

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
DEPARTMENT OF TRADE & TAXES
(POLICY BRANCH)

VYAPAR BHAWAN, I.P. ESTATE, NEW DELHI - 110 002

No. F. 3(624)/Policy/NAT/2016/1317

Dated 13/01/2016

To,

The All Head of Departments,
Govt. of NCT of Delhi/Autonomous bodies/Undertaking/Local Bodies of GNCTD,
Delhi/New Delhi.

Sub: Purchase by Government Departments.

Please find enclosed herewith a copy of Finance Department's Circular No. F.3(11)Fin(Rev-I)/2012-13/dsVI/57-62 dated 17.01.2013 regarding purchases to be made by Government bodies from the dealers registered in Delhi. The Circular was reiterated vide Finance Department's letter No. F.3(11)/Fin(Rev-I)/2012-13/dsVI/483 dated 01.07.2013 whereby all the government bodies under the Government of NCT of Delhi were directed to ensure that all purchases made by them for their offices or other uses would be made from registered dealers from Delhi itself. A copy of the said letter is also being enclosed herewith. However, it has been brought to the notice that in some departments, the purchases are being made either from unregistered dealers or from the dealers outside Delhi without taking any prior approval from Finance Department in this regard, which is in total violation of the aforesaid directives issued by Government of Delhi.

It is, therefore, once again reiterated that all the departments/bodies under the Government of Delhi shall adhere and ensure compliance of the aforesaid Circular in letter and spirit with further advice that Registration Number/TINs of the respective suppliers, if need be, may be verified from this Department's website www.dvat.gov.in. TIN can also be verified by SMS. For this type DVAT <space> DL <space> TIN and send it to 7738299899.

Yours faithfully,

Encl. As above

13/1/16
(R.K. Mishra)

Spl. Commissioner (Policy)

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GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
FINANCE (REV-I) DEPARTMENT;
4TH LEVEL A-WING, DELHI SECRETARIAT
I.P. ESTATE, NEW DELHI-110002

No.F.3(11)/Fin(Rev-I)/2012-2013/dsvi/483

Dated 01/7/13

To,

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The All Head of Departments,
Govt. of NCT of Delhi/Autonomous bodies/Undertakings/Local Bodies of
GNCTD,
Delhi/New Delhi

Sub: Purchase by Government Departments

Sir,

Please refer to circular No.F.3(11)/Fin(Rev-I)/2012-2013/dsvi/57-62 dated 17/01/2013 issued by Pr. Secy(Fin.) vide which it has been directed that all the Departments of Govt of NCT of Delhi and Local Bodies shall procure goods/works contract from supplier/bidder or his authorized distributor in Delhi and against a sale invoice issued and goods delivered from Delhi.(copy of the said circular is enclosed for ready reference.

2- This circular was issued to avoid net loss of revenue to the Delhi Government in form of VAT as some of the suppliers/bidders was supplying goods through sale invoice issued from their branch office outside Delhi. In the interest of protecting revenue of Govt of NCT of Delhi the above direction must be followed by the Department.

3- However, in the unlikely scenario when a net loss to the GNCTD is contemplated if purchases are to be made against local invoice, prior approval of Finance Department may be sought for such purchases.

It is once again, reiterated that the said circular of Finance Department be complied with in letter and spirit.

Encl as above

Yours faithfully,



(RAVINDER KUMAR)
DY. SECRETARY-VI(FIN.)

