

# Amendments Module on GST & Customs For CA Final May 2019 Exams



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# Segment - 1

# INTRODUCTION TO GST

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## **CBEC CHANGED TO CBIC - AMENDED W.E.F 29/08/2018**

- Any reference to Central Board of Excise and Customs (CBEC) in any GST Act to be changed to Central Board of Indirect Tax and Customs (CBIC)



# Segment - 2

## TAXABLE EVENT UNDER GST

### CHANGES IN THE DEFINITION OF BUSINESS - SEC. 2(17) OF CGST ACT, 2017 W.E.F 29.08.2018

| Before AMENDMENT   | After AMENDMENT  |
|--|--|
| (h) services provided by a race club by way of totalisator or a licence to book maker in such club | (h) activities of a race club <b>including</b> by way of totalisator or a license to book maker or <b>activities of a licensed book maker</b> in such club |

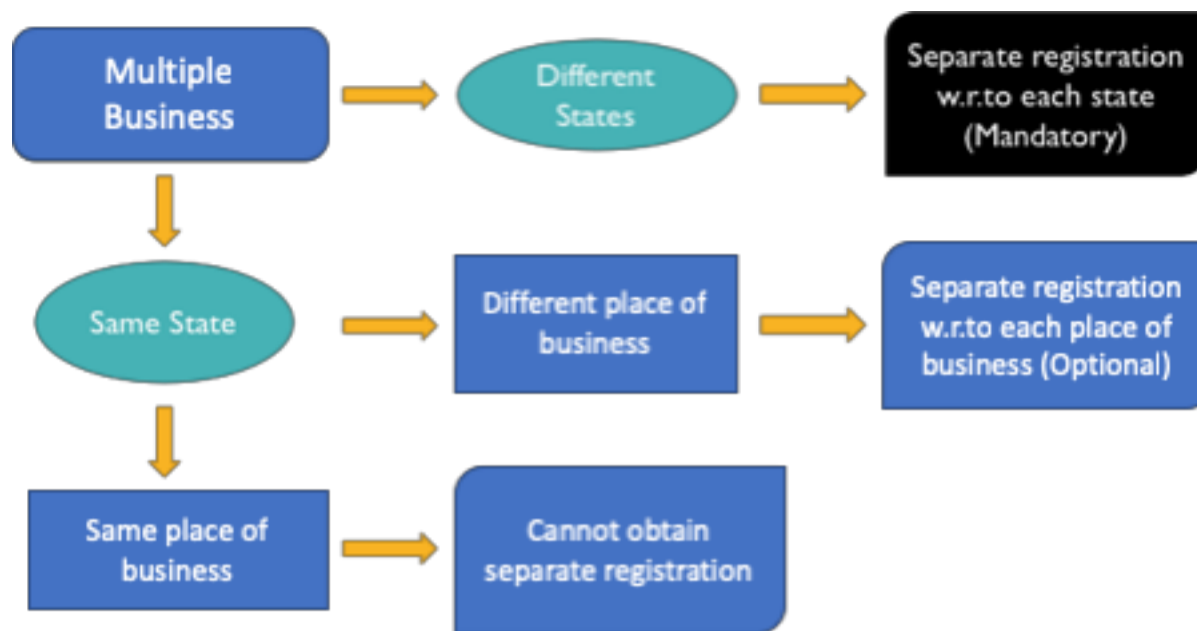
#### Analysis of above amendment:

1. All activities of a race club are covered under the definition of business. Eg: Entry tickets, parking fees, supply of merchandise, supply of food and beverages, Rent to keep horses etc.,
2. A race club may act as a totalizer or may authorize any other person to act as totalizer by giving a license
3. If race club is acting as totalizer, the amount collected towards bets (i.e. Bet Value) is covered under business. If race club is licensing a person to act as totalizer, then license fee collected by race club is covered under business.
4. The activities of a licensed book maker in such club is also covered under business.

### DEFINITION OF BUSINESS VERTICAL UNDER SEC. 2(18) OF CGST ACT, 2017 OMITTED W.E.F 29.08.2018

#### Analysis of above amendment:

1. Once a person is liable to be registered under sec. 22 or 24, such person is required to obtain registration in every state from where he makes taxable supplies of goods or services.
2. Within a state they may obtain a separate registration w.r.to each business vertical, if they have different business verticals.
3. However, many PSU's wanted to obtain separate registration in each place of business within a state, even though they are not different business verticals.
4. To facilitate such requirement, the concept of business verticals is omitted and every person may obtain separate registration w.r.to each place within the state, if they have different place of business.



**NEW EXPLANATION ADDED TO DEFINITION OF SERVICES IN SEC. 2(102) OF CGST ACT, 2017 W.E.F 29.8.2018**

Explanation: For the removal of doubts, it is hereby clarified that the expression “services” includes facilitating or arranging transactions in securities;

**Analysis of above amendment:**

1. “Transactions in securities” is excluded from the definition of goods as well as services under GST.
2. There was a conflict in interpretation that stock broker services and other services in relation to securities was also classified as transaction in securities and they did not pay GST on the same, which is not the intention of the law maker.
3. To rectify such interpretation, this explanation has been added to the definition of service in Sec. 2(102), where in only transaction in securities is excluded from goods as well as service but any activity in relation to transaction in securities i.e stock broker services, depository services etc., are covered under service and chargeable to GST.

**RETROSPECTIVE AMENDMENT IN SEC. 7 OF CGST ACT, 2017 W.E.F 1/7/17:**

| Section | Before AMENDMENT   | After AMENDMENT |
|---------|--|-----------------|
| 7(1)(a) | all forms of supply of goods or services or both such as sale, transfer, barter, exchange, licence, rental, lease or disposal made or agreed to be made for a consideration by a person in the course or furtherance of business | Not changed     |
| 7(1)(b) | import of services for a consideration whether or not in the course or furtherance of business   | Not changed     |

|         |  |  |
|---------|--|--|
| 7(1)(c) | the activities specified in Schedule I, made or agreed to be made without a consideration<br>(4) Import of services by a taxable person from a related person or from any of his other establishments outside India, in the course or furtherance of business. | Not changed<br><br>(4) Import of services by a <b>taxable</b> person from a related person or from any of his other establishments outside India, in the course or furtherance of business.  |
| 7(1)(d) | the activities to be treated as supply of goods or supply of services as referred to in Schedule II  | Omitted  |
| 7(1A)   |  | where certain activities or transactions constitute a supply in accordance with the provisions of sub-section (1), they shall be treated either as supply of goods or supply of services as referred to in Schedule II.  |
| 7(3)    |  | <p><b><u>New Insertions in Schedule III</u></b></p> <p>7. Supply of goods from a place in the non-taxable territory to another place in the non-taxable territory without such goods entering into India.</p> <p>8. (a) Supply of warehoused goods to any person before clearance for home consumption;</p> <p>(b) Supply of goods by the consignee to any other person, by endorsement of documents of title to the goods, after the goods have been dispatched from the port of origin located outside India but before clearance for home consumption.</p> <p><i>Explanation</i> .—For the purposes of paragraph 8, the expression “warehoused goods” shall have the same meaning as assigned to it in the Customs Act, 1962.</p> |

**Analysis of Amendment in Sec. 7(1)(c):**

**Illustration:** X Ltd. imported services from its holding company Y Ltd. located in U.S in relation to development of an android application for the business of X Ltd. State whether the said transaction constitutes supply if X Ltd. is registered and of X Ltd. is unregistered?

| Situation                 | Before Amendment  | After Amendment    |
|---------------------------|---|--------------------|
| If X Ltd. is registered   | Supply u/s 7(1)(c)  | Supply u/s 7(1)(c) |
| If X Ltd. is unregistered | Not a supply as X Ltd. is not a taxable person, as it is not registered | Supply u/s 7(1)(c) |

**Consequence of the amendment:** X Ltd. is liable to pay GST under RCM and compulsorily required to get registered as per Sec. 24, irrespective of aggregate turnover.

**Analysis of amendment in Sec. 7(1A):**

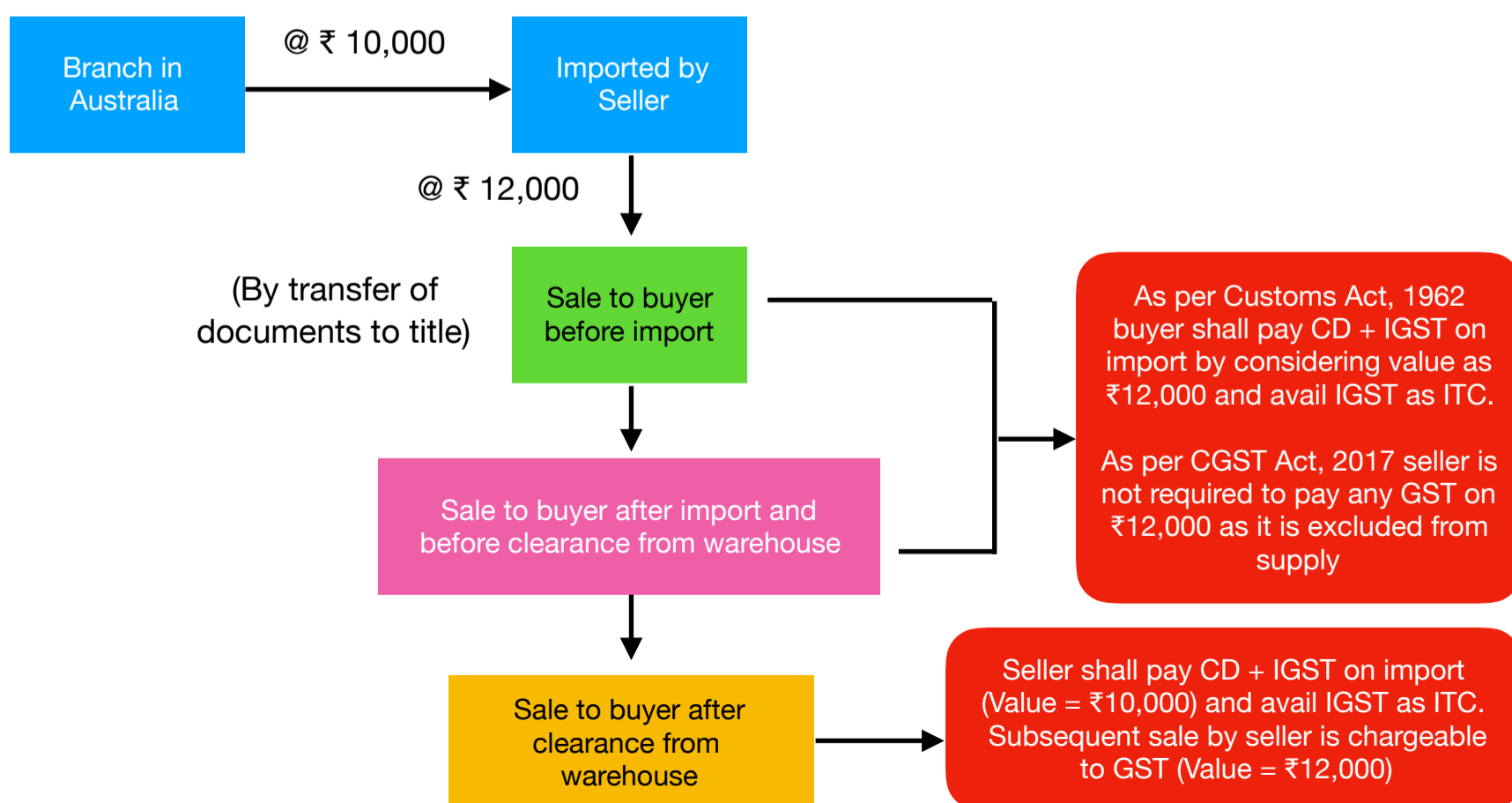
1. Earlier Sec. 7(1)(d) dealt with classification of an activity which constitutes supply as supply of goods or supply of services.
2. But on account of its reference in Sec. 7(1), it was being interpreted that even though an activity do not constitute supply under Sec. 7(1)(a) or 7(1)(b) or 7(1)(c), it shall be deemed to be supply if such activity is covered under Sec. 7(1)(d), which is not the intention of the law maker.
3. Therefore, section 7(1)(d) is omitted and the information in such section is classified into a different section 7(1A), to avoid such misinterpretation.

**Analysis of amendment in Sec. 7(2):**

1. This sub section deals with exclusions from supply u/s 7(1), where in various activities are excluded from supply [SPALLED] and not chargeable to GST
2. Three more activities are added to this list - Movement of goods outside India, Sale of warehoused goods under import, High sea Sales.
3. When goods originates outside India and terminates outside India but the financial implication of such movement of goods takes place in India between two persons, it is not chargeable to GST.

**For Example,** If Seller is registered in India and having a branch in Australia is selling goods to a buyer registered in India and having a branch in Germany, such sale is excluded from supply, if movement of goods is between sellers branch in Australia to buyers branch in Germany.

4. When warehoused goods are sold to a buyer after import but before clearance to home consumption from warehouse, the said sale is also excluded from supply and not chargeable to GST.
5. When imported goods are sold to a buyer before import (i.e. High Sea Sales), such sale is also excluded from supply and not chargeable to GST.
6. However in the above two cases (4) and (5), the buyer of such goods shall pay Customs duty along with IGST on the purchase price but not the original import price.





