

Office of the  
Commissioner of State Tax  
(GST), 8th floor, New Building,  
GST Bhavan, Mazgaon,  
Mumbai-400010.

**TRADE CIRCULAR**

To,

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No. JC (HQ)-1/GST/2019/STR-3/ADM--8 Mumbai, dated 8<sup>th</sup> May 2019.

Trade Circular (GST) No. 19 T of 2019.

**Sub. : Submission of Form for one time option to pay tax on construction of apartments in a project by the promoters at the rate as specified for item (ie) or (if), against serial number 3 in the Table in this notification, as the case may be, by the 10th of May, 2019**

**Ref. :** Notification No. 03/2019—State Tax (Rate) dated the 30<sup>th</sup> March 2019.

Sir/Gentlemen/Madam,

1. You are well aware that by Notification cited at Ref. above, the entry at Serial Number 3 of the Notification No. 11/2017 State Tax (Rate) dated 29<sup>th</sup> June 2017 has been amended and the new GST rates have been prescribed for the Residential Real Estate Project and the Real Estate Project.
2. In order to avail the benefits under Notification No. 3/2019 State Tax (Rate) dated the 30<sup>th</sup> March 2019 it is necessary to submit a Form given in Annexure-IV to the said Notification for exercising the one time option to pay tax on construction of apartments in a project by the promoters at the rate as specified for item (ie) **i.e. Construction of an apartment in an ongoing project under any of the schemes specified in sub-item (b), sub-item (c), sub-item (d), sub-item (da) and sub-item (db) of item (iv); sub-item (b), sub-item (c), sub-item (d) and sub-item (da) of item (v); and sub-item (c) of item (vi), against serial number 3 of the Table pay State tax on construction of apartments at the rates as specified for this item. or item (if), i.e. Construction of a complex, building, civil structure or a part thereof,**

- including,— (i) commercial apartments (shops, offices, godowns etc.) by a promoter in a REP other than RREP, (ii) residential apartments in an ongoing project, other than affordable residential apartments, in respect of which the promoter has exercised option to pay State tax on construction of apartments at the rates as specified for this item in the manner prescribed herein, but excluding supply by way of services specified at items (i), (ia), (ib), (ic), (id) and (ie) above intended for sale to a buyer, wholly or partly, except where the entire consideration has been received after issuance of completion certificate, where required, by the competent authority or after its first occupation, whichever is earlier.
3. In view of the mandate given in the aforesaid notification that one time option to pay tax on construction of apartments in a project by the promoters at the rate as specified for item (ie) or (if), against serial number 3 in the Table of the Notification cited at Ref. above is required to be submitted to the concerned Joint Commissioner of State Tax (jurisdictional Joint Commissioner) **on or before the 10<sup>th</sup> May, 2019.**
  4. All the stake holders are requested to submit the option Form in the said Annexure-IV accordingly. It may please be noted that in case such Form is not submitted then it shall be deemed that such promoter is liable to pay tax in respect of the ongoing project as per the Notification No. 3/2019 State Tax (Rate) at the reduced rate of 0.75% and 3.75% for the Residential Real Estate Project and the Real Estate Project, respectively.
  5. This Trade Circular is clarificatory in nature and hence cannot be made use of for interpretation of provisions of the law. Difficulty if any, in the implementation of this Circular may be brought to the notice of the office of the Commissioner of State Tax, Maharashtra.

Yours faithfully,



**(Rajiv Jalota)**

Commissioner of State Tax,  
Maharashtra State, Mumbai.

No. JC (HQ)-1/GST/2019/STR-3/ADM--8 Mumbai, dated 8<sup>th</sup> May 2019

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Copy forwarded to the Joint Commissioner of State Tax, (MAHAVIKAS) with a request to upload this Trade circular on MGSTD web-site.

Copy submitted with compliments to,-

- (1) The Deputy Secretary, Finance Department, Mantralaya, Mumbai-21 for information.
- (2) Accounts Officer, Sales Tax Revenue Audit, Mumbai and Nagpur.

  
(**Shriram H. Umale**)

Joint Commissioner of State Tax, (HQ) 1,  
Maharashtra State, Mumbai.

**Annexure IV****FORM**

(Form for exercising one time option to pay tax on construction of apartments in a project by the promoters at the rate as specified for item (ie) or (if), against serial number 3 in the Table in this notification, as the case may be, by the 10th of May, 2019).

Reference No. \_\_\_\_\_

Date \_\_\_\_\_

To \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(To be addressed to the jurisdictional Joint Commissioner)

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

**Declaration**

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

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

2. I understand that this is a onetime option, which once exercised, shall not be allowed to be changed.
3. I also understand that invoices for supply of the service can be issued during the period from 1st April 2019 to 10th May 2019 before exercising the option, but such invoices shall be in accordance with the option being exercised herein.

Signature

Name \_\_\_\_\_

Designation \_\_\_\_\_

Place \_\_\_\_\_

Date \_\_\_\_\_