling under sub section (2-A), shall issue tax invoices or bills of sale, through the electronic tax register, irrespective of the value of the goods sold. |
| (3) If the Commissioner considers that any class of dealers is not in a position to keep and maintain accounts in accordance with the provisions of this Section, he may, for reasons to be recorded in writing, permit such class of dealers to maintain accounts in the prescribed manner. | (3) If the Commissioner considers that any class of dealers is not in a position to keep and maintain accounts, he may, for reasons to be recorded in writing, permit such class of dealers to maintain accounts in the prescribed manner. |
| (4) Every dealer whose total turnover in a year exceeds forty lakh rupees shall have his accounts audited by a Chartered Accountant or a Cost Accountant or a Tax Practitioner subject to such conditions and such limits as may be prescribed and shall submit to the prescribed authority a copy of the audited statement of accounts and prescribed documents in the prescribed manner. | (4) Every dealer whose total turnover in a year exceeds forty lakh rupees shall have his accounts audited by a Chartered Accountant or a Cost Accountant or a Tax Practitioner. |
| (5) Omitted w.e.f 1st Aug. 08 | (5) Omitted w.e.f 1st Aug. 08 |
| (6) Every registered dealer and every dealer including owner of a land, liable to get registered under this Act, entering into a written agreement during any tax period for executing, partly or wholly, a works contract of construction of a building or other civil work either by himself or through another, shall submit a copy of such agreement within the end of the subsequent tax period to the prescribed authority to whom he is required to submit a return. | (6) Every registered dealer and every dealer including owner of a land, entering into a written agreement during any tax period for executing, partly or wholly, a works contract of construction of a building or other civil work either by himself or through another, shall submit a copy of such agreement within the end of the subsequent tax period. |

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**21. Kerela Audit Provisions- Section 42 of the Act**

(1)Every dealer whose total turnover in a year exceeds rupees forty lakhs shall get his accounts audited annually by a Chartered Accountant or Cost Accountant and shall submit copy of the audited statement of accounts and certificate, in the manner prescribed.

Provided that a co-operative society registered or deemed to be registered under the Kerala Co-operative Societies Act, 1969 (21 of 1969), may in lieu of the statement and certificate mentioned above, submit a copy of the audited statement of accounts and certificate issued by the Registrar of Co-operative Societies on or before 31st day of December of the year succeeding to the year to which annual return relates.

(2) Where any dealer detects any omission or mistake in the annual return submitted by him with reference to the audited figures, he shall file revised annual return rectifying the mistake or omission along with the audit certificate. Where, as a result of such revision, the tax liability increases, the revised return shall be accompanied by proof of payment of such tax, interest due thereon under sub section (5) of section 31, and penal interest, calculated at twice the rate specified under sub section (5) of section 31:

Provided that this sub-section shall not apply to a dealer against whom any penal action is initiated in respect of such omission or mistake under any of the provisions of this Act.

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| 1)Every dealer whose total turnover in a year exceeds rupees forty lakhs shall get his accounts audited annually by a Chartered Accountant or Cost Accountant and shall submit copy of the audited statement of accounts and certificate, in the manner prescribed.<br><br>Provided that a co-operative society registered or deemed to be registered under the Kerala Co-operative Societies Act, 1969 (21 of 1969), may in lieu of the statement and certificate mentioned above, submit a copy of the audited statement of accounts and certificate issued by the Registrar of Co-operative Societies on or before 31st day of December of the year succeeding to the year to which annual return relates.<br><br>(2) Where any dealer detects any omission | 1) Every dealer whose total turnover in a year exceeds rupees forty lakhs shall get his accounts audited annually by a Chartered Accountant or Cost Accountant.<br><br>Provided that a co-operative society registered or deemed to be registered under the Kerala Co-operative Societies Act, 1969 (21 of 1969), may in lieu of the statement and certificate mentioned above, submit a copy of the audited statement of accounts and certificate issued by the Registrar of Co-operative Societies on or before 31st day of December. |

