



## INTRODUCTION TO GST

Article	Particulars
	<p>GST: Tax on supply of Goods and Services or both except on alcoholic liquor for human consumption.</p> <ul style="list-style-type: none"> <li>☞ Tobacco is leviable to GST as well as Central Excise Duty.</li> <li>☞ Further Opium, Indian hemp &amp; narcotics products are leviable to GST as well as State Excise Duty.</li> </ul>
	<p><b><u>Features of Indirect Taxes:</u></b></p> <ol style="list-style-type: none"> <li>1. An important source of revenue for Govt.;</li> <li>2. Taxes on Goods &amp; services;</li> <li>3. No perception of direct pinch;</li> <li>4. Inflationary;</li> <li>5. Broader Scope;</li> <li>6. Promotes social welfare;</li> <li>7. Regressive in nature.</li> </ol>
	<p><b><u>Journey of GST in India:</u></b></p> <p>2014: Constitution Amendment Bill presented in the Parliament</p> <p>2015: Bill passed in Lok Sabha on 6<sup>th</sup> May 2015</p> <p>2016: Bill passed in Rajya Sabha on 3<sup>rd</sup> August 2016 and received the assent of the President on 8<sup>th</sup> September 2016.</p> <p>2017: GST became effective in India on 1<sup>st</sup> July 2017. GST extended to Jammu &amp; Kashmir on 8<sup>th</sup> July 2017.</p>
	<p><b><u>Deficiencies of the old taxation system:</u></b></p> <ol style="list-style-type: none"> <li>1. Cascading of taxes (Inclusion of Excise Duty in the value for imposing VAT &amp; Levy of CST in case of inter-state purchase for further sale in the same state;</li> <li>2. Multiple Taxes;</li> <li>3. Non-integration of Service Tax &amp; VAT;</li> <li>4. Double Taxation.</li> </ol>
	<p><b><u>Benefits of GST</u></b></p> <ol style="list-style-type: none"> <li>1. Ease of doing business;</li> <li>2. Mitigation of ill effects of cascading;</li> <li>3. Increase in the government revenue;</li> <li>4. Elimination of double taxation &amp; multiple taxes;</li> <li>5. Boost to make in India initiative.</li> </ol>
	<p><b><u>Taxes subsumed under GST</u></b></p> <p><b><u>Central Taxes:</u></b> Central Excise Duty; Additional Excise Duty; Service Tax; Excise Duty levied under Medicinal &amp; Toilet Preparation Act; Countervailing Duty; Special Countervailing Duty; Central Sales Tax &amp; Excise Duty levied under Medicinal &amp; Toilet Preparation Act.</p> <p><b><u>State Taxes:</u></b> Value Added Tax / Sales Tax; Taxes on lottery, betting &amp; gambling, Entry Tax, Tax on advertisements, Luxury Tax, Entertainment tax (except local bodies) &amp; State cesses &amp; surcharges on goods &amp; services</p>
	<p><b><u>Constitutional Provisions:</u></b></p> <p>Need for Constitutional Amendment: GST required amendment in the Constitution so as to enable integration of Central and State specific taxes and to empower both Centre and States to levy and collect it.</p>
265	Except of law, no tax to be levied or collected.
245	Extent of laws: CG law applies to the whole of the nation whereas state law applies for the whole / part of the state.
246	This article empowers the CG & SG to make laws whether direct of indirect.

246A	<p><b><u>Power to make laws with respect to GST:</u></b> It gives power to Centre and State Governments to make laws with respect to GST. However, the Central Government will have exclusive (100%) power to make laws in case of inter-state supply of goods or services or both.</p> <p>☞ Petroleum crude, high speed diesel, motor spirit, natural gas and aviation turbine fuel shall fall under the ambit of GST from the date as recommended by the GST council. At present old taxation system is applicable on them.</p>
269A	<p><b><u>Levy and collection of GST on inter-state supply:</u></b> GST on inter-state supply shall be levied and collected by the Central Government and shall be apportioned between the Union and the States. Further, import of goods / services shall be deemed to be inter-state supply. This will give power to CG to levy IGST on import transactions which were subject to Countervailing Duty.</p>
279A	<p><b><u>GST Council:</u></b> The President within 60 days from the date of commencement of the Constitution (One Hundred and First Amendment) Act, 2016 shall constitute GST council. The council shall make recommendations on tax rates, exemptions etc. Every decision of the council requires majority of 3/4<sup>th</sup> of the weighted votes of the members present and voting. The vote of the CG shall have a weightage of 1/3<sup>rd</sup> of the total votes cast whereas and the votes of SGs taken together shall have 2/3<sup>rd</sup> of the total votes cast.</p>