**REVERSE CHARGE MECHANISM (RCM):**

**Note:** Reverse Charge Mechanism under Sec. 9(4) has been deferred upto 30.09.2019. Therefore, currently Sec. 9(3) and Sec. 9(5) are only effective.

- Sec. 9(3) - RCM on notified goods and services (Students are not required to remember notified goods under RCM for their CA final examinations)
- Sec. 9(5) - In case of notified services supplied through E Commerce Operator, liability to pay GST is on E Commerce Operator and not on supplier of such notified service.

**SCOPE OF SEC. 9(4) RESTRICTED ONLY TO SPECIFIED CLASS OF REGISTERED PERSONS  
W.E.F 29.08.2018:**

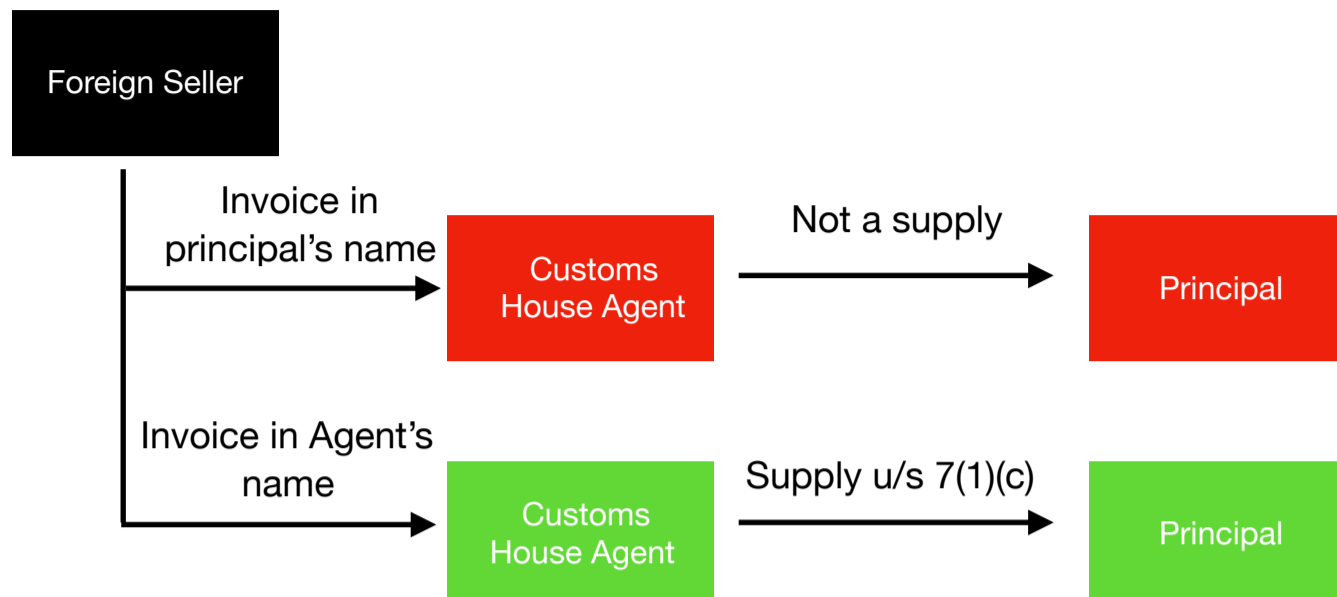
| Section | Before AMENDMENT  | After AMENDMENT  |
|---------|---|--|
| 9(4)    | The central tax in respect of the supply of taxable goods or services or both by a supplier, who is not registered, to a registered person shall be paid by such person on reverse charge basis as the recipient and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to the supply of such goods or services or both. | The Government may, on the recommendations of the Council, <b>by notification, specify a class of registered persons</b> who shall, in respect of supply of specified categories of goods or services or both received from an unregistered supplier, pay the tax on reverse charge basis as the recipient of such supply of goods or services or both, and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to such supply of goods or services or both. |

**Clarifications through Circulars:**

- Moulds and dies owned by Original Equipment Manufacturers (OEM) that are sent free of cost (FOC) to a component manufacturer (the two not being related persons or distinct persons) does not constitute a supply as there is no consideration involved [Circular No. 47/21/2018 GST dated 08.06.2018].
- **Circular No. 57/31/2018 - GST dated 04.09.2018 clarifying the meaning of “agent undertaking to make supply on behalf of principal”**
  1. As per Sec. 7(1)(c), supply of goods by a principal to his agent where agent undertakes to make supply such goods on behalf of principal (or) supply of goods by an agent to his principal where agent undertakes to receive such goods on behalf of principal, constitutes supply even though without consideration and chargeable to GST.
  2. Supply of services between principal and agent is outside the ambit of above entry. In such case, Sec. 7(1)(c) not applicable and if there is consideration, it falls under Sec. 7(1)(a)
  3. Making supply on behalf of principal = Agent is wearing representative hat and represents principal in the supply made by him
  4. If agent gives invoice to buyer in the name of principal, then agent is not making supply on behalf of principal and transaction between principal and agent in such case is not treated as supply. Alternatively, if agent is invoicing buyer in his own name, then agent is making supply on behalf of principal and transaction between principal and agent in such case is treated as supply.

5. Every agent who is making supply on behalf of principal is compulsorily required to get registered as per Sec. 24, irrespective of aggregate turnover.

6.



- Circular No. 44/18/2018 - GST dated 02.05.2018 clarifying the taxability of Tenancy rights/pagadi:

In **Pagadi system**, the tenant acquires tenancy rights in the property against payment of tenancy premium (pagadi). The landlord may be owner of the property but the possession of the same lies with the tenant. The tenant pays periodic rent to the landlord as long as he occupies the property. The tenant also usually has the option to sell the tenancy right of the said property and in such a case has to share a percentage of the proceeds with owner of land, as laid down in their tenancy agreement. Alternatively, the landlord pays to tenant the prevailing tenancy premium to get the property vacated. Such properties in Maharashtra are governed by Maharashtra Rent Control Act, 1999.

♣ The activity of transfer of tenancy right against consideration in the form of tenancy premium is a supply of service liable to GST.

♣ It is a form of lease or renting of property and such activity is specifically declared to be a service in para 2 of Schedule II i.e. any lease, tenancy, easement, licence to occupy land is a supply of services.

♣ The contention that stamp duty and registration charges are levied on such transfers of tenancy rights, and such transaction thus should not be subjected to GST, is not relevant.

♣ The transfer of tenancy rights cannot be treated as sale of land or building declared as neither a supply of goods nor of services in para 5 of Schedule III to CGST Act, 2017. Thus, a consideration for the said activity shall attract levy of GST.

To sum up, the activity of transfer of 'tenancy rights' is squarely covered under the scope of supply and taxable per-se. Transfer of tenancy rights to a new tenant against consideration in the form of tenancy premium is taxable. However, renting of residential dwelling for use as a residence is exempt.

Hence, grant of tenancy rights in a residential dwelling for use as residence dwelling against tenancy premium or periodic rent or both is exempt. As regards services provided by outgoing tenant by way of surrendering the tenancy rights against consideration in the form of a portion of tenancy premium is liable to GST.

- Circular No. 47/21/2018 dated 08.06.2018 clarifying classification of the activity of servicing of cars:

servicing of cars involving supply of both goods (spare parts) and services (labour) where the value of goods and services are shown separately, CBIC has clarified that the goods and services would be liable to tax at the rates as applicable to such goods and services separately

- Circular No. 48/22/2018 - GST dated 14.06.2018 clarifying services provided to SEZ:

1. As per section 7(5)(b) of the IGST Act, the supply of goods or services or both to a SEZ developer or a SEZ unit shall be treated to be a supply in the course of inter-State trade or commerce.
2. However, as per section 12(3)(c) of the IGST Act, the place of supply of services by way of accommodation in any immovable property for organising any functions shall be the location at which the immovable property is located. Thus, in such cases, if the location of the supplier and the place of supply is in the same State/Union territory, it would be treated as an intra-State supply.
3. It is an established principle of interpretation of statutes that in case of an apparent conflict between two provisions, the specific provision shall prevail over the general provision.
4. In the instant case, section 7(5)(b) of the IGST Act is a specific provision relating to supplies of goods or services or both made to a SEZ developer or a SEZ unit, which states that such supplies shall be treated as inter-State supplies.
5. It is therefore, clarified that services of short term accommodation, conferencing, banqueting etc., provided to a SEZ developer or a SEZ unit shall be treated as an inter-State supply

# Segment - 3

## INVOICE, TIME OF SUPPLY

### **CONSOLIDATED INVOICE BY AN INSURER OR BANKING COMPANY OR FINANCIAL INSTITUTION (INCL. NBFC):**

| Before AMENDMENT  | After AMENDMENT   |
|---|---|
| The Supplier <b>SHALL</b> issue a Consolidated invoice for the supply of services made during a month | The supplier <b>MAY</b> issue a consolidated invoice for the supply of services made during a month [Vide Notification No. 55/2017(Dt: 15/11/17)] |

### **NO GST ON ADVANCES IN CASE OF GOODS [SEC. 12(2)]:**

- Time of Supply (TOS) as per Sec. 12(2) of CGST Act, 2017 in case of goods covered under forward charge mechanism was earlier of date of invoice and date of payment received.
- However, TOS under Sec. 12(2) is amended and as per the amended provision, **TOS shall be date of invoice** (WHICH is EARLIER of Due date of Invoice or Actual date of Invoice).
- Therefore, now no GST is payable on advance received and on such advances GST is payable as and when the invoice is issued or to be issued, whichever is EARLIER.

### **INVOICE IN CASE OF DESPATCH OF GOODS IN BATCHES OR LOTS:**

Where the goods are being transported in a semi knocked down or completely knocked down condition or in batches or lots

- (a) the supplier shall issue the complete invoice before dispatch of the first consignment;
- (b) the supplier shall issue a delivery challan for each of the subsequent consignments, giving reference of the invoice;
- (c) each consignment shall be accompanied by copies of the corresponding delivery challan along with a duly certified copy of the invoice; and
- (d) the original copy of the invoice shall be sent along with the last consignment.

# Segment - 4

## PLACE OF SUPPLY

### EXPORT OF SERVICES DEFINITION AMENDED W.E.F 29.08.2018 - SEC. 2(6) OF IGST ACT, 2017:

“export of services” means the supply of any service when,—

- (i) the supplier of service is located in India;
- (ii) the recipient of service is located outside India;
- (iii) the place of supply of service is outside India;
- (iv) the payment for such service has been received by the supplier of service in convertible foreign exchange **or in Indian rupees wherever permitted by RBI**; and
- (v) the supplier of service and the recipient of service are not merely establishments of a distinct person

### POS IN CASE OF TRANSPORTATION OF GOODS UNDER SEC. 12 AMENDED W.E.F 29.08.2018:

12(8) The place of supply of services by way of transportation of goods, including by mail or courier to,—

- (a) a registered person, shall be the location of such person;
- (b) a person other than a registered person, shall be the location at which such goods are handed over for their transportation.

#### **New Proviso inserted:**

Provided that where the transportation of goods is to a place outside India, the place of supply shall be the place of destination of such goods.

### POS IN CASE OF PERFORMANCE BASED SERVICES WITH RESPECT TO GOODS UNDER SEC. 13 AMENDED W.E.F 29.08.2018:

13(3) The place of supply of the following services shall be the location where the services are actually performed, namely:—

- (a) services supplied in respect of goods which are required to be made physically available by the recipient of services to the supplier of services, or to a person acting on behalf of the supplier of services in order to provide the services:

Provided that when such services are provided from a remote location by way of electronic means, the place of supply shall be the location where goods are situated at the time of supply of services:

**Second Proviso:**

| Before AMENDMENT  | After AMENDMENT   |
|---|---|
| Provided further that nothing contained in this clause shall apply in the case of services supplied in respect of goods which are temporarily imported into India for repairs and are exported after repairs without being put to any other use in India, than that which is required for such repairs; | Provided further that nothing contained in this clause shall apply in the case of services supplied in respect of goods which are temporarily imported into India for repairs or for any other treatment or process and are exported after such repairs or treatment or process without being put to any use in India, other than that which is required for such repairs or treatment or process |