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Government of NCT of Delhi
Office of the Principal Secretary
Department Of Finance
Delhi Secretariat, New Delhi

F.3(11)/Fin(Rev-I)/2012-13/ds IV/57-62

Dated: 17/1/2013

CIRCULAR

1. Different Government Departments / Organisations of Government of NCT of Delhi (GNCTD) and Local Bodies procure goods/ supply items, etc. for their functional requirements through open tendering or at rate contract of pre-authorised agencies such as DGS&D, ICSIL, NICSIL, DSIIIDC, Kendriya Bhandar, etc. In many such purchases, the goods are supplied through sale invoices by vendors from their offices/ branches outside Delhi. Result, the Value Added Tax (VAT) accrues to the state from which such goods are exported to Delhi. There is consequent loss of VAT revenue to Delhi. This is against the principles of VAT, a form of sales tax, which is consumption based tax and accordingly the tax revenue should accrue to the consuming state and not to the exporting state. This loss comes at the expense of GNCTD.
2. It has accordingly been decided that in future tenders and contract agreements, and in case of procurement from pre-authorised agencies such as DGS&D, ICSIL, NICSIL, Kendriya Bhandar, DSIIIDC, etc. or through open tender, the Departments / Organisations of Government of NCT of Delhi and Local Bodies will insert the following condition:

"The goods, including for works contract, shall be supplied by bidder or its authorised distributor in Delhi and against a sale invoice issued from Delhi. The delivery of goods shall also be made from Delhi. The bidder dealer or its authorised distributor, as the case may be, who supplies the goods should be registered with the Delhi VAT Department and carry a valid Tax Identification Number issued by it. The bidder shall, however, be responsible for compliance with all conditions, warranties/ guarantees, irrespective of the fact that the goods are supplied by him directly or through its authorized distributor. Further, the quoted bid price in the tender shall be inclusive of all taxes and duties."

The pre-authorised agencies shall also ensure the following:

"Delivery of goods is made from Delhi and against a sale invoice issued from Delhi. The dealer supplying goods should be registered with the Delhi VAT Department and carry a valid Tax Identification Number issued by it."

3. There could, however, be cases where the price in Delhi may be more than the price in the exporting state. E.g. a motor car costing ₹ 4.75 lakh in Gurgaon may cost ₹ 4.85 lakh in Delhi (sale to authorized dealer @ 2% CST). If the vehicle is purchased locally, then Delhi would get ₹ 60,625 (12.5% of ₹ 4.85 lakh) as VAT. Thus, the total sale price would become ₹ 5,45,625 for purchase from Delhi. In case of purchase from Gurgaon, the sale price would be ₹ 5,34,375, inclusive of full CST (12.5% of ₹ 4.75

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lakh) payable to Haryana Government. Thus, there is increase in sale price for the indenting organization by ₹ 11,250 in case of local purchase but Government of Delhi will be a net gainer by ₹ 49,375 (₹ 60,625 - ₹ 11,250).

4. This arrangement could result in enhancement of expenditure on the part of the Department, but there is a likely net gain to the GNCTD. However, in the unlikely scenario when a net loss to the GNCTD is contemplated if purchases are made against local invoice, prior approval of FD may be sought for such purchase. As regards the extra expenditure by the Department/ Organisation, the Government may compensate the same as Non-Plan grant.

(Signature)
(Shakti Sinha)

Principal Secretary (Finance)

Copy to:

1. Principal Secretary, PWD
2. Principal Secretary, Power
3. Principal Secretary, Development
4. Principal Secretary, Irrigation & Flood Control Department
5. Principal Secretary, TTE/Higher Education
6. Secretary GAD
7. Secretary Health & Family Welfare, Government of NCT of Delhi
8. Secretary, Environment & Forest, Government of NCT Delhi
9. Vice Chairman, Delhi Development Authority
10. Commissioner, Transport, Government of NCT of Delhi
11. Chairperson, New Delhi Municipal Committee
12. Commissioner, South Delhi Municipal Corporation
13. Commissioner, North Delhi Municipal Corporation
14. Commissioner, East Delhi Municipal Corporation
15. CEO, Delhi Jal Board
16. Director Education, Government of NCT of Delhi
17. Director General, Central Public Works Department
18. Managing Director, DSIIDS Ltd.
19. CEO, DUSIB
20. CMD, DTC
21. Managing Director, DT&TDC
22. CMD DTL / DPCL
23. Registrar Cooperative Societies