## SUPPLY UNDER GST

Section	Particulars												
7(1)(a)	<p>Supply = Taxable Goods / Services + Consideration + by a registered supplier + course or furtherance of business.</p> <ul style="list-style-type: none"> <li>☞ <b>Goods:</b> Every kind of movable asset other than money &amp; securities.</li> <li>☞ <b>Services:</b> Anything other than goods, money &amp; securities. <ul style="list-style-type: none"> <li>○ Amount paid for conversion of currency or brokerage paid to agent for dealing in securities is a supply of service and therefore leviable to GST.</li> </ul> </li> <li>☞ <b>Consideration:</b> Anything in return. It can be in money or kind. Further, it can flow from a third person also. However, any subsidy given by the Central Government or a State Government is not considered as consideration. <ul style="list-style-type: none"> <li>○ Donations as an act of philanthropy without any intension of receiving back anything is not consideration.</li> </ul> </li> <li>☞ <b>Course / furtherance of business:</b> It should be a commercial transaction. Any personal transaction is not leviable to GST.</li> </ul>												
7(1)(aa)	Transactions by a person, other than an individual, to its members or constituents or vice-versa, for cash, deferred payment / other valuable consideration												
7(1)(b)	Importation of services for consideration even if not in course or furtherance of business will constitute supply.												
7(1)(c) + Sch. I	<p><b>Transactions deemed supply even without consideration:</b></p> <p>Case I: Permanent transfer or disposal of business assets on which ITC has been claimed.</p> <p>Case II: Supply between related person or distinct person made in the course or furtherance of business.</p> <ul style="list-style-type: none"> <li>☞ <b>Related Person:</b> A person who is under influence of another person is called a related person. <ul style="list-style-type: none"> <li>○ Family is related person: Spouse &amp; children of the assessee (whether dependant or not) + parents, grandparents, brothers &amp; sisters of the assessee who are wholly dependent on the assessee.</li> </ul> </li> </ul> <p>Note: Gift by employer to employee upto ₹ 50,000 is not leviable to GST.</p> <ul style="list-style-type: none"> <li>☞ <b>Distinct person:</b> A person who has obtained/is required to obtain more than one registration, whether in one State/Union territory or more than one State/Union territory shall, in respect of each such registration, be treated as distinct persons.</li> </ul> <p>Case III: Supply of goods (not services) by a principal to his agent or vice versa without consideration shall be considered as supply. Only when further supply of goods by agent is invoiced in his name, it can be construed that there is Principal – Agent relationship and this point shall apply.</p> <p>Case IV: Importation of services by a person from a related person outside India in the course or furtherance of business.</p>												
7(1A) + Sch. II	<table border="1"> <thead> <tr> <th>S. No.</th> <th>Particulars</th> <th>Nature of Supply</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td> <b>Transfer</b> <ul style="list-style-type: none"> <li>○ Title in goods</li> <li>○ Right / undivided share in goods without transfer of title</li> <li>○ Title in goods under an agreement that property shall pass at a future date</li> </ul> </td> <td> Goods  Services  Goods </td> </tr> <tr> <td>2.</td> <td> <b>Land &amp; Building</b> <ul style="list-style-type: none"> <li>○ Lease, tenancy, easement, licence to occupy land</li> <li>○ Lease/letting out of building including a commercial / industrial / residential complex for business/ commerce wholly or partly.</li> </ul> </td> <td> Services  Services </td> </tr> <tr> <td>3.</td> <td><b>Treatment or Process:</b> Applied to another's person goods</td> <td>Service</td> </tr> </tbody> </table>	S. No.	Particulars	Nature of Supply	1.	<b>Transfer</b> <ul style="list-style-type: none"> <li>○ Title in goods</li> <li>○ Right / undivided share in goods without transfer of title</li> <li>○ Title in goods under an agreement that property shall pass at a future date</li> </ul>	Goods Services Goods	2.	<b>Land &amp; Building</b> <ul style="list-style-type: none"> <li>○ Lease, tenancy, easement, licence to occupy land</li> <li>○ Lease/letting out of building including a commercial / industrial / residential complex for business/ commerce wholly or partly.</li> </ul>	Services Services	3.	<b>Treatment or Process:</b> Applied to another's person goods	Service
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	<p>4. <u>Transfer of Business Assets</u></p> <ul style="list-style-type: none"> <li>○ Business assets disposed / transferred under the directions of the owner, whether or not for a consideration.</li> <li>○ Business assets put to private use by owner or made available to any person, whether or not for a consideration.</li> <li>○ Goods forming part of business assets shall be deemed to be supplied by a person who ceases to be a taxable person.</li> </ul> <p><b>Exceptions:</b></p> <ul style="list-style-type: none"> <li>➤ Business transferred as a going concern</li> <li>➤ Business carried on by personal representative who is deemed to be a taxable person.</li> </ul>	<p>Goods</p> <p>Services</p> <p>Goods</p>
	5 (a). Renting of immovable property	Service
	5 (b). Construction of complex / building / civil structure	Service
	<b>Exception:</b> Where entire consideration has been received after issuance of completion certificate or after its first occupation whichever is earlier.	
	5 (c). Temporary transfer or permitting use of Intellectual Property Rights.	Service
	5 (d). Development design, programming, adaptation, customization, enhancement etc. of IT software	Service
	5 (e). Agreeing to obligation to refrain from an act, or to tolerate an act or to do an act.	Service
	5 (f). Transfer of right to use any goods for any purpose	Service
	6 (a). Works contract services in relation to immovable property	Service
	6 (b). Supply of goods, being food or any other article for human consumption or any drink. (Restaurant)	Service
	7. Supply of goods by an unincorporated association or body of persons to a member thereof	Goods
7(2) + Sch. III	<p><b>Negative List</b></p> <ol style="list-style-type: none"> <li>1. Services by an employee to the employer in the course of or in relation to his employment.</li> <li>2. Services by any Court or tribunal.</li> <li>3. Functions performed by MP's, MLA's etc.</li> <li>4. Services of funeral, burial, crematorium or mortuary including transportation of the deceased.</li> <li>5. Sale of land and sale of fully constructed building in which completion certificate is issued.</li> <li>6. Actionable claims, other than specified actionable claims.</li> </ol> <p><u>Other transactions which are neither considered as supply of goods nor supply of services:</u></p> <ol style="list-style-type: none"> <li>(a) Functions performed by Panchayat / Municipality in which they are engaged as public authorities.</li> <li>(b) Services by way of grant of alcoholic liquor licence, against consideration in the form of licence fee by the State Government in which they are engaged as public authorities.</li> </ol>	
8	<p><b>Composite &amp; Mixed Supply</b></p> <ol style="list-style-type: none"> <li>1. <b>Composite Supply:</b> A supply comprising of two or more taxable supplies of goods or services or both, which are naturally bundled in the ordinary course of business, one of which is a principal supply. <ul style="list-style-type: none"> <li>☞ Rate of tax applicable on a composite supply shall be the rate of principal supply.</li> </ul> </li> <li>2. <b>Mixed Supply:</b> A supply which is not a composite supply. <ul style="list-style-type: none"> <li>☞ Rate of tax applicable on a mixed supply shall be the highest rate.</li> </ul> </li> </ol>	