# Segment - 5

# VALUE OF SUPPLY

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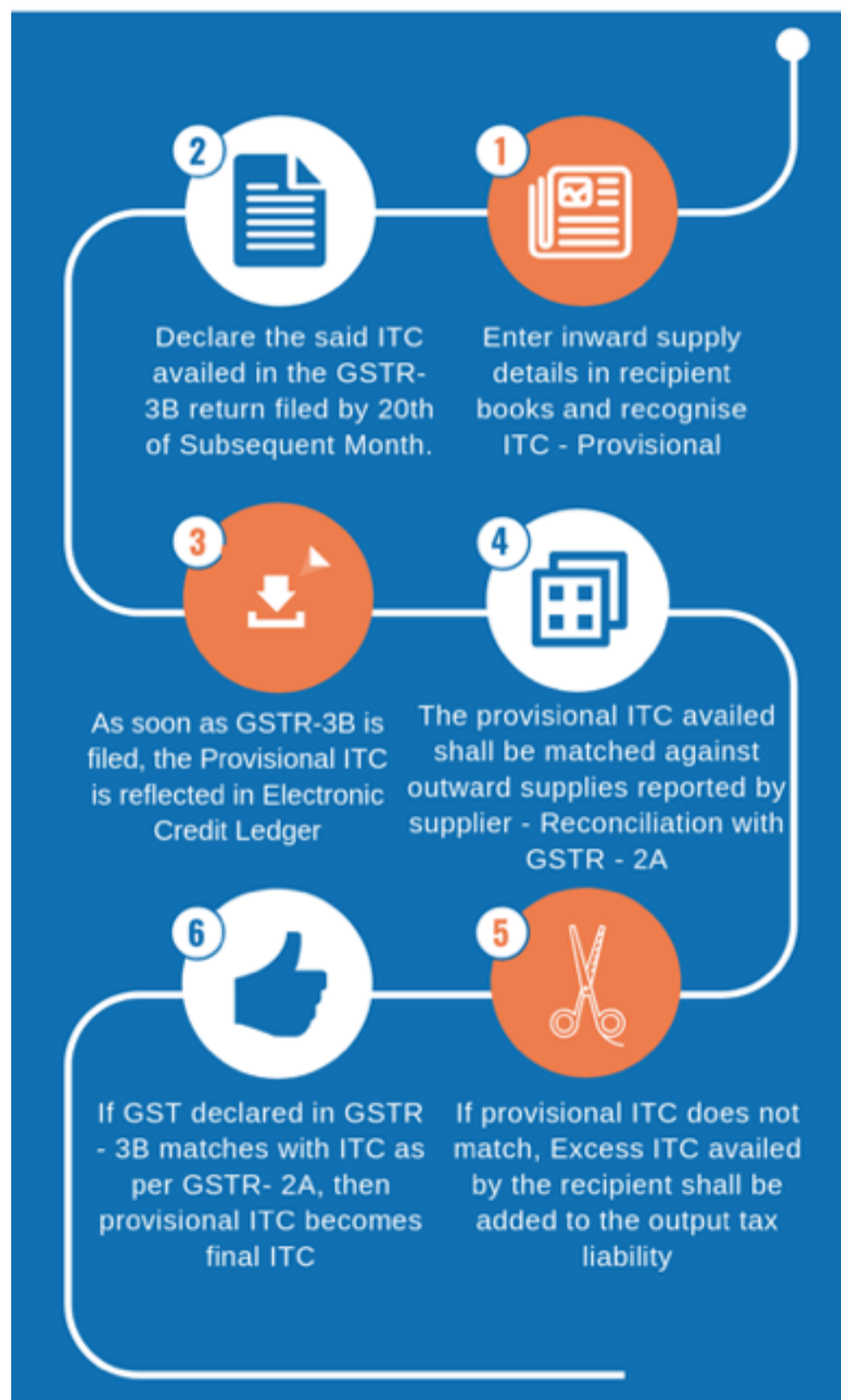
No Amendments in this segment

# Segment - 6

# INPUT TAX CREDIT (ITC)

## MECHANISM FOR AVAILING ITC UPTO 31.3.2019:

### PROVISIONAL ITC VS. FINAL ITC





**CONCEPT OF DEEMED DELIVERY AMENDED W.E.F 29.08.2018:**

| Before AMENDMENT  | After AMENDMENT   |
|---|---|
| For the purposes of this clause, it shall be deemed that the registered person has received the goods where the goods are delivered by the supplier to a recipient or any other person on the direction of such registered person, whether acting as an agent or otherwise, before or during movement of goods, either by way of transfer of documents of title to goods or otherwise | For the purposes of this clause, it shall be deemed that the registered person has received the goods or, as the case may be, services—<br><br>(i) where the goods are delivered by the supplier to a recipient or any other person on the direction of such registered person, whether acting as an agent or otherwise, before or during movement of goods, either by way of transfer of documents of title to goods or otherwise;<br><br>(ii) where the services are provided by the supplier to any person on the direction of and on account of such registered person. |

**Analysis of above amendment:**

- 1.As per Sec. 16(2), to avail ITC on inward supply of goods or services, it should be received by the registered person.
- 2.However, in case of goods even if it is not received by the registered person but received by any other person on the instructions of registered person, it is deemed that registered person has received the same.
- 3.On account of above amendment, this deeming fiction is extended to services. Eg: CA paying fees to coaching center for attending classes by his article students, eligible to take ITC.

**CONTENTS OF INVOICE FOR AVAILING ITC - INSERTED W.E.F 29.08.2018:**

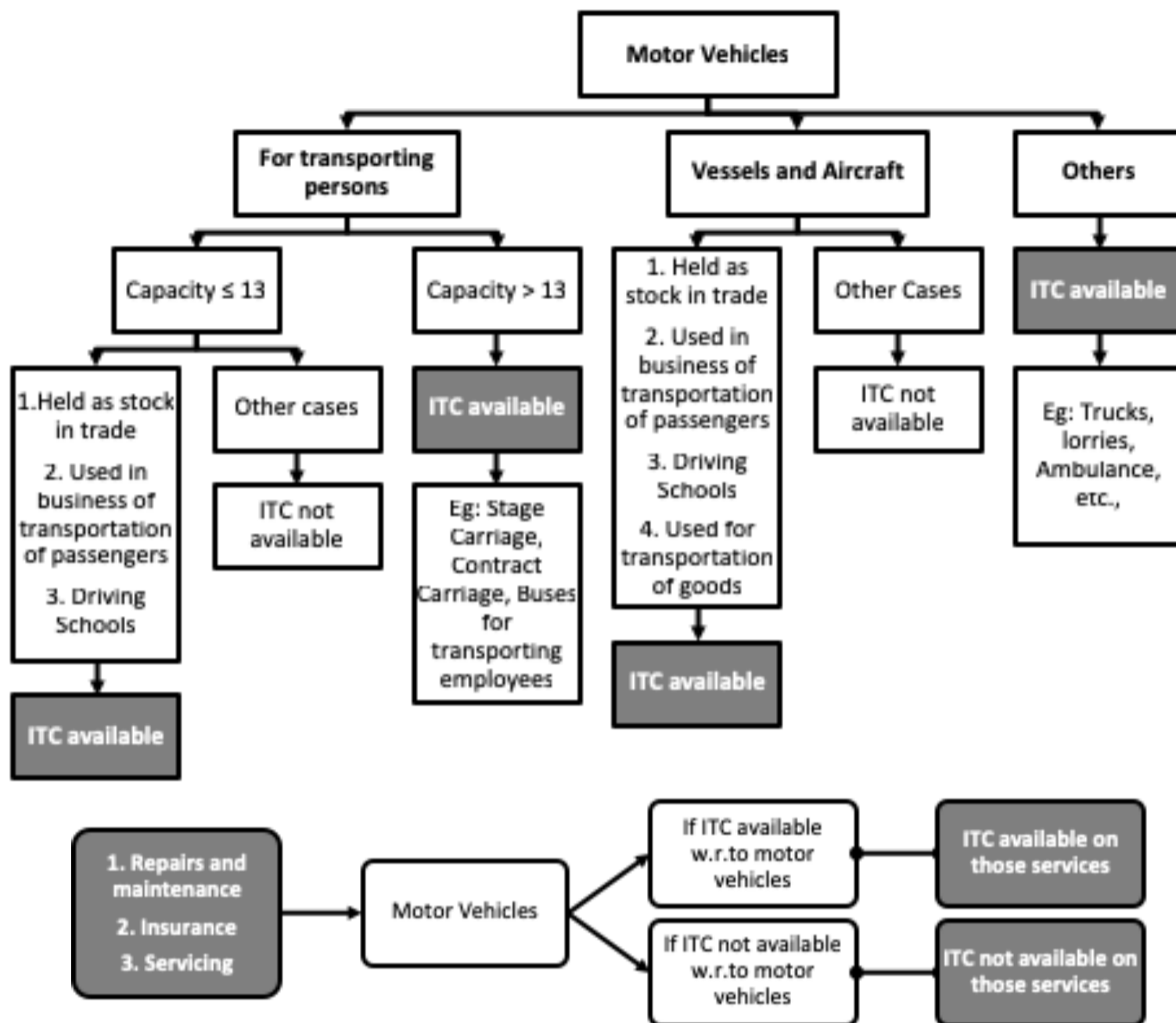
| Before AMENDMENT  | After AMENDMENT   |
|---|---|
| In term of Rule 36(2), input tax credit shall be availed by a registered person only if all the applicable particulars as prescribed in CGST Rules, 2017 are contained in the said document and the relevant information, as contained in the said document, is furnished in <u>FORM GSTR-2</u> by such person. | In term of Rule 36(2), input tax credit shall be availed by a registered person only if all the applicable particulars as prescribed in CGST Rules, 2017 are contained in the said document and the relevant information, as contained in the said document, is furnished in <u>FORM GSTR-2</u> by such person.<br><br>Provided that if the said document does not contain all the specified particulars but contains the details of the amount of tax charged, description of goods or services, total value of supply of goods or services or both, GSTIN of the supplier and recipient and place of supply in case of inter-State supply, input tax credit may be availed by such registered person. |

**Following details are sufficient to be present in a document to be termed it as Invoice for availing ITC:**

- 1.GSTIN of Supplier
- 2.GSTIN of Recipient
- 3.Description of Supply
- 4.Value of Supply
- 5.Amount of tax
- 6.Place of supply (Applicable in case of interstate Supply)

**AMENDMENTS IN BLOCKED CREDITS W.E.F 29.08.2018:**

| Before AMENDMENT  | After AMENDMENT  |
|---|--|
| <p>(a) motor vehicles and other conveyances except when they are used— (i) for making the following taxable supplies, namely:—</p> <p>(A) further supply of such vehicles or conveyances ; or</p> <p>(B) transportation of passengers; or</p> <p>(C) imparting training on driving, flying, navigating such vehicles or conveyances;</p> <p>(ii) for transportation of goods;</p> | <p>(a) motor vehicles for transportation of persons having approved seating capacity of not more than thirteen persons (including the driver), except when they are used for making the following taxable supplies, namely:—</p> <p>(A) further supply of such motor vehicles; or</p> <p>(B) transportation of passengers; or</p> <p>(C) imparting training on driving such motor vehicles;</p> <p>(aa) vessels and aircraft except when they are used—</p> <p>(i) for making the following taxable supplies, namely:—</p> <p>(A) further supply of such vessels or aircraft; or</p> <p>(B) transportation of passengers; or</p> <p>(C) imparting training on navigating such vessels; or (D) imparting training on flying such aircraft;</p> <p>(ii) for transportation of goods;</p> <p>(ab) services of general insurance, servicing, repair and maintenance in so far as they relate to motor vehicles, vessels or aircraft referred to in clause (a) or clause (aa):</p> <p>Provided that the input tax credit in respect of such services shall be available— (i) where the motor vehicles, vessels or aircraft referred to in</p> <p>clause (a) or clause (aa) are used for the purposes specified therein; (ii) where received by a taxable person engaged—</p> <p>(I) in the manufacture of such motor vehicles, vessels or aircraft; or</p> <p>(II) in the supply of general insurance services in respect of such motor vehicles, vessels or aircraft insured by him;</p> |



**State whether ITC is available in the following cases:**

| S.No | Inward Supply   | Whether ITC available? | Justification   |
|------|---|------------------------|---|
| 1    | Mr. X (Chartered Accountant) purchased car for use in his business                                    | No                     | Passenger transportation vehicle not falling in the exclusions  |
| 2    | Cool Cab P. Ltd. purchased 4 cars for use in the business of transportation of passengers             | Yes                    | Passenger transportation vehicle falling in the exclusions  |
| 3    | MRF Ltd. purchased a bus (40 seater excl. driver) for transportation of its employees                 | Yes                    | Not covered in the blocked credit as the capacity > 13 passengers                                       |
| 4    | Tagore School purchased a school bus (12 seater excl. driver) for transportation of students          | Yes                    | Passenger transportation vehicle falling in the exclusions - Used in the business of transportation     |
| 5    | Pizza Hut purchased 10 two wheelers for food delivery   | No                     | Passenger transportation vehicle not falling in the exclusions  |
| 6    | Ford Ltd. received the services of authorized service station with respect to the trucks owned by it. | Yes                    | As trucks are eligible for ITC, service station services in relation to truck is also eligible for ITC. |

| Before AMENDMENT   | After AMENDMENT   |
|--|---|
| <p>(b) the following supply of goods or services or both—</p> <p>(i) food and beverages, outdoor catering, beauty treatment, health services, cosmetic and plastic surgery except where an inward supply of goods or services or both of a particular category is used by a registered person for making an outward taxable supply of the same category of goods or services or both or as an element of a taxable composite or mixed supply;</p> <p>(ii) membership of a club, health and fitness centre;</p> <p>(iii) rent-a-cab, life insurance and health insurance except where—</p> <p>(A) the Government notifies the services which are obligatory for an employer to provide to its employees under any law for the time being in force; or</p> <p>(B) such inward supply of goods or services or both of a particular category is used by a registered person for making an outward taxable supply of the same category of goods or services or both or as part of a taxable composite or mixed supply; and</p> <p>(iv) travel benefits extended to employees on vacation such as leave or home travel concession;</p> | <p>(b) the following supply of goods or services or both—</p> <p>(i) food and beverages, outdoor catering, beauty treatment, health services, cosmetic and plastic surgery, leasing, renting or hiring of motor vehicles, vessels or aircraft referred to in clause (a) or clause (aa) except when used for the purposes specified therein, life insurance and health insurance:</p> <p>Provided that the input tax credit in respect of such goods or services or both shall be available where an inward supply of such goods or services or both is used by a registered person for making an outward taxable supply of the same category of goods or services or both or as an element of a taxable composite or mixed supply;</p> <p>(ii) membership of a club, health and fitness centre; and</p> <p>(iii) travel benefits extended to employees on vacation such as leave or home travel concession:</p> <p>Provided that the input tax credit in respect of such goods or services or both shall be available, where it is obligatory for an employer to provide the same to its employees under any law for the time being in force.</p> |

### Analysis of above amendment:

#### Example - 1

Mr. Rohit is engaged in providing Beauty Treatment Services. On a particular day, with a view to cater to the demand of large number of customers, he availed the Beauty Treatment Services from Mr. Wazir. Accordingly, Mr. Wazir raised an invoice on Mr. Rohit for stipulated consideration along with applicable GST. Since in the given case, Beauty Treatment Services have been used by Mr. Rohit for making an outward supply of services of the same category of services, he shall be eligible to avail ITC of the Beauty Treatment Services.