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| or mistake in the annual return submitted by him with reference to the audited figures, he shall file revised annual return rectifying the mistake or omission along with the audit certificate. Where, as a result of such revision, the tax liability increases, the revised return shall be accompanied by proof of payment of such tax, interest due thereon under sub section (5) of section 31, and penal interest, calculated at twice the rate specified under sub section (5) of section 31:<br><br>Provided that this sub-section shall not apply to a dealer against whom any penal action is initiated in respect of such omission or mistake under any of the provisions of this Act. | (2) Where any dealer detects any omission or mistake in the annual return submitted by him with reference to the audited figures, he shall file revised annual return rectifying the mistake or omission along with the audit certificate.  the revised return shall be accompanied by proof of payment of such tax, interest due thereon under sub section (5) of section 31, and penal interest, calculated at twice the rate specified under sub section (5) of section 31:<br><br>Provided that this sub-section shall not apply to a dealer against whom any penal action is initiated in respect of such omission or mistake under any of the provisions of this Act. |

**22. M.P. Audit Provisions- Section 39 of the Act**

(1) Every registered dealer and every dealer liable to pay tax under this Act shall maintain correct account of his purchases, sales and stocks showing value, of different kinds of goods subject to different rates of tax under this Act.

(2) Every dealer whose turnover in a year exceeds rupees forty lacs shall get his accounts audited by a chartered accountant and furnish the report of such audit in such manner and within such time as may be prescribed.

Provided that a dealer who is an industrial unit having annual turnover of up to ten crore rupees may get his accounts audited by a member of Institute of Cost and Works Accountants of India.

(3) If the Commissioner considers that the accounts maintained by any dealer or any class of dealers do not sufficiently enable him to verify the returns referred to in sub-section (1) of Section 18 or the assessment cannot be made on the basis thereof, he may by an order, require any dealer or by notification any class of dealers, to keep such accounts including records of manufacture, sales, purchases or transfers in such form and in such manner as he may, subject to rules made under this Act, direct.

(4) If the Commissioner considers that any class of dealers are not in a position to maintain accounts in accordance with the provisions of sub-section (1), he may, for reasons to be recorded in writing, exempt such class of dealers from the operation of the provisions of the said sub-section.

(5) If a registered dealer fails to furnish the report as required under sub-section (1) in respect of a year within the time prescribed, the Commissioner may, after giving such dealer an opportunity of being heard, direct him to pay by way of penalty a sum equal to 0.1 percent of the turnover in the year or rupees ten thousand, whichever is less.

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| (1) Every registered dealer and every dealer liable to pay tax under this Act shall maintain correct account of his purchases, sales and stocks showing value, of different kinds of goods subject to different rates of tax under this Act. | (1) Every registered dealer and every dealer liable to pay tax under this Act shall maintain correct account of his purchases, sales and stocks showing value, of different kinds of goods subject to different rates of tax under this Act. |
| (2) Every dealer whose turnover in a year exceeds rupees forty lacs shall get his accounts audited by a chartered accountant and furnish the report of such audit in such manner and within such time as may be prescribed. | (2) Every dealer whose turnover in a year exceeds rupees forty lacs shall get his accounts audited by a chartered accountant and furnish the report of such audit as may be prescribed. |
| Provided that a dealer who is an industrial unit having annual turnover of up to ten crore rupees may get his accounts audited by a member of Institute of Cost and Works Accountants of India. | Provided that a dealer who is an industrial unit having annual turnover of up to ten crore rupees may get his accounts audited by a member of Institute of Cost and Works Accountants of India. |
| (3) If the Commissioner considers that the accounts maintained by any dealer or any class of dealers do not sufficiently enable him to verify the returns referred to in sub-section (1) of Section 18 or the assessment cannot be made on the basis thereof, he may by an order, require any dealer or by notification any class of dealers, to keep such accounts including records of manufacture, sales, purchases or transfers in such form and in such manner as he may, subject to rules made under this Act, direct. | (3) If the Commissioner considers that the accounts maintained by any dealer or any class of dealers do not sufficiently enable him to verify the returns referred to in sub-section (1) of Section 18 or the assessment cannot be made on the basis thereof, he may by an order, require any dealer or by notification any class of dealers, to keep such accounts including records of manufacture, sales, purchases or transfers in such form and in such manner as he may, subject to rules made under this Act, direct. |
| (4) If the Commissioner considers that any class of dealers are not in a position to maintain accounts in accordance with the provisions of sub-section (1), he may, for reasons to be recorded in writing, exempt such class of dealers from the operation of the provisions of the said sub-section. | (4) If the Commissioner considers that any class of dealers are not in a position to maintain accounts in accordance with the provisions of sub-section (1), he may, for reasons to be recorded in writing, exempt such class of dealers from the operation of the provisions of the said sub-section. |
| (5) If a registered dealer fails to furnish the report as required under sub-section (1) in respect of a year within the time prescribed, the Commissioner may, after giving such dealer an opportunity of being | (5) If any dealer fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a |

