

Dhaval Talati

4 Whether a Joint Development Agreement (JDA) between a landowner and a developer qualifies as a taxable works contract or a sale of goods? Held: Works Contract Questions before the Court The court considered five common questions of law: Whether a Joint Development Agreement (“JDA”) between a landowner and a developer is a works contract taxable under the Karnataka Value Added Tax (KVAT) Act. Whether the JDA transaction, being a ‘barter/exchange’, amounts to a ‘sale’ of goods under Section 2(29) of the KVAT Act, 2003. Whether disallowing the exemption for the value of the undivided share of land received from flat purchasers amounts to a levy of VAT on immovable property,