## CHARGE OF GST

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	<p><b><u>Extent of GST Law:</u></b></p> <ol style="list-style-type: none"> <li>CGST &amp; IGST Act: Applies to the whole of India</li> <li>SGST Act: Applies to respective states &amp; UT with state legislature (<b><i>Delhi, Puducherry and J&amp;K</i></b>)</li> <li>UTGST Act: Applies to the UT of the Andaman and Nicobar Islands, Lakshadweep, Dadra &amp; Nagar Haveli &amp; Daman and Diu, <b><i>Ladakh</i></b>, Chandigarh.</li> </ol> <p>☞ India shall be considered upto 200 NM from the coastline for the purpose of GST Act.</p>																														
9(1)	CGST shall be levied by a registered person on intra-state supplies of goods or services or both except alcoholic liquor for human consumption.																														
9(2)	GST on these 5 petroleum products ( <b><u>petroleum crude, high speed diesel, petrol, natural gas and aviation turbine fuel</u></b> ) shall be levied on recommendation of GST council.																														
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	11.	Services by individual Direct Selling Agents (DSAs) to bank or non-banking financial company (NBFCs)												
	12.	Supply by a business facilitator to a banking company												
	13.	Services by an agent of business correspondent to business correspondent.												
	14.	Security services provided to a registered person. ☞ <u>RCM shall not apply to</u> 1. A Department / establishment of the Central Govt. / State Government / UT; 2. Local Authority; 3. Government agencies, which has taken registration under the CGST Act only for the purpose of deducting tax u/s 51 and not for making a taxable supply of goods or services 4. Composition Scheme Dealer												
	15.	Services of renting of motor vehicle (other than body corporate) designed to carry passengers where the cost of fuel is included in the consideration, provided to a body corporate. Services by way of renting of motor vehicle is chargeable at the following rates: a) @ 5% (2.5% CGST + 2.5% SGST or 5% IGST) provided supplier of services has taken only limited ITC (of input services in the same line of business) or b) @ 12% (6% CGST + 6% SGST or 12% IGST) where supplier of services opts to pay GST under FCM. In this case there is no restriction on availing ITC on goods or services used in supplying renting of motor vehicles services by the supplier of services.												
	16.	Services of lending of securities by a lender to a borrower.												
	17.	Importation of services from any person who is located in a non-taxable territory.												
9(5)	ECO shall be liable to pay GST where notified services (such as transportation of passengers) are provided through it. The following services are notified u/s 9(5): (a) services by way of transportation of passengers by a radio-taxi, motorcab etc.; (b) services by way of transportation of passengers by omnibus except where the person supplying such service through ECO is a company. (c) services by way of providing accommodation in hotels, inns, guest houses etc. except where the person supplying such service through ECO is liable for registration u/s 22(1) of the CGST Act. (d) services by way of house-keeping, such as plumbing, carpentering etc, except where the person supplying such service through ECO is liable for registration u/s 22(1) of the CGST Act. (e) supply of restaurant service other than the services supplied by restaurant located at a hotel having declared tariff of any unit of accommodation above ₹ 7,500 per unit per day or equivalent.													
	Rates of taxes for Goods under CGST: 0.125%, 1.5%, 2.5%, 6%, 9% and 14% Rates of taxes for Services under CGST: 2.5%, 6%, 9% and 14%. Equivalent amount of SGST / UTGST shall be applicable													
10(1)	<u>Composition Scheme:</u> A supplier of goods / restaurant services having aggregate turnover upto ₹ 1.5 crores / ₹ 75 lakhs (in special category states) shall pay tax on turnover at the following rates:													
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	☞ <u>Special Category States (SCS):</u> Arunachal Pradesh, Uttarakhand, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim & Tripura. Where an assessee has one branch in SCS and other in Non-SCS, the limit of 75 lakhs is applicable.													
	☞ <u>Aggregate Turnover:</u> Taxable supplies + Exempt supplies + Exports + Inter-state supplies of persons having the same PAN be computed on all India basis. But it shall not include CGST / SGST / UTGST / IGST / Cess & Value of Inward supplies on which RCM applies													
	☞ <u>Marginal supply of services allowed along with goods:</u> <b>10%</b> of the turnover of the preceding financial year or ₹ 5 lakhs, whichever is <b>higher</b> .													

	<p>☞ Interest income to be excluded while computing aggregate turnover for determining eligibility for composition scheme and marginal supply of services</p>
10(2)	<p><u>Terms &amp; Conditions for a registered person following composition scheme u/s 10(1)</u></p> <ol style="list-style-type: none"> <li>1. <b>Supplier is not engaged in supplying services (other than restaurant services and marginal supply of services);</b></li> <li>2. Supplier is not engaged in supplying non-GST supplies;</li> <li>3. Supplier is not engaged in inter-state supplies;</li> <li>4. Supplier is not supplying through ECO who is liable to collect tax u/s 52</li> <li>5. Supplier is not a manufacturer of ice-cream and other edible ice whether or not containing cocoa, pan masala, tobacco &amp; tobacco substitutes, aerated water, fly ash bricks, bricks of fossil meals, building bricks &amp; earthen or roofing tiles.</li> <li>6. Supplier is neither a Casual Taxable Person (CTP) nor a Non-resident Taxable Person (NRTP)</li> </ol>
10(2A)	<p>A registered person (mainly small service provider) whose aggregate turnover of the preceding year does not exceed ₹ 50 lakhs can pay under composition scheme @ 6% (3% CGST + 3% SGST) on first supplies upto ₹ 50 lakhs during the current financial year.</p> <p><u>Terms &amp; Conditions u/s 10(2A):</u></p> <ol style="list-style-type: none"> <li>1. Supplier is not engaged in supplying non-GST supplies;</li> <li>2. Supplier is not engaged in inter-state supplies;</li> <li>3. Supplier is not supplying through ECO who is liable to collect tax u/s 52</li> <li>4. Supplier is neither a manufacturer or trader of ice-cream and other edible ice whether or not containing cocoa, pan masala, tobacco &amp; tobacco substitutes &amp; aerated water.</li> <li>5. Supplier is neither a Casual Taxable Person (CTP) nor a Non-resident Taxable Person (NRTP)</li> </ol>
	<p><u>General notes regarding Composition scheme u/s 10(1) or 10(2A)</u></p> <ul style="list-style-type: none"> <li>➤ Composition scheme u/s 10(1) or 10(2A) shall be adopted uniformly by all branches.</li> <li>➤ Composition supplier shall write “composition taxable person, not eligible to collect tax on supplies” at the top of the bill of supply issued by him.</li> <li>➤ Composition supplier shall mention “composition taxable person” on every signboard displayed at a prominent place at principal place of business and at every additional place business.</li> </ul>
10(3)	<p><u>Withdrawal from Composition Scheme:</u></p> <ol style="list-style-type: none"> <li>1. <b><u>Due to cessation of threshold limit / other reason:</u></b> Assessee to intimate within 7 days and effective date of withdrawal shall be the date indicated in the intimation.</li> <li>2. <b><u>Intentionally before reaching the threshold limit:</u></b> Assessee to intimate in prescribed form and effective date of withdrawal shall be the date indicated in the application.</li> <li>3. <b><u>By Proper Officer:</u></b> Where PO believes that composition scheme is not allowed, he will issue a SCN. Upon reply, he will pass an order either accepting or rejecting the reply. If denied, the effective date of withdrawal shall be the date determined by the PO.</li> </ol>
10(4)	<p>Composition scheme supplier u/s 10(1) or 10(2A) shall not collect tax on supplies and shall not be entitled for ITC.</p>