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| heard, direct him to pay by way of penalty a sum equal to 0.1 percent of the turnover in the year or rupees ten thousand, whichever is less | **fine can be imposed on him equal to** 0.1 percent of the turnover in the year or rupees ten thousand, whichever is less |

## 23. Maharastra Audit Provisions- Section 61 of the Act

(1) Every dealer liable to pay tax shall, -

(a) if his turnover of sales or, as the case may be, of purchases exceed or exceeds rupees forty lakh in any year, or

(b) a dealer or person who holds licence in,-

(i) Form P.L.L. under the Maharashtra Distillation of Spirit and Manufacture of Potable Liquor Rules, 1966, or

(ii) Form B-RL under the Maharashtra Manufacture of Beer and Wine Rules, 1966, or

(iii) Form E under the Special Permits and Licence Rules, 1952, or

(iv) Forms FL-I, FL-II, FL-III, FL-IV under the Bombay Foreign Liquor Rules, 1953, or

(v) Forms CL-I, CL-II, CL-III, CL/FL/TOD-III under the Maharashtra Country Liquor Rules, 1973,

get his accounts in respect of such year audited by an accountant within the prescribed period from the end of that year and furnish within that period the report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars and certificates as may be prescribed.

*Explanation*.- For the purposes of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountants Act 1949 or a Cost Accountant within the meaning of the Cost and Works Accountants Act, 1959 (23 of 1959).

(2) If any dealer liable to get his accounts audited under sub-section (1) fails to furnish a copy of such report within the time as aforesaid, the Commissioner may, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to one tenth per cent, of the total sales.

Provided that, if the dealer fails to furnish a copy or such report within the period prescribed under sub-section (1), but files it within one month of the end of the said period, and the dealer proves to the satisfaction of the Commissioner that the delay was on account of factors, beyond his control, then no penalty under this sub-section shall be imposed on him.

(3) Nothing in sub-sections (1) and (2) shall apply to Departments of the Union Government, any Department of any State Government, local authorities, the Railway Administration as defined under the Indian Railways Act, 1989 (24 of 1989) , the Konkan Railway Corporation Limited and the Maharashtra State Road Transport Corporation constituted under the Road Transport Corporation Act, 1950 (64 of 1950).

| Provision | Comments |
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| (1) Every dealer liable to pay tax shall, -<br><br>(a) if his turnover of sales or, as the case may be, of purchases exceed or exceeds rupees forty lakh in any year, or<br><br>(b) a dealer or person who holds licence in,-<br><br>(i) Form P.L.L. under the Maharashtra Distillation of Spirit and Manufacture of Potable Liquor Rules, 1966, or<br><br>(ii) Form B-RL under the Maharashtra Manufacture of Beer and Wine Rules, 1966, or<br><br>(iii) Form E under the Special Permits and Licence Rules, 1952, or<br><br>(iv) Forms FL-I, FL-II, FL-III, FL-IV under the Bombay Foreign Liquor Rules, 1953, or<br><br>(v) Forms CL-I, CL-II, CL-III, CL/FL/TOD-III under the Maharashtra Country Liquor Rules, 1973,<br><br>get his accounts in respect of such year audited by an accountant within the prescribed period from the end of that year and furnish within that period the report of such audit in the prescribed form duly signed and verified by such | (1) Every dealer liable to pay tax shall, -<br><br>(a) if his turnover of sales or, as the case may be, of purchases exceed or exceeds rupees forty lakh in any year, or<br><br>(b) a dealer or person who holds licence in,-<br><br>(i) Form P.L.L. under the Maharashtra Distillation of Spirit and Manufacture of Potable Liquor Rules, 1966, or<br><br>(ii) Form B-RL under the Maharashtra Manufacture of Beer and Wine Rules, 1966, or<br><br>(iii) Form E under the Special Permits and Licence Rules, 1952, or<br><br>(iv) Forms FL-I, FL-II, FL-III, FL-IV under the Bombay Foreign Liquor Rules, 1953, or<br><br>(v) Forms CL-I, CL-II, CL-III, CL/FL/TOD-III under the Maharashtra Country Liquor Rules, 1973,<br><br>get his account audited by an accountant within the prescribed period from the end of that year.<br><br>"Accountant" means a Chartered Accountant or a Cost Accountant. |