#### Example - 2

ABC Ltd, is engaged in supply of transport of passengers by air services. With a view to provide its passengers the facility of food and beverages, it avails outdoor catering services from Hotel Taj, New Delhi. Resultantly, Hotel Taj raises a tax invoice on ABC Ltd. for supply of outdoor catering services for stipulated consideration along with applicable GST. Thus, in the given case, ABC Ltd. shall be entitled to avail credit of GST charged by Hotel Taj because outdoor catering services are being as an element of taxable composite supply of transport of passengers by air services.

#### Example - 3

Rent-a-cab service received by a company in BPO operations for transportation of its employees is eligible for ITC, as it is mandated by state government to provide travel facilities to employees working in night shifts.

Example - 2

Outdoor catering services received by a factory is eligible for ITC, as it is mandatory as per the Factories Act to provide lunch to workers and supervisors working in a factory.

**EXTENSION OF TIME LIMIT TO RECEIVE PROCESSED GOODS AND CAPITAL GOODS FROM JOB WORKER - SEC. 19 READ WITH SEC. 143 - AMENDED W.E.F 29.08.2018:**

Provided further that the period of one year and three years may, on sufficient cause being shown, be extended by the Commissioner for a further period not exceeding one year and two years respectively.

**NON APPLICABILITY OF 180 DAYS CONDITION FOR PAYMENT OF CONSIDERATION TO SUPPLIER FOR AVAILING ITC:**

1. If recipient is not making payment to supplier within 180 days from the date of invoice then so much of the ITC availed by recipient shall be added to output tax liability of the recipient along with interest immediately after expiry of 180 days.
2. However, this condition is not applicable in case of payment of GST under RCM and in case of supplies under Sec. 7(1)(c)
3. Now in one more case this condition is not applicable - When recipient is making payment to a third party on behalf of supplier, supplier shall include the same in his value and give invoice to recipient. Even though recipient has not made the payment to supplier but ITC can be availed on the same.

# Segment - 7

# REGISTRATION UNDER GST

## **THRESHOLD LIMIT OF ₹ 10 LAKHS CAN BE ENHANCED TO ₹ 20 LAKHS FOR SPECIAL CATEGORY STATES UPON THEIR REQUEST:**

Provided further that the Government may, at the request of a special category State and on the recommendations of the Council, enhance the aggregate turnover referred to in the first proviso from ten lakh rupees to such amount, not exceeding twenty lakh rupees and subject to such conditions and limitations, as may be so notified.

## **Following states even though special category states but threshold limit of ₹ 20 lakhs applicable for registration:**

1. Jammu & Kashmir
2. Arunachal Pradesh
3. Assam
4. Himachal Pradesh
5. Meghalaya
6. Sikkim
7. Uttarakhand

## **RELAXATION FROM COMPULSORY REGISTRATION TO E COMMERCE OPERATOR W.E.F 29.05.2018 - SEC. 24:**

- Not every E Commerce operator is compulsorily required to get registered
- Only Such E Commerce operators who are liable to deduct TDS are compulsorily required to get registered
- E Commerce operator is liable to deduct TDS, in case of supply of goods through ECO or supply services other than under Sec. 9(5), where consideration for such supply is collected by ECO

## **SUSPENSION OF REGISTRATION DURING CANCELLATION PROCEEDINGS W.E.F 29.08.2018 - SEC. 29:**

Provided that during pendency of the proceedings relating to cancellation of registration filed by the registered person, the registration may be suspended for such period and in such manner as may be prescribed

**DTA AND SEZ ARE TREATED AS DISTINCT PERSONS EVEN THOUGH LOCATED IN THE SAME STATE W.E.F 28.09.2018 - SEC. 25:**

Provided further that a person having a unit, as defined in the Special Economic Zones Act, 2005, in a Special Economic Zone or being a Special Economic Zone developer shall have to apply for a separate registration, as distinct from his place of business located outside the Special Economic Zone in the same State or Union territory.

**CONCEPT OF DIFFERENT BUSINESS VERTICALS IS OMITTED W.E.F 28.09.2018 - SEC. 25:**

Provided that a person having multiple places of business in a State or Union territory may be granted a separate registration for each such place of business, subject to such conditions as may be prescribed.

**NO ORDER FOR CANCELLATION OF REGISTRATION - SEC. 29:**

1. When a person opting for composition scheme is not furnishing return for a consecutive period of 3 quarters and a registered person not opting for composition scheme is not furnishing return for a consecutive period of 6 months, officer can issue notice for cancellation of registration
2. Provided that where the person instead of replying to the notice served under sub- rule (1) for contravention of the provisions contained in clause (b) or clause (c) of sub-section (2) of section 29, furnishes all the pending returns and makes full payment of the tax dues along with applicable interest and late fee, the proper officer shall drop the proceedings and pass an order in FORM GST-REG 20

**REGISTRATION BY A TRANSPORTER - NOTIFICATION NO. 28/2018 - CT DATED 19.06.2018**

A transporter who is registered in more than one State or Union Territory having the same Permanent Account Number, he may apply for a unique common enrolment number by submitting the details in FORM GST ENR-02 using any one of his Goods and Services Tax Identification Numbers, and upon validation of the details furnished, a unique common enrolment number shall be generated and communicated to the said transporter:

Provided that where the said transporter has obtained a unique common enrolment number, he shall not be eligible to use any of the GSTIN.

# Segment - 8

## COMPOSITION SCHEME

### **INCREASE IN TURNOVER LIMIT FOR PAYMENT OF GST AT COMPOSITE RATE W.E.F 29.08.2018:**

| Before AMENDMENT   | After AMENDMENT   |
|--|---|
| Where aggregate turnover during previous financial year does not exceed ₹ 1 Crore, a person can opt for composition scheme during the current financial year | The said limit of ₹ 1 Crore is enhanced to ₹ 1.5 Crores |
| Option to pay GST under composition scheme shall lapse if the aggregate turnover during current year exceeds ₹ 1 Crore                                       | The said limit of ₹ 1 Crore is enhanced to ₹ 1.5 Crores |



The effect of this amendment is that, eligible person can opt for composition scheme, if the aggregate turnover of such person during previous year  $\leq$  ₹ 1.5 Crores. Also once composition scheme is opted during the current year, upto an aggregate turnover of ₹ 1.5 Crores, GST is payable at composite rates.

**IMPORTANT NOTE:** Even though this amendment is carried out through GST (Amendment) Act, 2018 but the effective date of this amendment is 1.1.2019 and therefore this amendment is not applicable for students appearing in May 2019 exams and students are requested to read the old provision of ₹ 1 Crore only.

### **PERSON OPTING FOR COMPOSITION SCHEME CAN PROVIDE SERVICES UPTO 10% OF TURNOVER - NEWLY INSERTED W.E.F 29.08.2018**

Provided further that a person who opts to pay tax under clause (a) or clause (b) or clause (c) may supply services (other than those referred to in clause (b) of paragraph 6 of Schedule II), of value not exceeding ten per cent. of turnover in a State or Union territory in the preceding financial year or five lakh rupees, whichever is higher.



#### ANALYSIS OF ABOVE AMENDMENT:

- A person engaged in rendering services other than supply of food cannot opt for composition scheme. Because of this restriction, a manufacturer or trader opting for composition scheme cannot provide any services to their clients.
- This amendment facilitates any person opting for composition scheme to render services during the current year upto 10% of turnover during the previous year or ₹ 5,00,000, whichever is HIGHER.



# Segment - 9

## EXEMPTIONS & CHARGE IN GST

### NEW EXEMPTIONS ADDED IN SERVICES BETWEEN 1/5/2018 TO 31/8/2018:<sup>1</sup>

1. Services by an old age home run by Central Government, State Government or by an entity registered under section 12AA of the Income-tax Act, 1961 (43 of 1961) to its residents (aged 60 years or more) against consideration upto ₹ 25,000 per month per member, provided that the consideration charged is inclusive of charges for boarding, lodging and maintenance. (As the words used is upto, if the consideration exceeds ₹ 25,000, only the excess amount is chargeable to GST)
2. Services supplied by electricity distribution utilities by way of construction, erection, commissioning, or installation of infrastructure for extending electricity distribution network upto the tube well of the farmer or agriculturalist for agricultural use.
3. Services by way of warehousing of minor forest produce.
4. Services by Coal Mines Provident Fund Organisation to persons governed by the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948).
5. Services by National Pension System (NPS) Trust to its members against consideration in the form of administrative fee.
6. Services supplied by Central Government, State Government, Union territory to their undertakings or Public Sector Undertakings(PSUs) by way of guaranteeing the loans taken by such undertakings or PSUs from the financial institutions.
7. Services by way of licensing, registration and analysis or testing of food samples supplied by the Food Safety and Standards Authority of India (FSSAI) to Food Business Operators.
8. Services by way of artificial insemination of livestock (other than horses).
9. Services by way of fumigation in a warehouse of agricultural produce.
10. Services supplied by a State Government to Excess Royalty Collection Contractor (ERCC) by way of assigning the right to collect royalty on behalf of the State Government on the mineral dispatched by the mining lease holders.

Explanation.- “mining lease holder” means a person who has been granted mining lease, quarry lease or license or other mineral concession under the Mines and Minerals (Development and Regulation) Act,

<sup>1</sup> As exemptions w.r.to goods are not tested in exams, it is not given in this amendments module

1957 (67 of 1957), the rules made thereunder or the rules made by a State Government under sub-section (1) of section 15 of the Mines and Minerals (Development and Regulation) Act, 1957.

Provided that at the end of the contract period, ERCC shall submit an account to the State Government and certify that the amount of goods and services tax deposited by mining lease holders on royalty is more than the goods and services tax exempted on the service provided by State Government to the ERCC of assignment of right to collect royalty and where such amount of goods and services tax paid by mining lease holders is less than the amount of goods and services tax exempted, the exemption shall be restricted to such amount as is equal to the amount of goods and services tax paid by the mining lease holders and the ERCC shall pay the difference between goods and services tax exempted on the service provided by State Government to the ERCC of assignment of right to collect royalty and goods and services tax paid by the mining lease holders on royalty.

11. Services provided by an unincorporated body or a non-profit entity registered under any law for the time being in force, engaged in,-

(i) activities relating to the welfare of industrial or agricultural labour or farmers; or

(ii) promotion of trade, commerce, industry, agriculture, art, science, literature, culture, sports, education, social welfare, charitable activities and protection of environment,

to its own members against consideration in the form of membership fee upto an amount of one thousand rupees (Rs 1000/-) per member per year.

12. Services by way of transportation of goods **by an aircraft** from customs station of clearance in India to a place outside India (Exemption applicable upto 30/9/2019).

13. Services by way of transportation of goods **by a vessel** from customs station of clearance in India to a place outside India (Exemption applicable upto 30/9/2019).

### AMENDMENTS TO EXISTING EXEMPTIONS:

1. Services by a hotel, inn, guest house, club or campsite, by whatever name called, for residential or lodging purposes, having declared tariff of a unit of accommodation below one thousand rupees per day or equivalent. The words "declared tariff" is changed to "Value of supply", thereby for deciding exemption as well as computing GST, the amount paid or payable by the Guest to the supplier of accommodation service is relevant.
2. For removal of doubts, it is clarified that the Central and State Educational Boards shall be treated as Educational Institution for the limited purpose of providing services by way of conduct of examination to the students.

### NEW SERVICES UNDER RCM:

1. Tax on the services supplied by individual Direct Selling Agents (DSAs) other than a body corporate, partnership or limited liability partnership firm to bank or non-banking financial company (NBFCs) shall be paid on reverse charge basis by a banking company or a non-banking financial company, located in the taxable territory.
2. The Central Government vide Notification No. 11/2018-Central Tax (Rate) dated 28th May, 2018 has amended the Notification No.4/2017-Central Tax (Rate), dated the 28th June, 2017 by inserting S. no. 7 which has provided that on supply of Priority Sector Lending Certificate by a registered supplier tax shall be payable by the recipient of such supply who is a registered under GST.