## PLACE OF SUPPLY

Section	Particulars
10(1)	<b>Place of Supply of Goods</b>
10(1)(a)	In case of supply involving movement of goods, the place of supply is the location where the movement of goods terminates (ends) for delivery to the recipient.
10(1)(b)	<u>Place of supply in case of Bill to Ship to Supply:</u> Where goods are delivered by the supplier to the recipient at the instruction of a third person, the place of supply is the principal place of business of such third person and not of the actual recipient.
10(1)(c)	The place of supply in case goods does not involve movement shall be the location of goods at the time of delivery to the recipient.
10(1)(ca)	The place of supply in case of over-the-counter supply involving movement of goods by an unregistered buyer shall be the address of unregistered buyer (if recorded in the invoice). Where the address of buyer is not recorded, the POS shall be the location of the supplier.
10(1)(d)	<u>Goods installed or assembled at site:</u> the place of supply is the place of such installation or assembly.
10(1)(e)	<u>Time of supply of goods supplied during a journey on board a conveyance:</u> Place of supply is the location where such goods have been taken on board.
12	<b>Place of Supply of Services</b>
12(2)	<u>General Rule:</u> [When section 12(3) to 12(14) does not apply] Place of supply of services made to a registered person is the location of the recipient. However, if the services are supplied to an unregistered person, the place of supply is: (a) the location of such unregistered person, if the address of the unregistered recipient is available in the records of the supplier. (b) the location of the supplier of services in other cases.
12(3)	It covers supplies of services which are directly in relation to an immovable property (renting, architect services), or by way of lodging accommodation in a hotel, etc. or a house-boat or vessel, or accommodation in any immovable property for organizing social, business functions etc. In all above scenarios, location of the immovable property or the boat or the vessel is the place of supply. <b><u>Manner of determining proportionate value of service in the absence of a contract:</u></b> In the absence of a contract or agreement between the supplier and recipient of services, the proportionate value of services supplied in different States/Union territories (where the immovable property or boat or vessel is located) is computed.
12(4)	<u>Restaurant and catering services, personal grooming, fitness, beauty treatment, health service –</u> place of supply in such case shall be where such services are actually delivered.
12(5)	<u>Training &amp; Performance Appraisal services:</u> B2B - the place of supply is the location of the registered recipient. B2C – the place of supply is where the service is actually performed.
12(6)	<u>Admission to any event + ancillary services:</u> Place of supply shall be the place where the event is actually held or such other place is located.
12(7)	<u>Supplies related to organisation of events or assigning sponsorship to such events:</u> B2B - the place of supply is location of recipient B2C - the place of supply is the location where the event is actually held and if the event is held outside India, the place of supply is the location of recipient.
12(8)	<u>Transportation of goods (including courier services):</u> B2B: the place of supply is location of recipient B2C: the place of supply is the location at which such goods are handed over for their transportation.
12(9)	<u>Passenger Transportation Services:</u> B2B: Place of supply of services is the location of the recipient. B2C: Place of supply is the location of such unregistered person, if the address of the unregistered