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| accountant and setting forth such particulars and certificates as may be prescribed.<br><br>*Explanation*.- For the purposes of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountants Act 1949 or a Cost Accountant within the meaning of the Cost and Works Accountants Act, 1959 (23 of 1959). | |
| (2) If any dealer liable to get his accounts audited under sub-section (1) fails to furnish a copy of such report within the time as aforesaid, the Commissioner may, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to one tenth per cent, of the total sales. | (2) If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** one tenth per cent, of the total sales. |
| Provided that, if the dealer fails to furnish a copy or such report within the period prescribed under sub-section (1), but files it within one month of the end of the said period, and the dealer proves to the satisfaction of the Commissioner that the delay was on account of factors, beyond his control, then no penalty under this sub-section shall be imposed on him. | But if dealer files it within one month of the end of the said period, and he proves to the satisfaction of the Commissioner that the delay was on account of factors, beyond his control, then no penalty under this sub-section shall be imposed on him. |
| (3) Nothing in sub-sections (1) and (2) shall apply to Departments of the Union Government, any Department of any State Government, local authorities, the Railway Administration as defined under the Indian Railways Act, 1989 (24 of 1989) , the Konkan Railway Corporation Limited and the Maharashtra State Road Transport Corporation constituted under the Road Transport Corporation Act, 1950 | (3) Nothing in sub-sections (1) and (2) shall apply to Departments of the Union Government, any Department of any State Government, local authorities, the Railway Administration as defined under the Indian Railways Act, 1989 (24 of 1989) , the Konkan Railway Corporation Limited and the Maharashtra State Road Transport Corporation constituted under the Road Transport Corporation Act, 1950 (64 of 1950). |

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| (64 of 1950). | |

**24. Manipur Audit Provisions- Section 58 of the Act**

(1) Where in any particular year, the gross turnover of a dealer exceeds Rs. 20,00,000/- or such other amount as the Commissioner may, by a notification in the Official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed.

(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been completed.

(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to 0.1% of the turnover as he may determine to the best of his judgment in respect of the said period.

**Explanation :**

For the purpose of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act.

| Provision | Comments |
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| Where in any particular year, the gross turnover of a dealer exceeds Rs. 20,00,000/- or such other amount as the Commissioner may, by a notification in the Official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed.<br><br>(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been | When in a year, the gross turnover of a dealer exceeds Rs. 20lakh or such other amount as the Commissioner may, by a notification in the Official Gazette specify, then such dealer shall get his accounts audited by an accountant within six months from the end of that year.<br><br>(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the audit period. |

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| completed.<br><br>(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to 0.1% of the turnover as he may determine to the best of his judgment in respect of the said period.<br><br>**Explanation :**<br><br>For the purpose of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. | (3) If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** 0.1% of the turnover.<br><br>"Accountant" means a Chartered Accountant and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. |

### 25. Meghalaya Audit Provisions- Section 86 of the Act

(1) Where in any particular year, the gross turnover of a dealer exceeds such other amount as the Commissioner may, by a notification in the official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed.

(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been completed.

(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to 0.1% of the turnover as he may determine to the best of his judgement in his case in respect of the said period.

Provided that where such dealer is required under any other law to get his accounts audited, it shall be deemed to be sufficient compliance if he gets his accounts audited under such law and furnishes an audit report as required under such law and a further report in form prescribed under this section within the time specified under sub-section (2).

*Explanation:* - For the purpose of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountant' Act, 1949 and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act.

| **Provision** | **Comments** |
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| (1) Where in any particular year, the gross turnover of a dealer exceeds such other amount as the Commissioner may, by a notification in the official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed.<br><br>(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been completed.<br><br>(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to 0.1% of the turnover as he may determine to the best of his judgement in his case in respect of the said period.<br><br>Provided that where such dealer is required under any other law to get his accounts audited, it shall be deemed to be sufficient compliance if he gets his | (1) When in a year, the gross turnover of a dealer exceeds such other amount as the Commissioner may, by a notification in the official Gazette specify, then such dealer shall get his accounts audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form and setting forth such particulars as may be prescribed.<br><br>(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the audit period.<br><br>(3) If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** 0.1% of the turnover as he may determine to the best of his judgement in his case in respect of the said period.<br><br>Provided that where such dealer is required under any other law to get his accounts audited, it shall be deemed to be sufficient compliance under such law and furnishes an audit report as required under such law and report in form prescribed under this section within the time |

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| accounts audited under such law and furnishes an audit report as required under such law and a further report in form prescribed under this section within the time specified under sub-section (2).<br><br>*Explanation:* - For the purpose of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountant' Act, 1949 and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act | specified under sub-section (2).<br><br>*Explanation:* - For the purpose of this section, "Accountant" means a Chartered Accountant and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act |

**26. Mizoram Audit Provisions- Section 53 of the Act**

(1) Where in any particular year, the gross turnover of a dealer exceeds thirty lakhs rupees or such other amount as the Commissioner may, by a notification in the official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed.