Priority Sector Lending is an important role given by the Reserve Bank of India (RBI) to the banks for providing a specified portion of the bank lending to few specific sectors like agriculture and allied activities, micro and small enterprises, poor people for housing, students for education and other low income groups and weaker sections.. This is essentially meant for an all-round development of the economy as opposed to focusing only on the financial sector.

### Recent Circulars:

|   |   |
|---|---|
| Q | Whether private ITI's qualify as educational institution?   |
| A | It implies that services provided by a private ITI only in respect of designated trades notified under Apprenticeship Act, 1961 are exempt from GST. Services in other than designated trades are liable to GST<br>- Circular No. 55/29/2018 dt: 09.08.2018   |
| Q | Whether college hostel mess services are exempted?  |
| A | <p>Educational institutions generally have mess facility for providing food to their students and staff. Such facility is (i) either run by the institution/ students themselves or (ii) is outsourced to a third person.</p> <p>If the catering services is one of the services provided by an educational institution to its students, faculty and staff and the said educational institution is covered by the definition of 'educational institution' as given above, then the same is exempt.</p> <p>If the catering services, i.e., supply of food or drink in a mess or canteen, is provided by anyone other than the educational institution, i.e. the institution outsources the activity to an outside contractor, then it is a supply of service to the concerned educational institution and attracts GST</p> <p>**[Circular No. 28/02/2018 GST dated 08.01.2018].</p> <p>**Note: It may be noted that said services when provided to an educational institution providing pre-school education or education up to higher secondary school or equivalent are exempt from tax.</p> |
| Q | Whether renting of rooms to in patients by hospitals are exempted?  |
| A | Vide Circular 27/01/2018 (Dt: 04.01.18), it is clarified that the said service is part of health care service and is exempted.  |

|   |  |
|---|--|
| Q | Whether services provided to hospitals by senior doctors/ consultants are exempted?  |
| A | <p>Vide Circular 32/06/2018 (Dt: 12.02.18), it is clarified that the services provided by such senior doctors/ consultants are health care services and are exempted.</p> <p>Hospitals charge the patients, say, ₹ 10,000/- and pay to the consultants/technicians only ₹ 7,500/- and keep the balance for providing ancillary services which include nursing care, infrastructure facilities, paramedic care, emergency services, checking of temperature, weight, blood pressure, etc. Going through the definition of health care services [given above], it can be inferred that hospitals also provide healthcare services.</p> <p>The entire amount charged by them from the patients including the retention money and the fee/ payments made to the doctors etc., is towards the healthcare services provided by the hospitals to the patients and is exempt</p> |

|   |  |
|---|--|
| Q | Whether food supplied to patients by hospitals are exempted?   |
| A | <p>[Circular No. 32/06/2018 GST dated 12.02.2018].</p> <ul style="list-style-type: none"> <li>• Health care services provided by the clinical establishments will include food supplied to the patients; but such food may be prepared by the canteens run by the hospitals or may be outsourced by the hospitals from outdoor caterers.</li> <li>• When outsourced, there is no ambiguity that the suppliers shall charge tax as applicable and hospital will get no ITC.</li> <li>• If hospitals have their own canteens and prepare their own food; then no ITC will be available on inputs including capital goods and in turn if they supply food to the doctors and their staff; such supplies, even when not charged, may be subjected to GST.</li> <li>• Food supplied to the in-patients as advised by the doctor/nutritionists is a part of composite supply of healthcare and not separately taxable.</li> <li>• Other supplies of food by a hospital to patients (not admitted) or their attendants or visitors are taxable</li> </ul> |

|   |  |
|---|--|
| Q | Whether hostel accommodation services provided by trusts to students are exempted?   |
| A | <p>Vide Circular 32/06/2018 (Dt: 12.02.18), it is clarified that hostel accommodation service provided by trust to students do not fall within the ambit of charitable activities. However, accommodation service in hostels including such services provided by trusts having Value of Supply below ₹ 1,000 per day is exempt</p> |

|   |   |
|---|---|
| Q | Whether arranging yoga and meditation camp by charitable trusts are exempted?   |
| A | <ul style="list-style-type: none"><li>• Services provided by entity registered under section 12AA of the Income-tax Act, 1961 by way of advancement of religion, spirituality or yoga are exempt as such activities are covered in definition of charitable activities.</li><li>• Fee or consideration charged in any other form from the participants for participating in a religious, yoga or meditation programme or camp meant for advancement of religion, spirituality or yoga shall be exempt.</li><li>• Residential programmes or camps where the fee charged includes cost of lodging and boarding shall also be exempt as long as the primary and predominant activity, objective and purpose of such residential programmes or camps is advancement of religion, spirituality or yoga.</li><li>• However, if charitable or religious trusts merely or primarily provide accommodation or serve food and drinks against consideration in any form including donation, such activities will be taxable. Similarly, activities such as holding of fitness camps or classes such as those in aerobics, dance, music etc. will be taxable.</li></ul> |
| Q | Whether services provided to charitable trusts are exempted?  |
| A | Services provided to charitable or religious trusts are not outside the ambit of GST. Unless specifically exempted, all goods and services supplied to charitable or religious trusts are leviable to GST   |

## Segment - 10

# GST PAYMENT PROCESS

No Amendments in this Segment

# Segment - 11

## RETURNS UNDER GST

### **PROCEDURE FOR FURNISHING RETURN AND AVAILING INPUT TAX CREDIT. - INSERTED W.E.F 29.08.2018:**

- Regular taxpayers with a turnover of up to Rs 5 crores can now file GST returns on a quarterly basis against the earlier limit of Rs 1.5 crores, either in 'SAHAJ' or 'SUGAM'.
- Small taxpayers making only B2C supplies can file Sahaj returns. Taxpayers making B2B supplies or making B2C and B2B supplies, but having turnover of Rs 5 crore or less, have been given an option to file 'Sugam' Returns on quarterly basis.
- The quarterly returns will be mostly be similar to the monthly returns, but require lesser information to be filled as compared to the regular returns. The taxes have to be self-assessed and paid on a monthly basis even for small taxpayers opting for the quarterly return scheme.
- The monthly returns are compulsory to be filed for taxpayers having turnover above Rs. 5 crores. Their return too has been simplified and now contain only two main tables – One to report outward supplies and another for availing ITC based on invoices uploaded by the supplier.
- For availing ITC, invoices uploaded by the seller can be viewed and accepted or rejected by the buyer on a continuous basis. This largely auto-fills the return form based on the invoices uploaded by the buyer and seller. The new simplified process can be summarised as – 'UPLOAD-LOCK-PAY'.
- Taxpayers can create their profiles based on the nature of supplies made and received by them. The return would show only those information fields that are relevant to the taxpayer's profile.
- Also, taxpayers without any purchase or sale in a period can file NIL returns through an SMS.
- The new returns also provide taxpayers the facility to amend their invoices and other details filed in the return by filing an amended return. Taxpayers can also make payment through the amendment returns and save on their interest liability.
- All taxpayers other than small taxpayers have to compulsorily file monthly GST returns.

### **1. Monthly GSTR: due on 20th of next month**

- a. Not applicable to composition dealers, ISD, NR, persons liable to collect tax at source or deduct tax at source
- b. Return filing dates shall be staggered based on the turnover of the Taxpayer which shall be calculated based on the reported turnover in the last year i.e. 2017-18, annualized for the full year based on self-declaration of the estimated turnover. A questionnaire will be available on GST portal for a taxpayer to conclude his category

## 2. Quarterly GST returns

a. For NIL Filers – Nil filers are those with no output tax liability and No Input tax credit both satisfied. But have to report by SMS, the NIL transaction statement/declaration the first and second month of that Quarter b. For taxpayers having the turnover of up to 5 crores in preferring Financial year-Tax payment is monthly

## 3. Continuous uploading and viewing of Invoices

a. Invoices uploaded by 10th of the next month auto-populated in the liability table of the main return of relevant tax month b. uploading of invoices by the supplier anytime-> Viewable by recipients

For example:

If invoice no. 1 of April is uploaded on 8th of May and invoice no. 2 of April is uploaded on 15th of May by the supplier, the recipient shall be able to avail input tax credit for invoice no. 1 with the return of April filed on say 20th May and for invoice no. 2 he shall be able to avail input tax credit with the return filed for the month of May, filed on say 20th of June.

## 4. Invoice uploaded but return not filed

Will be treated as a self-admitted liability by the supplier and proceedings will be initiated against him after a reasonable show cause.

## 5. Missing invoice reporting

What if the supplier does not upload the Invoices/ Documents. Then, Reporting of missing invoices by the recipient can be delayed up to two tax periods to allow the recipient to follow up and get the missing invoice uploaded from the supplier.

For example:

Purchase invoices received by the recipient in April on which input tax credit has been availed but not uploaded by the supplier shall be reported by the recipient not later than the return of June filed in July. Information about the missing invoice uploaded by the recipient shall be made available to the supplier. Taxpayers filing quarterly returns shall report missing invoices in the next quarter.

## 6. Amendment of Invoices

a. Once an invoice is locked by the recipient, no amendment of the same shall be allowed  
b. So, Amendment of an invoice may be carried out by the supplier where input tax credit has not been availed and the invoice has not been reported as locked by the recipient

## 7. Amendment Returns

a. Wrong entries being made in the return, there would be a facility for filing this return  
b. Facility to file two amendment returns for each tax period  
c. Payment would be allowed to be made through the amendment return as it will help save interest liability

## 8. Tax Payment

**a. Monthly Returns filers:** Liability declared in the return shall be discharged in full **at the time of filing of the main return** by the supplier as is being done at present in the present return FORM GSTR 3B.

**b. Quarterly Returns filers:** In the first and second month of every quarter, they would use a payment declaration form. In this, self-assessed liability and input tax credit on self-declared basis shall be declared. But this will be full payment of the liability arising out of uploaded invoices only.

## 9. Declaration of Exports

a. Table for export of goods in return would contain details of the Shipping Bill also

b. A registered person can either fill this information at the time of filing the return or after filing the return

c. Filing the details of the Shipping bill in the return at a later date shall not be considered as the filing of an amendment return

## 10. Declare the Purchase of Ineligible ITC in Annual Returns only

Filing the details of the Shipping bill in the return at a later date shall not be considered as the filing of an amendment return.



# Segment - 12

# ACCOUNTS & RECORDS UNDER GST

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← Any person who has been enrolled as goods and services tax practitioner by virtue of he being enrolled as a sales tax practitioner or tax return preparer under the existing law shall remain enrolled only for a period of one year from the appointed date i.e. 1<sup>st</sup> July, 2017 unless he passes the said examination within the said period of one year [Replaced with 18 months] - Notification No. 26/2018 - CT dated 13.06.2018

# Segment - 13

## MISCELLANEOUS PROVISIONS IN GST

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### **WHAT IS THE DOCUMENT THAT SHOULD ACCOMPANY GOODS, WHEN E WAY BILL IS NOT REQUIRED?**

As per Notification No. 03/2018 (Dt: 23/1/2018), Rule 55A is inserted where in the person in charge of the conveyance shall carry a copy of the tax invoice or bill of supply in a case where such person is not required to carry an E-Way Bill.

- E way Bill not required where empty cylinders for packing of LPG are being moved for reasons other than supply - Notification No. 26/2018 - CT dated 13.06.2018
- In case of imported goods, the person in charge of a conveyance shall also carry a copy of the bill of entry filed by the importer of such goods and shall indicate the number and date of the bill of entry in Part A of FORM GST EWB-01. - Notification No. 39/2018 - CT dated 04.09.2018

## Segment - 14

# TAXABLE EVENT UNDER CUSTOMS

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### SCOPE OF CUSTOMS ACT, 1962 EXPANDED VIDE FINANCE ACT, 2018:

Section 1 is being amended so as to expand the scope of Customs Act to any offence or contravention committed thereunder **outside India by any person.**

The Customs Act, 1962 applies to the whole of India (incl. J&K). India includes territorial waters (Upto 12 Nautical Miles, where 1 NM = 1.8532 kms) of India.