	<p>recipient is available in the records of the supplier. Otherwise, the location of the supplier if address is unavailable.</p> <p>☞ The return journey is treated as a separate journey, even if the tickets for onward and return journey are issued at the same time</p>															
12(10)	Service supplied on board a conveyance – Place of supply shall be the location of the first scheduled point of departure.															
12(11)	<p>Telecommunication Services</p> <table border="1"> <thead> <tr> <th>S. No.</th> <th>Nature of Supply</th> <th>Place of Supply</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td> <ul style="list-style-type: none"> <li>Fixed telecommunication line</li> <li>Leased circuits</li> <li>Internet leased circuit</li> <li>Cable or dish antenna</li> </ul> </td> <td>Location where the telecommunication line, leased circuit or cable connection or dish antenna is installed for receipt of services</td> </tr> <tr> <td>2.</td> <td>Post-paid mobile connection and internet services</td> <td> <ul style="list-style-type: none"> <li>Location of billing address of the recipient</li> <li>Location of the supplier of services, if the address is not available</li> </ul> </td> </tr> <tr> <td>3.</td> <td>Pre-paid mobile connection, internet services and DTH services (recharge coupon, vouchers, net pack etc.) through a selling agent / distributor</td> <td>Address of the selling agent/ re-seller/ distributor at the time of supply</td> </tr> <tr> <td>4.</td> <td>Pre-paid services, through internet banking/other electronic mode of payment</td> <td>Location of the recipient of services in the records of the supplier of services</td> </tr> </tbody> </table>	S. No.	Nature of Supply	Place of Supply	1.	<ul style="list-style-type: none"> <li>Fixed telecommunication line</li> <li>Leased circuits</li> <li>Internet leased circuit</li> <li>Cable or dish antenna</li> </ul>	Location where the telecommunication line, leased circuit or cable connection or dish antenna is installed for receipt of services	2.	Post-paid mobile connection and internet services	<ul style="list-style-type: none"> <li>Location of billing address of the recipient</li> <li>Location of the supplier of services, if the address is not available</li> </ul>	3.	Pre-paid mobile connection, internet services and DTH services (recharge coupon, vouchers, net pack etc.) through a selling agent / distributor	Address of the selling agent/ re-seller/ distributor at the time of supply	4.	Pre-paid services, through internet banking/other electronic mode of payment	Location of the recipient of services in the records of the supplier of services
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4.	Pre-paid services, through internet banking/other electronic mode of payment	Location of the recipient of services in the records of the supplier of services														
12(12)	<p><u>Banking &amp; Financial Services (including stock broking services):</u> The place of supply is the location of the recipient of services in the records of the supplier of services, whether registered or not. However, if the location of recipient of services is not available in the records of the supplier, the place of supply is the location of the supplier of services.</p>															
12(13)	<p><u>Insurance services:</u> Place of supply is the location of recipient when provided to a registered recipient.</p> <p>If such services are provided to a person other than a registered person, the place of supply is the location of the recipient of services in the records of the supplier of services.</p>															
12(14)	Advertisement service to the CG / SG / Statutory body / Local authority meant for the State/Union territory identified in contract or agreement – Place of supply shall be each of such States / Union territories where the advertisement is broadcasted / run / played / disseminated.															



## EXEMPTIONS FROM GST

Section	Particulars
11(1)	The Central Governments has been empowered to grant exemption from tax on the recommendation of the GST Council in public interest. Exemption can be granted either absolutely (i.e., without any condition or restriction) or conditionally (i.e., with terms and conditions).
11(2)	Exemption under this section is granted under circumstances of an exceptional nature by special order such as natural calamity
11(3)	Where the Government feels that there is a need to clarify the scope or conditions issued with the notification, it can issue an explanation within 1 year of issue of notification/order and such explanation shall have retrospective effect.
Entry No.	<b>SERVICES EXEMPT FROM TAX [Notification No. 12/2017]</b>
1	<p><b>Charitable Activity Related Services</b> Services by an entity registered u/s 12AA or 12AB of the Income Tax Act, 1961 by way of charitable activities.</p> <p><b>Charitable Activities:</b></p> <p>(a) Public health by way of care or counselling of terminally ill persons or persons with severe physical or mental disability; persons afflicted with HIV or AIDS; persons addicted to a dependence-forming substance such as narcotics drugs or alcohol; or</p> <p>(b) public awareness of preventive health, family planning or prevention of HIV infection;</p> <p>(c) Advancement of religion, spirituality or yoga;</p> <p>(d) Advancement of educational programmes relating to abandoned, orphaned or homeless children; Physically or mentally abused and traumatized; Prisoners; Persons over the age of 65 years residing in a rural area;</p> <p>(e) Preservation of environment including watershed, forests &amp; wildlife</p>
13	<p><b>Religious Activity Related Services:</b> The following services are exempt:</p> <p>(a) Conduct of any religious ceremony;</p> <p>(b) Renting of precinct of a religious place where rent of</p> <ul style="list-style-type: none"> <li>• rooms are upto ₹ 999 per day</li> <li>• premises, community halls, open area etc. are upto ₹ 9,999 per day</li> <li>• shops for business or commerce are upto ₹ 9,999 per month.</li> </ul>
60	Services by Haj Committee & Kumaon Mandal Vikas Nigam Limited (KMVN) in respect of a religious pilgrimage facilitated by the Government of India, under bilateral arrangement.
80	Services by way of training or coaching in
	<p>(a) recreational activities relating to arts or culture by an individual, or</p> <p>(b) Sports by charitable entities registered u/s 12AA or 12AB of the Income Tax Act.</p>
	<b>Agricultural Related Services</b>
24	Services by way of loading, unloading, packing, storage or warehousing of rice.
24A	Services by way of warehousing of minor forest produce.
24B	Services by way of storage/warehousing of cereals, pulses, fruits, and vegetables.
54	<p>Services relating to cultivation of plants and rearing of all life forms of animals, except the rearing of horses, and includes</p> <p>(a) Supply of farm labour;</p> <p>(b) Process carried out at an agricultural farm do not alter the essential characteristics of agricultural produce but make it only marketable for the primary market;</p> <p>(c) Renting or leasing of agro-machinery or vacant land</p> <p>(d) Loading, unloading, packing, storage or warehousing of agricultural produce;</p> <p>(e) Agricultural extension services</p> <p>(f) Services by any Agricultural Produce Marketing Committee</p>
55	Carrying out an intermediate production process as job work in relation to cultivation of plants and rearing of all life forms of animal, except the rearing of horses.