(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been completed.

(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to 0.1% of the turnover as he may determine to the best of his judgement in respect of the said period.

*Explanation* :-

For the purpose of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act.

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| (1) Where in any particular year, the gross turnover of a dealer exceeds thirty lakhs rupees or such other amount as the | (1) When in a year, the gross turnover of a dealer exceeds thirty lakhs rupees or such other amount as the Commissioner may, |

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| Commissioner may, by a notification in the official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed. | by a notification in the official Gazette specify, then such dealer shall get his accounts audited by an accountant within six months from the end of that year. |
| (2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been completed. | (2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after the audit period. |
| (3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to 0.1% of the turnover as he may determine to the best of his judgement in respect of the said period. | (3) If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** 0.1% of the turnover as he may determine to the best of his judgement in respect of the said period. |
| *Explanation* :- | |
| For the purpose of this section, "Accountant" means a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. | "Accountant" means a Chartered Accountant and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. |

**27. Nagaland Audit Provisions- Section 58 of the Act**

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| (1) Where in any particular year, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as the Commissioner may, by a notification in the official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit |

in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed.

(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been completed.

(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to 0.5 % of the turnover as he may determine to the best of his judgment in his case in respect of the said period

***Explanation:*** For the purpose of this section, 'Accountant' means a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 and includes a person who by virtue of the provisions of sub-section (2) of Section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of companies registered under the said Act.

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| (1) Where in any particular year, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as the Commissioner may, by a notification in the official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed.<br><br>(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been completed.<br><br>(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty | (1) When in a year, the gross turnover of a dealer exceeds forty lakh rupees or such other amount as the Commissioner may, by a notification in the official Gazette specify, then such dealer shall get his accounts audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form and setting forth such particulars as may be prescribed.<br><br>(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after the audit period.<br><br>(3) If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** 0.5 % of the turnover as he may determine to the best of his judgment in his case in respect of |

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| equal to 0.5 % of the turnover as he may determine to the best of his judgment in his case in respect of the said period<br><br>***Explanation:*** For the purpose of this section, 'Accountant' means a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 and includes a person who by virtue of the provisions of sub-section (2) of Section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of companies registered under the said Act. | the said period<br><br>'Accountant' means a Chartered Accountant and includes a person who by virtue of the provisions of sub-section (2) of Section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of companies registered under the said Act. |

**28. Orrissa Audit Provisions- Section 65 of the Act**

(1) If, in respect of any particular year, the gross turnover of a dealer exceeds rupees forty lakh or any other amount as the Commissioner may specify by notification in the Commercial Tax Gazette, then such dealer shall get his accounts in respect of such year audited by an Accountant within a period of six months from the date of expiry of that year and obtain within that period a report of such audit in the prescribed form containing the prescribed particulars duly signed and verified by such Accountant and, in every such case, a true copy of such report accompanied by a statement showing the closing stock in trade held at the end of the year, in the prescribed manner, shall be furnished by such dealer to the Commissioner by the end of the month following the expiry of the said period of six months.

Explanation.- The expression "Accountant " means a chartered accountant within the meaning of the Chartered Accountants Act, 1949 (38 of 1949) or a cost accountant within the meaning of the Cost and Works Accountants Act, 1959 (23 0f 1959) and includes a person who is entitled to be appointed to act as an auditor of companies under sub-section (2) of section 226 of the Companies Act, 1956 (1 of 1956) .

Provided that the audit report under this sub-section relating to the first year of the commencement of this Act, may be furnished within three months from the date appointed under sub-section (2) of section 1 of the Orissa Value Added Tax (Amendment) Act, 2008 '

Provided further that the Government may, by notification and subject to such conditions and restrictions as may be specified in that notification, exempt any class or dealers from the liability to get their accounts audited under the sub-section.

(1-a) A dealer, who is liable to pay tax under section 11, but not liable to get his accounts audited under sub-section (1), shall furnish a statement of closing stock in trade held at the end of the year in the prescribed manner to the Commissioner within a period of three months from the date of expiry of that year.