Besides, the Customs Act, 1962 and Customs Tariff Act, 1975 have been further extended to whole of Exclusive Economic Zone (EEZ) and continental shelf of India for the purpose of—

- i. Processing for extraction and production of mineral oils and
- ii. Supply of any goods in connection with activities mentioned in clause (i)

**Indian Customs Waters** – waters extending into the sea upto the limit of contiguous zone of India i.e. 24 NM from the base line exclusive economic zone of India (EEZ)

## Segment - 15

# CLASSIFICATION OF GOODS

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No Amendments in this segment

# Segment - 16

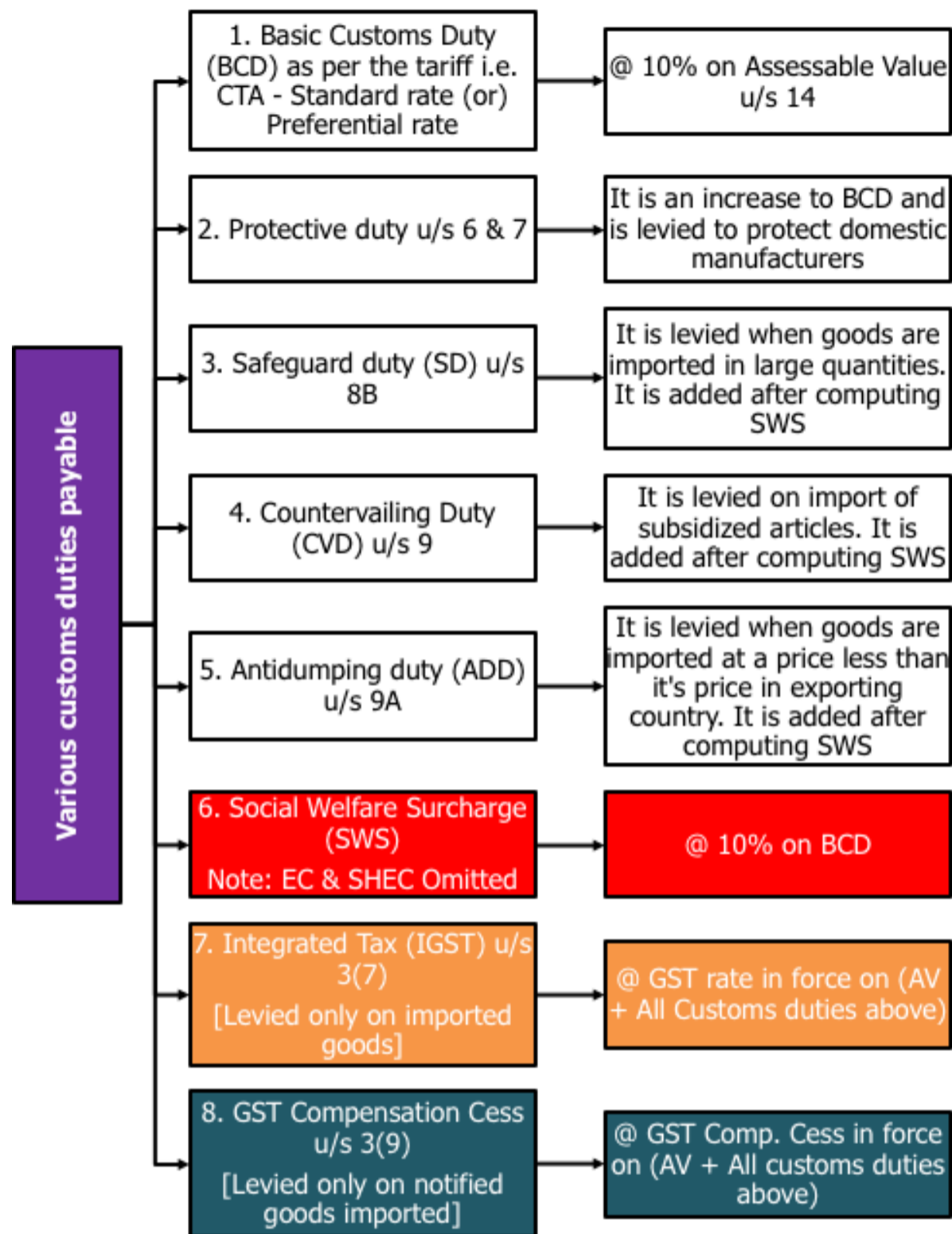
## TYPES OF CUSTOMS DUTIES

### POSITION OF GOODS UNDER CUSTOMS POST IMPLEMENTATION OF GST:

| Type of Goods  | Domestic | Imported   |
|--|----------|--|
| Alcoholic liquor for human consumption   | ED       | CVD u/s 3(1) of CTA, 1975                            |
|  | CST/VAT  | SAD u/s 3(5) of CTA, 1975                            |
| Petroleum products<br>- Crude oil<br>- High Speed Diesel<br>- Petrol<br>- Natural Gas<br>- ATF | ED       | CVD u/s 3(1) of CTA, 1975                            |
|  | CST/VAT  | SAD u/s 3(5) of CTA, 1975                            |
| Tobacco & Tobacco products   | ED       | CVD u/s 3(1) of CTA, 1975                            |
|  | CST/VAT  | SAD u/s 3(5) of CTA, 1975                            |
|  | GST      | IGST u/s 3(7) of CTA, 1975 + u/s 5 of IGST Act, 2017 |
| Other Goods  | ED       | CVD u/s 3(1) of CTA, 1975                            |
|  | CST/VAT  | SAD u/s 3(5) of CTA, 1975                            |
|  | GST      | IGST u/s 3(7) of CTA, 1975 + u/s 5 of IGST Act, 2017 |

### CUSTOMS DUTY COMPUTATION:

|        |   |
|--------|---|
| Step 1 | Ascertain the Assessable value (AV) as determined u/s 14                        |
| Step 2 | Calculate the BCD @ 10% on AV   |
| Step 3 | Social Welfare Surcharge (SWS) = 10% of Step 2                                  |
| Step 4 | Total Customs Duty (Excluding additional duties) = Step 2 + Step 3              |
| Step 5 | Additional duties = SD + CVD + ADD  |
| Step 6 | Total Customs duty payable (Excl. IGST) = Step 4 + Step 5                       |
| Step 7 | Calculate IGST and GST Compensation Cess @ applicable rate on (Step 1 + Step 6) |
| Step 8 | Total Customs duties payable = Step 6 + Step 7                                  |



**Illustration on Computation of Customs duty:**

Assessable value of an item imported is ₹1,00,000. Basic Customs duty is 10%, additional duty of customs leviable under sec. 3(7) of the Customs Tariff Act, 1975 is 12% and EC as applicable. Compute the amount of total customs duty payable. [Ignore GST Compensation Cess]

| Particulars                                   | Amount (₹)   |
|---|--------------|
| Assessable Value (AV)                         | 1,00,000     |
| Basic Customs Duty (BCD) @ 10% on AV          | 10000        |
| (+) Social Welfare Surcharge @ 10% on BCD     | 1000         |
| Customs Duties (Excl. IGST)                   | 11000        |
| (+) IGST @ 12% on (AV + Customs duties above) | 13320        |
| <b>Total Customs duties payable</b>           | <b>24320</b> |

# Segment - 17

# VALUATION UNDER CUSTOMS

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No Amendments in this segment

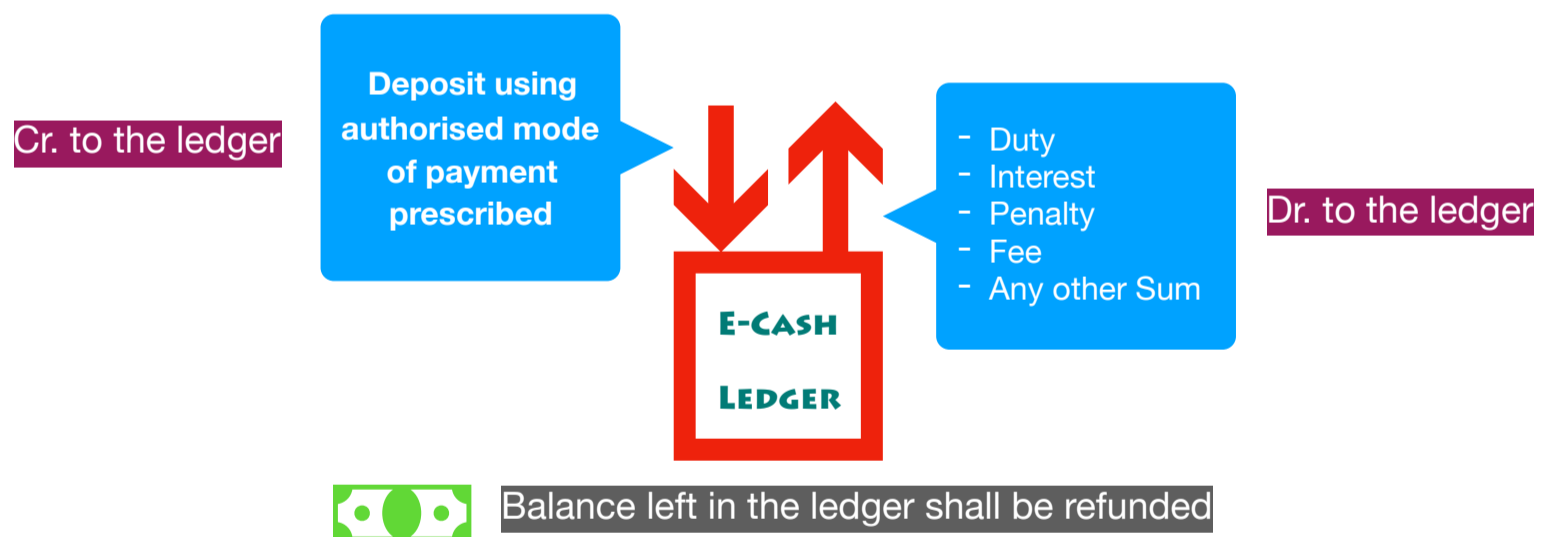
# Segment - 18

# CUSTOMS PROCEDURES

## REVISED FORMS IN IMPORT AND EXPORT PROCEDURES - FINANCE ACT, 2018:

| Mode of Import/ export | In case of Import  |                         | In case of Export  |                         |
|------------------------|--------------------|-------------------------|--------------------|-------------------------|
|                        | To be filed by PIC | To be filed by importer | To be filed by PIC | To be filed by exporter |
| By Vessel              | Import Manifest    | Bill of Entry           | Export Manifest    | Shipping Bill           |
| By Aircraft            | Arrival Manifest   | Bill of Entry           | Departure Manifest | Shipping Bill           |
| By Vehicle             | Import Report      | Bill of Entry           | Export Report      | Bill of Export          |

## PAYMENT THROUGH ELECTRONIC CASH LEDGER [SEC. 51A OF CUSTOMS ACT, 1962] - INSERTED VIDE FINANCE ACT, 2018:



## ELECTRONIC ORDER BY CUSTOMS OFFICER - INSERTED VIDE FINANCE ACT, 2018:

**Out of customs charge order** for clearance of goods for home consumption from airport/port (or) from Warehouse, may be made available **electronically through ICEGATE** on the basis of risk evaluation through appropriate section criteria.

Also, **Warehousing Order** for deposit of goods in warehouse, may also be made available electronically through ICEGATE

**TIME LIMIT FOR SUBMISSION OF BILL OF ENTRY [SEC. 46(3) OF CUSTOMS ACT, 1962] - AMENDED VIDE FINANCE ACT, 2018:**

The importer shall present the bill of entry [Either for home consumption or for warehousing] before end of the next day following the day (Excluding holidays) on which the aircraft or vessel or vehicle carrying the goods arrives at a customs station at which such goods are to be cleared for home consumption or warehousing – **WITHIN 2 WORKING DAYS FROM THE DATE OF ARRIVAL**

Provided that a bill of entry may be presented at any time **not exceeding 30 days prior** to the expected arrival of the aircraft or vessel or vehicle [If it does not arrive within 30 days of filing BOE, a fresh BOE shall be filed] by which the goods have been shipped for importation into India.

**Late Fees – As per Bill of Entry Regulations:** Provide further that where the bill of entry is not presented within the time so specified and the proper officer is satisfied that there was no sufficient cause for such delay, the importer shall pay such charges for the late presentation of bill of entry

Delay upto 3 days - ₹ 5,000 per day

Delay beyond 3 days - ₹ 10,000 per day

**Illustration - 1 on time limit:**

**CFA logistics is CHA service provider and it has many reputed clients. Zebronics Ltd. a manufacturer of electronic gadgets is importing various raw materials to manufacture said gadgets. They have approached CFA logistics to clear their consignment immediately upon arrival of vessel. CFA logistics upon interaction with shipping agent has come to a conclusion that the expected date of arrival of vessel is on 25/03/2017.**

- A. What is the time limit within which CFA logistics should file a prior BOE?** - CFA Logistics should file a prior BOE within 30 days prior to the expected date of arrival i.e. On or after 24/02/2017
- B. What is the procedure for filing such prior BOE?** - A request shall be made to Commissioner of Customs for filing prior BOE and upon approval by Commissioner, prior BOE can be filed.
- C. Whether CFA logistics is correct in filing prior BOE on 5/03/2017?** - Yes, as the prior BOE is filed within 30 days prior to 25/03/2017
- D. If the actual date of arrival of vessel is on 1/4/2017, whether BOE filed is sufficient?** - The prior BOE filed on 5/3/2017 holds good and a fresh BOE is not required to be filed.
- E. If the actual date of arrival of vessel is on 8/4/2017, whether BOE filed is sufficient?** - The prior BOE filed on 5/3/2017 is not sufficient, as the validity of a prior BOE is 30 days and in such case a fresh BOE needs to be filed.

**Illustration - 2 on time limit:**

**MRF Ltd. imported goods by Air and the aircraft arrived in Chennai airport on 14th August 2018 (Friday). Arrival communication has been made by airlines to Customs House Agent (CHA) of importer on the same date but CHA did not check the mail and has filed BOE for home consumption on 19th August 2018 (Wednesday). Discuss the Consequences?**

BOE for home consumption has to be filed within 2 working dates from the date of arrival. Date of Arrival is on 14th Aug 2018 and two working days from there is 18th Aug 2018 (Tuesday), as 15th August is public holiday and 16th August is Sunday. There is a delay of one day in the present case in filing BOE and therefore importer has to pay a late fee of ₹ 5,000



**POWER TO MAKE REGULATIONS WIDENED [SEC. 157 OF CUSTOMS ACT, 1962]:**

CBIC is vested with the power to make regulations to carry out the purposes of the Act and Vide Finance Act, 2018, w.e.f 28.03.2018, the following areas are notified in addition to the existing areas, where CBIC can make regulations.