55A	Services by way of artificial insemination of livestock (other than horses)																								
78	<b>Performance of an artist</b> by way of a performance in folk or classical art forms of music or dance or theatre if the consideration charged for such performance is upto ₹ 1,50,000. However, services by a brand ambassador are fully taxable. Further, activities in still art forms such as painting, sculpture making etc. are taxable.																								
	<b>Right to admission to various events</b>																								
79	Services by way of admission to a museum, national park, wildlife sanctuary, tiger reserve or zoo																								
79A	Services by way of admission to a protected monument																								
81	Services by way of right to admission to circus, dance, theatrical performance, award function, concert, musical performance or any sporting event, planetarium where the consideration is not more than ₹ 500 per person.																								
	<b>Educational Services</b>																								
66	(a) Services provided by educational institution (including Anganwadi) to its students, faculty or staff or by way of conduct of entrance examination against consideration in the form of entrance fee. (b) Services provided to educational institution																								
	<table border="1"> <thead> <tr> <th>S. No.</th> <th>Particulars</th> <th>School</th> <th>Colleges</th> </tr> </thead> <tbody> <tr> <td>(i)</td> <td>Transportation</td> <td>Exempt</td> <td>Taxable</td> </tr> <tr> <td>(ii)</td> <td>Catering</td> <td>Exempt</td> <td>Taxable</td> </tr> <tr> <td>(iii)</td> <td>Security or cleaning or house-keeping</td> <td>Exempt</td> <td>Taxable</td> </tr> <tr> <td>(iv)</td> <td>Services of conduct of examination</td> <td>Exempt</td> <td>Exempt</td> </tr> <tr> <td>(v)</td> <td>Online educational journals or periodicals</td> <td>Taxable</td> <td>Exempt</td> </tr> </tbody> </table>	S. No.	Particulars	School	Colleges	(i)	Transportation	Exempt	Taxable	(ii)	Catering	Exempt	Taxable	(iii)	Security or cleaning or house-keeping	Exempt	Taxable	(iv)	Services of conduct of examination	Exempt	Exempt	(v)	Online educational journals or periodicals	Taxable	Exempt
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	Note: Services by private coaching centres are fully taxable. Further, educational services obtained for a qualification recognized by the law of a foreign country is also taxable.																								
	<b>Boarding schools</b> provide service of education coupled with other services like providing dwelling units for residence and food. Such services in the case of boarding schools are naturally bundled and supplied in the ordinary course of business. This is a case of composite supply. Therefore, the predominant nature is the service of education, the other service of providing residential dwelling and food being ancillary, the entire consideration the supply will be exempt. If an artificial bundle of service is created by clubbing two courses together, only one of which leads to a qualification recognized by law, then is not bundled in the ordinary course of business, therefore it shall be treated as a mixed supply. The highest rate of GST will be applicable in this case.																								
	<b>Hostel Mess Service</b> (a) If the hostel mess services are provided by educational institution – exempt for all. (b) If the catering services is outsourced – then it is taxable for colleges but exempt for schools.																								
77	<b>Services by an unincorporated body</b> or a non-profit entity upto ₹ 7,500 per month per member for sourcing of goods or services from a third person for the common use of its members in a housing society or a residential complex is exempt. Statutory dues such as property taxes, electricity charge etc. would be excluded while computing the aforesaid limit of ₹ 7,500.																								
	<b>Health Care Services</b>																								
46	Services by a veterinary clinic in relation to health care of animals or birds.																								
74	Services by way of: (a) Health care services by a clinical establishment, a medical practitioner or para-medics; (b) Services provided by way of transportation of a patient in an ambulance, other than those specified in (a) above However, services of hair transplant or cosmetic or plastic surgery, except when undertaken to restore functions of body affected due to developmental abnormalities, injury or trauma are taxable. <b>Notes:</b> <ul style="list-style-type: none"> <li>○ Diagnostic services of diseases provided by pathological labs are not liable to GST.</li> <li>○ Rent of rooms upto ₹ 5,000 provided to in-patients in hospitals is exempt. No limit for ICU, CCI, ICCU &amp; NICU.</li> <li>○ Food supplied by hospital to the admitted patients is exempt. However, food supplied to patients who are not admitted or their attendants or visitors are taxable.</li> </ul>																								

	<ul style="list-style-type: none"> <li>○ Services other than healthcare services such as renting of shops, auditorium in the premises of the clinical establishment, display of advertisements, operators of Common Bio-medical Waste Treatment Facility to a clinical establishment etc. will be subject to GST.</li> </ul>
	<b>Passenger Transport Services</b>
15	<p>Transport of passengers, by:</p> <p>(a) Air, in economy class embarking or terminating in an airport located in Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim or Tripura or at Bagdogra located in West Bengal;</p> <p>(b) Non-air conditioned contract carriage other than radio taxi, for transportation of passengers, excluding tourism, conducted tour, charter or hire; or</p> <p>(c) Stage carriage other than air-conditioned stage carriage</p> <p><b>However, nothing contained in items (b) &amp; (c) above shall apply to services supplied through an electronic commerce operator (ECO) notified u/s 9(5). It shall be taxable.</b></p>
17	<p>Services of transportation of passengers, with or without accompanied belongings, by –</p> <p>(a) Railways in a class other than first class or an air-conditioned coach;</p> <p>(b) Metro, monorail or tramway;</p> <p>(c) Inland waterways;</p> <p>(d) Public transport, other than predominantly for tourism purpose, in a vessel between places located in India; and</p> <p>(e) Metered cabs or auto rickshaws (including e-rickshaws)</p> <p><b>However, nothing contained in items (e) above shall apply to services supplied through an electronic commerce operator (ECO) notified u/s 9(5). It shall be taxable.</b></p>
	<b>Goods Transportation Services</b>
18	<p>Services by way of transportation of goods by road except the services of a goods transportation agency or courier agency.</p> <p>Services by way of transportation by inland waterways.</p> <p>Note: GTA means any person who provides service in relation to transport of goods by road and issues a consignment note. Services by GTA to a factory registered under the Factory Act, Society registered under Society Act, Co-operative Society, Body Corporate, Partnership firm including AOP, Casual Taxable Person and any person registered under the GST Act is taxable. It can fall under FCM (12%) or RCM (5%) depending upon the GTA.</p> <p>Services by Individual truck/tempo operators who do not issue any consignment note are exempt from tax.</p>
	<b>Banking and Financial Services</b>
27	<p>(a) Services by way of extending loans or advances in so far as the consideration is represented by way of interest or discount (other than interest involved in credit card services)</p> <p>(b) Services by way of sale or purchase of foreign currency amongst banks or authorized dealers. It will be taxable if dealt with general public.</p>
34	Services by an acquiring bank, in relation to settlement of an amount up to ₹ 2,000 in a single transaction.
	<b>Services provided by Government</b>
4	Services by a municipality.
5	Services by a panchayat.
6	<p>Services by Central Government, State Government, Union Territory or Local Authority excluding:</p> <p>(a) Services by the Department of Posts &amp; Ministry of Railways (Indian railways).</p> <p>(b) services in relation to an aircraft or vessel, inside or outside the precincts of a port or an airport;</p> <p>(c) transport of goods or passengers; or</p> <p>(d) any service, other than services covered under entries (a) to (c) above, provided to business entities</p>
7	Services provided by the Central Government, State Government, Union territory or local authority, to a business entity with an aggregate turnover of preceding year upto threshold limit of registration. However, services by way of renting of immovable property and items (a), (b) and (c) of Entry 6 are taxable.