(2) Where a dealer-

(a) liable to get his accounts audited under sub-section (1), fails to furnish a true copy of the audit report accompanied with a statement showing the closing stock in trade held at the end of the year, in the prescribed manner, or

(b) liable to furnish a statement as required under sub-section (1-a), fails to furnish the same in the prescribed manner within the stipulated period,

the Commissioner shall, after giving such dealer a reasonable opportunity of being heard, impose on him a penalty of rupees one hundred per each day of default

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| (1) If, in respect of any particular year, the gross turnover of a dealer exceeds rupees forty lakh or any other amount as the Commissioner may specify by notification in the Commercial Tax Gazette, then such dealer shall get his accounts in respect of such year audited by an Accountant within a period of six months from the date of expiry of that year and obtain within that period a report of such audit in the prescribed form containing the prescribed particulars duly signed and verified by such Accountant and, in every such case, a true copy of such report accompanied by a statement showing the closing stock in trade held at the end of the year, in the prescribed manner, shall be furnished by such dealer to the Commissioner by the end of the month following the expiry of the said period of six months.<br><br>Explanation. - The expression "Accountant " means a chartered accountant within the meaning of the Chartered Accountants Act, 1949 (38 of 1949) or a cost accountant within the meaning of the Cost and Works Accountants Act, 1959 (23 0f 1959) and includes a person who is entitled to be appointed to act as an auditor of companies under sub-section (2) of section 226 of the Companies Act, 1956 (1 of 1956).<br><br>Provided that the audit report under this sub-section relating to the first year of the commencement of this Act, may be | (1) If the gross turnover of a dealer exceeds rupees forty lakh or any other amount as the Commissioner may specify by notification in the Commercial Tax Gazette, then such dealer shall get his accounts in respect of such year audited by an Accountant within a period of six months from the date of expiry of that year and obtain within that period a report of such audit in the prescribed form.<br><br>Explanation.- The expression "Accountant " means a chartered accountant or a cost accountant and includes a person who is entitled to be appointed to act as an auditor of companies under sub-section (2) of section 226 of the Companies Act, 1956 (1 of 1956) .<br><br>Provided that the audit report under this sub-section relating to the first year of the commencement of this Act, may be furnished within three months from the date appointed under sub-section (2) of section 1 of the Orissa Value Added Tax (Amendment) Act, 2008 '<br><br>Provided further that the Government may, exempt any class or dealers from the liability to get their accounts audited |

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| furnished within three months from the date appointed under sub-section (2) of section 1 of the Orissa Value Added Tax (Amendment) Act, 2008 '<br><br>Provided further that the Government may, by notification and subject to such conditions and restrictions as may be specified in that notification, exempt any class or dealers from the liability to get their accounts audited under the sub-section.<br><br>(1-a) A dealer, who is liable to pay tax under section 11, but not liable to get his accounts audited under sub-section (1), shall furnish a statement of closing stock in trade held at the end of the year in the prescribed manner to the Commissioner within a period of three months from the date of expiry of that year.<br><br>(2) Where a dealer-<br><br>(a) liable to get his accounts audited under sub-section (1), fails to furnish a true copy of the audit report accompanied with a statement showing the closing stock in trade held at the end of the year, in the prescribed manner, or<br><br>(b) liable to furnish a statement as required under sub-section (1-a), fails to furnish the same in the prescribed manner within the stipulated period,<br><br>the Commissioner shall, after giving such dealer a reasonable opportunity of being heard, impose on him a penalty of rupees one hundred per each day of default | under the sub-section.<br><br>(1-a) A dealer, who is liable to pay tax under section 11, but not liable to get his accounts audited under sub-section (1), shall furnish a statement of closing stock in trade held at the end of the year in the prescribed manner to the Commissioner within a period of three months from the date of expiry of that year.<br><br>(2) Where a dealer-<br><br>(a) liable to get his accounts audited under sub-section (1), fails to furnish a true copy of the audit report accompanied with a statement showing the closing stock in trade held at the end of the year, in the prescribed manner, or<br><br>(b) liable to furnish a statement as required under sub-section (1-a), fails to furnish the same in the prescribed manner within the stipulated period,<br><br>the Commissioner shall, after giving such dealer a reasonable opportunity of being heard, impose on him a penalty of rupees one hundred per each day of default |

**29. Puducherry Audit Provisions- Section 54 of the Act**

Every dealer whose total turnover in a year exceeds rupees fifty lacks shall get his accounts audited by Chartered Accountants or Cost Accountants and shall submit a copy of the audited statement of accounts and certificate in the manner prescribed.