1. Time and manner of finalisation of provisional assessment
2. Manner of conducting pre-notice consultation
3. Circumstances under which supplementary notice may be issued
4. Form and manner of making application for advance ruling
5. Manner of clearance of imported or export goods
6. Documents to be furnished in relation to imported goods
7. Electronic Cash Ledger - Conditions, restrictions and manner of deposit and utilisation
8. Audit
9. Goods for controlled delivery and manner thereof
10. Measures and separate procedure or documentation for a class of importers or exporters on the basis of modes of transportation of goods.

**MODES OF SERVICE OF NOTICE, ORDER ETC., [SEC. 153] - AMENDED:**

|  |  |  |   |  |
|--|--|--|---|--|
| 1. Giving it directly to the person to whom it is to be served or to his authorised representative or any adult member of his family residing with him | 2. Registered post or speed post or Courier with acknowledgement due to the last known place of business or address of the person to whom it is to be served | 3. E-Mail as provided by the person to whom it is to be served in the official communication made by him with department | 4. Publishing in news paper widely circulated in the locality of the person to whom it is to be served. | 5. Affixing in some conspicuous place at the last known place of business or residence of the person to whom it is to be served. |
|--|--|--|---|--|

**RECIPROCAL ARRANGEMENT FOR EXCHANGE OF INFORMATION FACILITATING TRADE [SEC. 151B] - NEWLY INSERTED VIDE FINANCE ACT, 2018:**

- CG may enter into agreement with Govt. of any country or with competent authority of those countries for facilitation of trade, enforcing provisions of this Act, exchange of information, Combating and investigation of offences.

- The information received may be used as evidence in investigation and proceedings under this Act

# Segment - 19

## WAREHOUSING

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No Amendments in this Segment

# Segment - 20

## IMPORT OR EXPORT BY POST

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### CHANGES VIDE FINANCE ACT, 2018:

- The provisions of import or export by post is **extended** to **import of export by Courier**.
- CBIC is empowered vide Sec. 84 of Customs Act, 1962 to make **regulations** in this regard.
- Any reference to postal authorities **includes** reference to **Authorised Courier**
- Earlier label or declaration accompanying goods to be treated as entry. Now this provision is **OMITTED**.

# Segment - 21

## DUTY DRAWBACK

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- Duty drawback under section 74 [Refund of customs duty paid on imports, upon export of such product importer with or without use] would include refund of integrated tax and compensation cess along with basic customs duty, etc. [Notification No. 57/2017 Cus (NT) dated 29.06.2017 read with Circular No. 21/2017-Cus dated 30.06.2017]
- However, benefit under section 75 [Refund on account of imported goods used in manufacture of finished goods, which are the exported] is restricted only to refund of customs duties but not IGST or GST Comp. Cess [Drawback is limited to incidence of duties of Customs on inputs used and remnant Central Excise Duty on specified petroleum products used for generation of captive power for manufacture or processing of export goods.]
- No drawback in certain cases under Section 75:
  - (i) Packing materials for export of blended tea, except tea chests.
  - (ii) Goods manufactured out of duty free materials.
  - (iii) Jute batching oil used in manufacture jute yarn, twine etc.
  - (iv) Packing material used for jute yarn, fabrics etc.

# Segment - 22

## EXEMPTIONS UNDER CUSTOMS

### Inward Processing of goods (Sec. 25A):

#### EXPORTED GOODS → IMPORTED FOR REPAIRS → RE-EXPORTED AFTER REPAIRS:

REPAIRS includes FURTHER PROCESSING or MANUFACTURE

|   |  |  |
|---|--|--|
| 1. Re-export within 1 year from the date of import (Order of clearance of import) | 2. Re-Export goods = Imported goods (Identifiable to the satisfaction of PO) | 3. Any other conditions specified in the notification (Noti. No. 158/95) in this regard. |
|---|--|--|

**Notification No. 158/95** Exemption from payment of customs duty on re-import of goods and parts thereof for repairs, reconditioning, reprocessing, remaking or similar other process

| Goods manufactured in India and re-imported for                                | Time limit for re-importation from the date of exportation                                      | Other conditions to be satisfied   |
|--|---|--|
| Repairs or for reconditioning  | In case of export to Nepal & Bhutan – 10 year<br>In case of export to other Countries – 3 years | a. Goods must be re-exported within 6 months (+) 6 months, upon permission from the date of re-importation<br>b. The AC/DC is satisfied regarding the identity of goods<br>c. Importer at the time of importation executes a bond. |
| a. Re-processing<br>b. Refining<br>c. Re-making<br>d. Similar process to above | 1 year  |  |

#### IMPORT OF GOODS FOR REPAIRS → EXPORT AFTER REPAIRS<sup>2</sup>: EXEMPTION FROM CUSTOMS DUTY UPON IMPORT

REPAIRS includes FURTHER PROCESSING or MANUFACTURE

|   |  |  |
|---|--|--|
| 1. Re-export within 1 year from the date of import (Order of clearance of import) | 2. Re-Export goods = Imported goods (Identifiable to the satisfaction of PO) | 3. Any other conditions specified in the notification (Yet to be notified) in this regard. |
|---|--|--|

<sup>2</sup> Inserted Vide Finance Act, 2018

**What was the practice followed till now in this regard?**

Duty drawback under Sec. 74 or Sec. 75 is being claimed



**What if goods are not re-exported? or Conditions are not complied with?**

Section 25A and notifications thereunder not applicable. Therefore, exemptions specified is not applicable.

As per Section 20, if goods are imported into India after exportation therefrom, such goods shall be liable to duty and be subject to all the conditions and restrictions, if any, to which goods of the like kind and value are liable or subject, on the importation thereof.

**Outward Processing of goods (Sec. 25B):**

**IMPORTED GOODS → EXPORTED FOR REPAIRS → RE-IMPORTED AFTER REPAIRS:**

**INDIGENOUS PURCHASES → EXPORTED FOR REPAIRS → RE-IMPORTED AFTER REPAIRS:**

|   |  |   |
|---|--|---|
| 1. Re-import within 1 year from the date of export (Let Export Order) | 2. Re-Imported goods = Exported goods (Identifiable to the satisfaction of PO) | 3. Any other conditions specified in the notification (Noti. No. 45/2017) in this regard. |
|---|--|---|

**Notification No. 45/2017** Concessional duty payable in case of re-importation of goods exported for repairs or exported under duty drawback, rebate etc.

| Description of goods exported                                      | Amount of import duty payable if re-imported  |
|--|---|
| Goods exported under claim of duty drawback or refund of IGST      | Amount of drawback or refund, availed of at the time of export  |
| Goods exported under bond without payment of IGST                  | Amount of IGST not paid   |
| Goods exported under duty exemption scheme (AA/DFIA/ EPCG)         | Amount of IGST leviable at time and place of import (Time limit is 1 year + 1 year extension)   |
| Goods exported (other than those falling above) for repairs abroad | Fair cost of repairs carried out including cost of materials used in repairs (whether such costs are actually incurred or not), insurance and freight charges, both ways. |
| <b>Note:</b> Ownership should remain the same                      |   |
| Re-import of any other exported goods                              | Duty is Fully Exempt (No export benefit availed, so no duty payable upon re-import)   |

## Segment - 23

# BAGGAGE

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- No IGST and GST Comp. Cess of Baggage
- Baggage Rate of duty is revised to 38.05% (On account of Social Welfare Surcharge)

## Segment - 24

# ASSESSMENT & AUDIT

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### **NON APPLICABILITY OF AUDIT UNDER SEC. 35(5) W.E.F 29.05.2018:**

Every registered person whose turnover during a financial year exceeds the prescribed limit shall get his accounts audited by a chartered accountant or a cost accountant and shall submit a copy of the audited annual accounts, the reconciliation statement along with the annual return

#### **New Proviso inserted:**

Provided that nothing contained in this sub-section shall apply to any department of the Central Government or a State Government or a local authority, whose books of account are subject to audit by the Comptroller and Auditor-General of India or an auditor appointed for auditing the accounts of local authorities under any law for the time being in force.

# Segment - 25

## APPEALS & REVISION

### MAXIMUM LIMIT OF PRE-DEPOSIT FIXED W.E.F 28.09.2018:

|  | BEFORE AMENDMENT  | AFTER AMENDMENT   |
|--|---|---|
| Pre Deposit in case of appeal to Appellate Authority [Sec. 107(6)] | 100% of admitted due (With interest/ penalty) + 10% of disputed tax (before interest/ penalty)            | 100% of admitted due (With interest/ penalty) + [10% of disputed tax (before interest/ penalty) or ₹ 25 Crores whichever is LOWER]            |
| Pre Deposit in case of appeal to Appellate Tribunal [Sec. 112(8)]  | 100% of admitted due (With interest & penalty) + Additional 20% of disputed tax (before interest/penalty) | 100% of admitted due (With interest & penalty) + [Additional 20% of disputed tax (before interest/penalty) or ₹ 50 Crores whichever is LOWER] |

### APPEAL TO APPELLATE AUTHORITY - NOTIFICATION No. 60/2018 - CT DATED 30.10.2018

| Appeal to                         | Who can file an appeal?       | Appeal by registered person against the order of                                 | Appeal by department against the order of       |
|-----------------------------------|-------------------------------|--|---|
| Commissioner (Appeals)            | Registered person/ department | Additional/Joint Commissioner<br>Assistant/Deputy Commissioner<br>Superintendent | Additional/Joint Commissioner                   |
| Joint Commissioner (Appeals)      | Registered person/ department | Assistant/Deputy Commissioner<br>Superintendent                                  | Additional/Joint Commissioner                   |
| Additional Commissioner (Appeals) | Department                    | Not Applicable   | Assistant/Deputy Commissioner<br>Superintendent |
| Time limit                        |                               | 3 Months   | 6 Months  |

# Segment - 26

# SETTLEMENT COMMISSION

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No Amendments in this Segment



# Segment - 27

# ADVANCE RULING

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No Amendments in this segment

# Segment - 28

## OFFENCES, PENALTIES & PROSECUTION

### Seizure Vs. Confiscation - Provisions at a glance:

|   | Situation - 1  | Situation - 2   |
|---|--|---|
|   | Inspection was carried out at business premises of registered person/ transporter/ warehouse operator  | Conveyance carrying goods are intercepted by proper officer for inspection  |
|   | If any unaccounted goods are found, such goods are liable for CONFISCATION   | If transporter was found transporting or storing such goods, which are removed in contravention of provisions of Act, such goods AND Conveyance are liable for CONFISCATION   |
| <b>SEIZURE</b>  | <b>Section 67</b>  | <b>Section 129</b>  |
| Seizure of goods  | Seizure from place of business   | Seizure in transit  |
| Seizure Order   | Order for seizure of goods / documents shall be passed   | Order for seizure of goods AND conveyance shall be passed   |
| Release of seized goods/ documents AND Conveyance (2 options available) |  |   |
| Option (i) – Pay appropriate amount and get it released                 | <ul style="list-style-type: none"> <li>Pay applicable tax, interest and penalty</li> <li>Goods shall be released</li> <li>All proceedings in this respect shall be deemed to be concluded</li> </ul> | <ul style="list-style-type: none"> <li>Following shall be paid within 7 days of seizure (In case of perishable goods, the time period can be reduced)</li> <li>Both goods and conveyance shall be released</li> <li>All proceedings in this respect shall be deemed to be concluded</li> </ul> <p><u>Owner of goods coming forward to claim release:</u><br/>           Non Exempt Goods → Tax Payable (+) {Penalty = 100% of tax payable}<br/>           Exempt Goods → 2% of value of goods (or) ₹25,000 whichever is LOWER</p> <p><u>Owner of goods not coming forward to claim release:</u><br/>           Non Exempt goods → Tax payable + {Penalty = (50% of value of goods – tax paid)}<br/>           Exempt goods → 5% of value of goods (or) ₹25,000 whichever is LOWER</p> |

|  |  |  |
|--|--|--|
| Option (ii) –<br>Furnish Security<br>and get<br>provisional<br>release   | Provisional release of goods by<br>executing a bond (FORM GST<br>INS 04) covering value of goods   | Provisional release of goods by executing a bond<br>(FORM GST MOV 08) covering value of goods (+<br>Security in the form of bank guarantee = Amount<br>equivalent to above i.e. amount payable for<br>release of goods (as the case may be when<br>owner of goods coming forward or not coming<br>forward) |
| <b>CONFISCATION</b>  | <b>Section 130(2)</b>  | <b>Section 130(2)</b>  |
| Tax and Penalty<br>payable along<br>with redemption<br>fine.<br><br>If option not<br>opted<br>confiscated<br>goods shall be<br>disposed off. | Confiscation Order (+) Redemption option (Option to redeem goods by paying fine<br>within 3 months)<br><br><b>Redemption fine in case of goods:</b><br><ul style="list-style-type: none"> <li>• Maximum redemption fine = Market value of goods (-) tax chargeable</li> <li>• However, total of penalty and redemption fine cannot be less than the penalty<br/>leviable under sec. 129(1) i.e. above amount payable for release of goods.</li> </ul><br><b>Redemption fine in case of Conveyance</b> <sup>(to owner of conveyance):</sup><br>Tax payable on goods transported thereon |  |