9	Services provided by the Central Government, State Government, Union territory or local authority where the consideration for such services does not exceed ₹ 5,000. However, items (a), (b) and (c) of Entry 6 are taxable.
9D	Services by an old age home run by Central Government, State Government or an entity registered under section 12AA of the Income-tax Act, 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.
61	Services provided by the Central Government, State Government, Union territory or local authority by way of issuance of passport, visa, driving license, birth certificate or death certificate.
62	Services by way of tolerating non-performance of a contract for which consideration in the form of fines or liquidated damages is payable to the Central Government, State Government, Union territory or local authority under such contract.
72	Services provided to the CG, SG, UT administration under any training programme for which 75% or more of the total expenditure is borne by the CG, SG, UT administration.
45	<b>Legal Services</b> provided by an arbitral tribunal, a partnership firm of advocates, an individual advocate or a senior advocate to (i) Any person other than a business entity; or (ii) A business entity with an aggregate turnover in the preceding year upto threshold limit for registration; or (iii) The Central Government, State Government, Union territory, local authority, Governmental Authority or Government Entity.
52A	<b>Tour operator service</b> , which is performed partly in India and partly outside India supplied by a tour operator to a foreign tourist, to the extent of the value of the tour operator service which is performed outside India. Exemption: The exempt value of the total tour operator service shall be lower of the following two: (i) Total consideration charged for the entire tour x Number of days of which the tour is conducted outside India / Total number of days of the entire tour. (ii) 50% of the total consideration charged for the entire tour.
	<b>Other Miscellaneous Services</b>
39	Services by business facilitator or a business correspondent to a banking company with respect to accounts in its rural area branch.
68	Services provided to a recognized sports body by – (a) An individual as a player, referee, umpire, coach or team manager in a sporting event organized by a recognized sports body; (b) Another recognized sports body However, services by individuals such as selectors, commentators, curators, technical experts are taxable. The service of a player to a franchisee which is not a recognised sports body is also taxable.
12	Services by way of renting of residential dwelling for <b>use as residence except where the residential dwelling is rented to a registered person using it for business purposes.</b>
22	Services by way of giving on hire to a State Transport Undertaking (STU), a motor vehicle meant to carry <b>more than 12 passengers.</b>
23	Services by way of access to a road or a bridge on payment of <b>toll charges.</b>
76	Services by way of <b>public conveniences</b> such as provision of facilities of bathrooms, washrooms, urinals, toilets etc.
59	Services by a <b>foreign diplomatic mission.</b>
52	Services by an organiser to any person in respect of a <b>business exhibition held outside India</b>
61A	Services by way of <b>granting National permit</b> to a goods carriage to operate throughout India.
3B	Services provided to a Government Authority by way of water supply, public health, sanitation conservancy; solid waste management and slum improvement and upgradation.
19C	Satellite launch services.



## TIME OF SUPPLY

Section	Particulars
12(2) + Not. 66/2017	<p>Time of Supply of Goods under forward charge: <b>Earlier of:</b></p> <p>(a) Date of invoice or</p> <p>(b) Last date of issue of invoice as per Sec. 31(1)</p> <p>☞ In case of specified actionable claims, date of payment shall also be considered.</p> <p><b>Section 31(1):</b> The invoice needs to be issued either before or at the time of removal (where supply involves movement of goods) from one place to another. However, where there is no movement of goods, then the invoice should be issued before delivery of goods to the buyer.</p> <p><b>Section 31(4):</b> In case of continuous supply of goods, where successive statements of accounts or successive payments are involved, the invoice shall be issued before or at the time each such statement is issued or, as the case may be, each such payment is received.</p> <p><b>Section 31(7):</b> Where the goods being sent or taken on approval for sale or return basis, the invoice shall be issued before or at the time of supply or six months from the date of removal, whichever is earlier.</p>
12(3)	<p>Time of supply of Goods under reverse charge: <b>Earlier of:</b></p> <p>(a) Date on which goods are received by the recipient</p> <p>(b) Date of payment: DOP is earlier of:</p> <ul style="list-style-type: none"> <li>○ Date on which it is entered in the books of accounts or</li> <li>○ when payment is released from the bank account of the recipient</li> </ul> <p>(c) Date of invoice + 31<sup>st</sup> day</p>
12(4) / 13(4)	<p>Time of supply of vouchers:</p> <p>(a) If the vouchers are identifiable: the date of issue of such voucher</p> <p>(b) If the vouchers are not identifiable: the date of redemption of voucher</p>
12(5) / 13(5)	<p>Time of supply in residual cases (where the above provisions does not apply)</p> <p>(a) In a case where a periodical return has to be filed, be the date on which such return is to be filed: or</p> <p>(b) in any other case, be the date on which the tax is paid:</p>
12(6) / 13(6)	<p>Time of supply in case of interest, late fees, penalty: the date of receipt of payment.</p>
13(2)	<p>Time of Supply of Services under forward charge: [Sec. 13(2) + Sec. 31(2) + Rule 47]</p> <p>(a) Where the invoice is issued within 30 days (45 days for banking / insurance org.): Earlier of:</p> <ul style="list-style-type: none"> <li>(i) Date of invoice or</li> <li>(ii) Date of payment</li> </ul> <p>(b) Where the invoice is <b>not issued</b> within 30 days (45 days for banking / insurance org.): Earlier of:</p> <ul style="list-style-type: none"> <li>(i) Date of completion of service or</li> <li>(ii) Date of payment</li> </ul> <p>(c) If (a) &amp; (b) does not apply, the time of supply will be date on which the recipient records in his books of accounts.</p> <p>☞ In case of insurance companies / banking companies / financial institutions including NBFCs / Telecom companies making taxable supplies between distinct persons, invoice may be issued on or before recording such supply in the books of account or before the expiry of the quarter during which the supply was made.</p> <p><b>Section 31(5):</b> In case of continuous supply of service (where service is continuously provided for a span of more than 3 months), the invoice should be raised as follows:</p> <p>(a) Where the date of payment is known as per the contract: the invoice shall be issued on or before the date of payment</p> <p>(b) Where the date of payment is not known: the invoice shall be issued on the day of receipt of payment</p>