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| Every dealer whose total turnover in a year exceeds rupees fifty lacks shall get his accounts audited by Chartered Accountants or Cost Accountants and shall submit a copy of the audited statement of accounts and certificate in the manner prescribed. | Every dealer whose total turnover in a year exceeds rupees fifty lacks shall get his accounts audited by Chartered Accountants or Cost Accountants. |

**30. Sikkim Audit Provisions- Section 58 of the Act**

(1) Where in any particular year, the gross turnover of a dealer exceeds five lakh rupees or such other amount as the State Government may, by a notification in the official Gazette specify, then such dealer shall gets his accounts, in respect of that year audited by an Accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed.

(2) A true copy of such report shall be furnished by such dealer to the prescribed authority by the end of the month after expiry of the period of six months during which the audit would have been completed.

(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the prescribed authority shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to one percent of the turnover as it may determine to the best of its judgment in respect of the said period.

**Explanation-** For the purpose of this section, "Accountant" means of Chartered Accountant within the meaning of the Chartered Accountant' Act, 1949 and includes a person who by virtue of the provision of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act.

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| (1) Where in any particular year, the gross turnover of a dealer exceeds five lakh rupees or such other amount as the State Government may, by a notification in the official Gazette specify, then such dealer shall gets his accounts, in respect of that year audited by an Accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed. | (1) When in a year, the gross turnover of a dealer exceeds five lakh rupees or such other amount as the State Government may, by a notification in the official Gazette specify, then such dealer shall gets his accounts, audited by an Accountant within six months from the end of that year and obtain a report of such audit in the prescribed form. |

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| (2) A true copy of such report shall be furnished by such dealer to the prescribed authority by the end of the month after expiry of the period of six months during which the audit would have been completed.<br><br>(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the prescribed authority shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to one percent of the turnover as it may determine to the best of its judgment in respect of the said period.<br><br>**Explanation-** For the purpose of this section, "Accountant" means of Chartered Accountant within the meaning of the Chartered Accountant' Act, 1949 and includes a person who by virtue of the provision of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. | (2) A true copy of such report shall be furnished by such dealer to the prescribed authority by the end of the month after expiry of the period of six months during which the audit would have been completed.<br><br>(3) If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** one percent of the turnover as it may determine to the best of its judgment in respect of the said period.<br><br>"Accountant" means of Chartered Accountant and includes a person who by virtue of the provision of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. |

**31. Tamil Nadu- No Audit Provision ---- Departmental Audit Only**
**32. Tripura Audit Provisions- Section 53 of the Act**

(1) Where in any particular year, the gross turnover of a dealer exceeds forty lacs rupees or such other amount as the Commissioner, may, by notification in the official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed.

(2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been completed.

(3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty

equal to 0.1% of the turnover as he may determine to the best of his judgement in his case in respect of the said period.

Explanation :- For the purpose of this section, "Accountant" means (i) a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. or (ii) a Cost Accountant within the meaning of the Cost and Works Accountant Act, 1959.

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| 1) Where in any particular year, the gross turnover of a dealer exceeds forty lacs rupees or such other amount as the Commissioner, may, by notification in the official Gazette specify, then such dealer shall get his accounts, in respect of that year audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed. | 1) When in a year, the gross turnover of a dealer exceeds forty lacs rupees or such other amount as the Commissioner, may, by notification in the official Gazette specify, then such dealer shall get his accounts audited by an accountant within six months from the end of that year and obtain a report of such audit in the prescribed form and setting forth such particulars as may be prescribed. |
| (2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months during which the audit would have been completed. | (2) A true copy of such report shall be furnished by such dealer to the Commissioner by the end of the month after expiry of the period of six months. |
| (3) If any dealer liable to get his accounts audited under sub-section (1) fails to get his accounts audited and furnish a true copy of the audit report within the time specified in sub-section (2), the Commissioner shall, after giving the dealer a reasonable opportunity of being heard, impose on him, in addition to any tax payable, a sum by way of penalty equal to 0.1% of the turnover as he may determine to the best of his judgement in his case in respect of the said period. | (3) If any dealer fails to get his accounts audited and fails to furnish a true copy of the audit report within the time specified, then after giving the dealer a reasonable opportunity of being heard, a **fine can be imposed on him equal to** 0.1% of the turnover as he may determine to the best of his judgement in his case in respect of the said period. |
| Explanation :- For the purpose of this section, "Accountant" means (i) a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949 and includes a person who by virtue of the | "Accountant" means (i) a Chartered Accountant and includes a person who by virtue of the provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as |