**EXTENSION OF TIME LIMIT FOR PAYMENT OF TAX AND PENALTY ON DETAINED OR SEIZED GOODS FROM 7 DAYS TO 14 DAYS W.E.F 29.08.2018:**

| BEFORE AMENDMENT   | AFTER AMENDMENT  |
|--|--|
| 129(6) Where the person transporting any goods or the owner of the goods fails to pay the amount of tax and penalty as provided in sub-section (1) within seven days of such detention or seizure, further proceedings shall be initiated in accordance with the provisions of section 130:<br><br>Provided that where the detained or seized goods are perishable or hazardous in nature or are likely to depreciate in value with passage of time, the said period of seven days may be reduced by the proper officer. | 129(6) Where the person transporting any goods or the owner of the goods fails to pay the amount of tax and penalty as provided in sub-section (1) within <b>fourteen days</b> of such detention or seizure, further proceedings shall be initiated in accordance with the provisions of section 130:<br><br>Provided that where the detained or seized goods are perishable or hazardous in nature or are likely to depreciate in value with passage of time, the said period of <b>fourteen days</b> may be reduced by the proper officer. |
| Section 130 - Confiscation Order   |  |

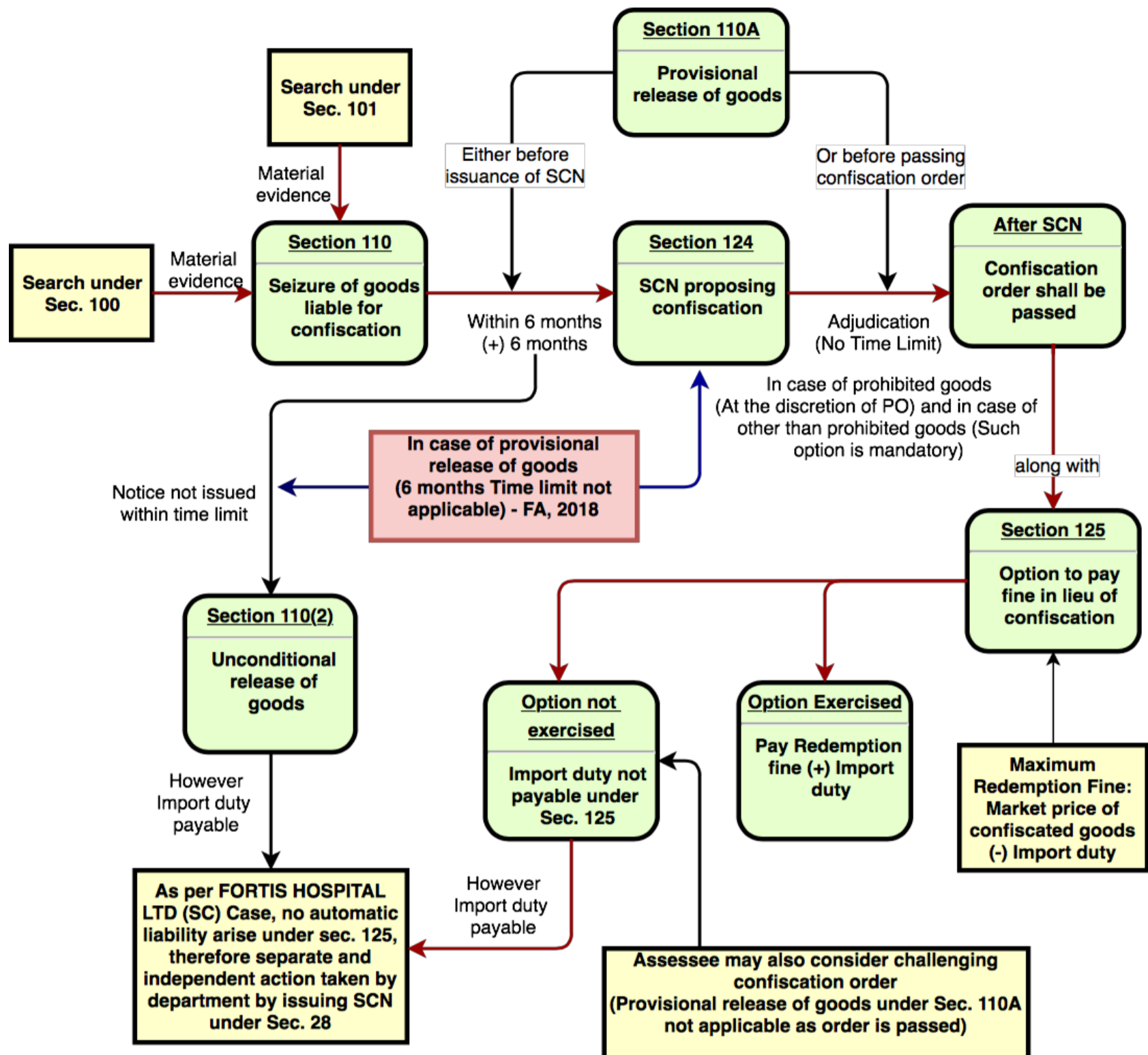
**Under Customs**

**POWER TO UNDERTAKE CONTROLLED DELIVERY [SEC. 109A OF CUSTOMS ACT, 1962] - INSERTED VIDE FINANCE ACT, 2018:**

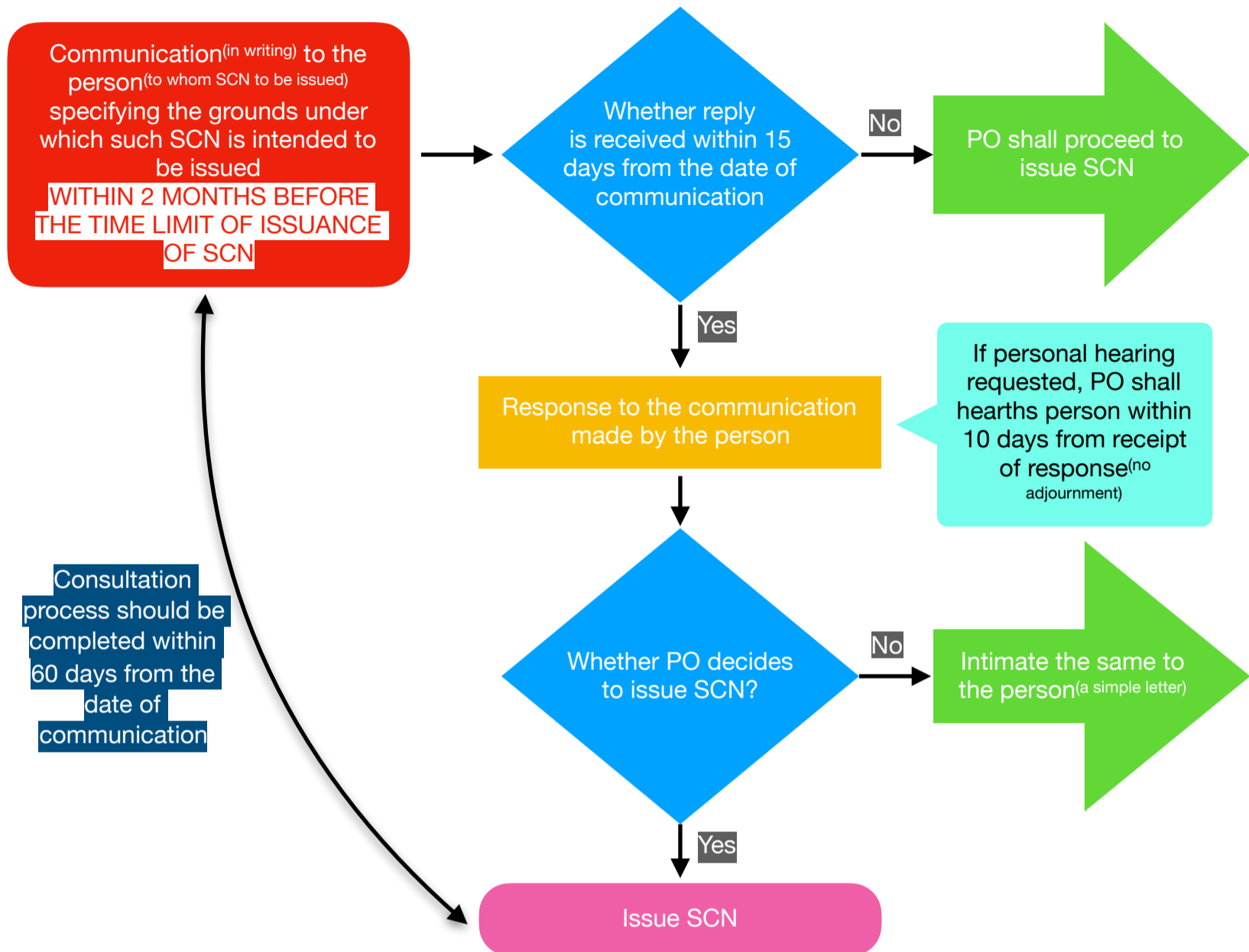
Customs officer may undertake **Controlled delivery** (Procedure for allowing goods to pass out of, or into India with the knowledge and supervision of the officer for identifying the persons involved in the commission of an offence) of any consignment to any destination in India or a foreign country, in consultation with the competent authority of such country to which such consignment is destined.



**SEIZURE & PROVISIONAL RELEASE OF GOODS [SEC. 110 & 110A OF CUSTOMS ACT, 1962] - AMENDED VIDE FINANCE ACT, 2018:**



# Segment - 29



# DEMAND & RECOVERY

## Under Customs

### RECOVERY OF DUTIES NOT LEVIED OR SHORT LEVIED OR NOT PAID OR SHORT PAID OR ERRONEOUSLY REFUNDED [SEC. 28 OF CUSTOMS ACT, 1962]:

#### AMENDMENTS VIDE FINANCE ACT, 2018 AT A GLANCE:

1. Before issuing SCN, PO shall hold **pre-notice consultation** to the person to whom notice is intended to be issued.
2. No SCN issued if the amount involved is < ₹ 100
3. **Supplementary SCN** can be issued for additional recovery with respect to the same ground of offence.

4. Time limit for passing adjudication order (Previously time limit was recommendatory in nature, now it is made MANDATORY) -

**Other than Fraud Cases:**

6 months from the date of SCN (Extendible for a further period of 6 months);

**Fraud Cases:**

1 year from the date of SCN (Extendible for a further period of 1 year)

**Note:** Adjudication order not passed within the above time limit makes the SCN Void ab-initio

5. Above time limit for passing adjudication order **not applicable** in the following cases

- Appeal in similar nature is pending before Appellate Tribunal, HC or SC
- Interim Order of Stay has been issued by Appellate Tribunal, HC or SC
- CBIC in similar matter has issued order to keep the proceedings in pending
- Settlement commission has accepted the application made by the person

6. SCN shall be issued within 2 years from the relevant date (Usually date of import or export) (Other than fraud cases) and within 5 years from the relevant date (Fraud cases).

If notice issued under fraud cases is held not sustainable in any proceeding or appeal, for the reason that the charges of fraud is not established on such person to whom SCN is issued, it shall be deemed that the said SCN is deemed to the SCN under non fraud cases and the duty and interest shall be computed accordingly (i.e. 5 Years SCN trimmed to 2 years SCN)

### PRE-NOTICE CONSULTATION REGULATIONS, 2018<sup>3</sup>

Consultation = communication of the grounds known to the PO for issuance of SCN to the person chargeable with duty or interest in order to elicit the response of the person and consideration of the representation of the said person

<sup>3</sup> Vide Notification No. 29/2018 - Cus (NT) dt: 2/04/2018

**Note:** Pre-Notice Consultation is not required if the SCN is issued for the same issue for a different period

### ISSUANCE OF SUPPLEMENTARY NOTICE [SECOND PROVISO TO SEC. 124 OF CUSTOMS ACT, 1962] - INSERTED VIDE FINANCE ACT, 2018:

The proper officer may issue a supplementary show cause notice for recovery of customs duties not levied or not paid or short levied or short paid or erroneously refunded, under such circumstances and in such manner as may be prescribed.

## Under GST

### POWER TO ISSUE SCN - CIRCULAR No. 31/05/2018:

The CG has clarified the **monetary limits** up to which the functions in relation to issue of show cause notices and orders can be exercised by the proper officers.

| S.No | Officer of Central Tax empowered to issue SCN | Recovery of CGST               | Recovery of IGST               | Recovery of CGST (+) IGST      |
|------|---|--------------------------------|--------------------------------|--------------------------------|
| 1    | Superintendent of Central Tax                 | ≤ ₹10 lakhs                    | ≤ ₹20 lakhs                    | ≤ ₹20 lakhs                    |
| 2    | Assistant/Deputy Commissioner of Central Tax  | > ₹10 lakhs but ≤ ₹1 Crore     | > ₹20 lakhs but ≤ ₹2 Crore     | > ₹20 lakhs but ≤ ₹2 Crore     |
| 3    | Additional/Joint Commissioner of Central Tax  | > ₹1 Crore (Without any limit) | > ₹2 Crore (Without any limit) | > ₹2 Crore (Without any limit) |

## *Segment - 30*

# REFUND

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## *Segment - 31*

# FOREIGN TRADE POLICY (FTP)

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