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| provisions of sub-section (2) of section 226 of the Companies Act, 1956, is entitled to be appointed to act as an auditor of Companies registered under the said Act. or (ii) a Cost Accountant within the meaning of the Cost and Works Accountant Act, 1959. | an auditor of Companies registered under the said Act. or (ii) a Cost Accountant |

**33. West Bengal Audit Provisions- Section 30E of the Act**

(1) Every registered dealer shall, in the manner as may be prescribed, submit before the prescribed authority such statements, accounts or declarations within such time as may be prescribed and shall verify that such statements, accounts or declarations are true to the best of his knowledge and belief.

(1A) Every registered dealer, other than Public Limited Company or Private Limited Company registered under the Companies Act(1 of 1956),1956, whose turnover of sales or contractual transfer price or both exceeds rupees one crore in a year, shall, within such date as may be prescribed, submit before the prescribed authority a Profit and Loss Account and Balance Sheet for such year, along with the audit report of a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949, or a Cost Accountant Act within the meaning of the Cost and Works Accountant Act, 1959, in the prescribed form.

(1B) Every registered dealer, being a Public Limited Company or Private Limited Company registered under the Companies Act, 1956, shall, within such dakte as may be prescribed, submit before the prescribed authority a copy of the audited Profit and Loss Account and Balance Sheet for such year, along with the audit report of a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949, or a Cost Accountant Act within the meaning of the Cost and Works Accountant Act, 1959, in the prescribed form.

(2) If a registered dealer fails to submit statements, accounts, audit reports or declarations, as the case may be , referred to in sub-section (1), sub-section (1A) or sub-section (1B), he shall be liable to pay a penalty not exceding rupees five thousand for each default, in the manner as may be prescribed.

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| (1) Every registered dealer shall, in the manner as may be prescribed, submit before the prescribed authority such statements, accounts or declarations within such time as may be prescribed and shall verify that such statements, accounts or declarations are true to the best of his knowledge and belief.<br><br>(1A) Every registered dealer, other than | Every registered dealer shall, submit before the prescribed authority such statements, accounts or declarations within such time as may be prescribed and shall verify that they are true to the best of his knowledge and belief.<br><br>(1A) Every registered dealer, other than |

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| Public Limited Company or Private Limited Company registered under the Companies Act(1 of 1956),1956, whose turnover of sales or contractual transfer price or both exceeds rupees one crore in a year, shall, within such date as may be prescribed, submit before the prescribed authority a Profit and Loss Account and Balance Sheet for such year, along with the audit report of a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949, or a Cost Accountant Act within the meaning of the Cost and Works Accountant Act, 1959, in the prescribed form.<br><br>(1B) Every registered dealer, being a Public Limited Company or Private Limited Company registered under the Companies Act, 1956, shall, within such date as may be prescribed, submit before the prescribed authority a copy of the audited Profit and Loss Account and Balance Sheet for such year, along with the audit report of a Chartered Accountant within the meaning of the Chartered Accountant Act, 1949, or a Cost Accountant Act within the meaning of the Cost and Works Accountant Act, 1959, in the prescribed form.<br><br>(2) If a registered dealer fails to submit statements, accounts, audit reports or declarations, as the case may be , referred to in sub-section (1), sub-section (1A) or sub-section (1B), he shall be liable to pay a penalty not exceeding rupees five thousand for each default, in the manner as may be prescribed. | Public Limited Company or Private Limited Company registered under the Companies Act(1 of 1956), whose turnover of sales or contractual transfer price or both exceeds rupees one crore in a year, shall, submit before the prescribed authority a Profit and Loss Account and Balance Sheet for such year, along with the audit report of a Chartered Accountant or a Cost Accountant in the prescribed form.<br><br>(1B) Every registered dealer, being a Public Limited Company or Private Limited Company registered under the Companies Act, 1956, shall, submit before the prescribed authority a copy of the audited Profit and Loss Account and Balance Sheet for such year, along with the audit report of a Chartered Accountant or a Cost Accountant in the prescribed form.<br><br>(2) If a registered dealer fails to submit statements, accounts, audit reports or declarations, as the case may be , referred to in sub-section (1), sub-section (1A) or sub-section (1B), he shall be liable to pay a penalty not exceeding rupees five thousand for each default, in the manner as may be prescribed. |