	<p>(c) Where the date of payment gets finalised on completion of an event: the invoice shall be issued on or before the date of completion of that event.</p> <p><b>Section 31(7):</b> In a case where the supply of services ceases before the completion of the supply, the invoice shall be issued at the time when the supply ceases and such invoice shall be issued to the extent of the supply made before such cessation.</p>
13(3)	<p>Time of Supply of Services under forward charge: Earlier of:</p> <p>(a) Date of payment: Earlier of:</p> <ul style="list-style-type: none"><li>○ Date on which it is entered in the books of accounts of recipient or</li><li>○ when payment is released from the bank account of the recipient</li></ul> <p>(b) Date of invoice + 61<sup>st</sup> day</p> <p>☛ In the case of service received from an associated enterprise located outside India, the time of supply will be the date of payment for the service, or the date of entry of the service in the books of account of the recipient, whichever is earlier.</p>

SHREY RATHI CLASSES



## VALUE OF SUPPLY

Section	Particulars
15(1)	Value of Supply of Goods or services = Transaction Value where (a) Supplier and recipient are not related and (b) Price is the sole consideration
15(2)	Inclusions in the value of supply: (a) Any taxes, fees, charges levied under any law except GST & TCS under Income Tax Act, 1961. (b) Any amount that the supplier is liable to pay but has been borne by the recipient. (c) Incidental expenses including commission and packing charges charged by the supplier or any amount charged on or before delivery of goods or supply of services; (d) Interest or late fee or penalty for delayed payment of any consideration for any supply; and (e) Subsidies directly linked to the price excluding subsidies by the Central Government and State Governments
15(3)	Exclusions from the value of supply: (a) Discounts known at the time of supply and duly recorded in the invoice (b) Post supply discounts, provided <ul style="list-style-type: none"> <li>➤ such discounts existed at the time of supply and are worked out invoice-wise and</li> <li>➤ proportionate input tax credit is reversed by the recipient.</li> </ul>



## INPUT TAX CREDIT

Section	Particulars
16(1)	<b>Eligibility for taking ITC:</b> Only a registered person will be allowed to avail on goods or services or both which are used or intended to be used in the course or furtherance of the business.
16(2)	<p><b>Conditions for taking ITC:</b></p> <p>(a) The recipient is in possession of a tax invoice or debit note or invoice issued by recipient in case of reverse charge or bill of entry for home consumption issued by a supplier registered under this Act;</p> <p>(aa) The details of the document referred to in clause (a) has been furnished by the supplier in the statement of outward supplies and such details have been communicated to the recipient.</p> <p>(b) The recipient has received the goods or services or both; Note: Bill to ship to model also included: Under this model, the goods or services are delivered to a third party on the direction of the customer (registered person) who purchases the goods from the vendor (supplier).</p> <p>(ba) The details of ITC communicated to the such registered person u/s 38 has not been restricted.</p> <p>(c) Supplier has paid the tax to Government on which ITC has been claimed in cash or through utilization of ITC.</p> <p>(d) The registered person taking the ITC must have filed his return under section 39</p>
Sec. 41 + Rule 37A	<p><b>Reversal of ITC:</b> If supplier does not furnish return in Form GSTR-3B for the tax period till 30<sup>th</sup> September following the end of FY in which the ITC in respect of such invoice has been availed; the ITC shall be reversed by the recipient, while furnishing a return in GSTR-3B on or before 30<sup>th</sup> November following the end of such FY during which such ITC has been availed.</p> <p>However, where the said amount of ITC is not so reversed by recipient, such amount shall be payable by the said person along with interest thereon under section 50</p> <p><b>Re-availment of reversed ITC:</b> Where the said supplier makes payment of the tax payable in respect of the aforesaid supplies, the recipient may re-avail the amount of credit reversed by him.</p>
Proviso to 16(2)	<p><b>First Proviso:</b> Where the goods against an invoice are received in lots / instalments, the registered person shall be entitled to take credit upon receipt of last lot or instalment.</p> <p><b>Second Proviso:</b> The recipient will have to reverse the input tax credit with interest if the payment is not made to the supplier within 180 days from the date of the invoice.</p>
	<p><b>Exceptions:</b> The condition of payment within 180 days does not apply in the following situations:</p> <p>(a) Supplies on which tax is payable under reverse charge</p> <p>(b) Deemed supplies without consideration</p> <p>(c) Additions made to the value of supplies on account of supplier's liability, in relation to such supplies, being incurred by the recipient of the supply</p> <p>Under situations given in points (b) &amp; (c), the value of supply is deemed to have been paid.</p>
16(3)	If the person taking the ITC on capital goods and plant and machinery has claimed depreciation on the tax component, the ITC on the said tax component shall not be allowed.
16(4)	<p>Time limit for availing ITC: Earlier of:</p> <ol style="list-style-type: none"> <li>30<sup>th</sup> November of succeeding financial year or</li> <li>Date of filing of annual return</li> </ol> <p><b>Exception:</b> The time limit does not apply to claim for re-availing of credit that had been reversed earlier.</p>
17(1)	Goods or services used for business as well as non-business purposes. ITC only in relation to goods used for business shall be allowed.
17(2)	Goods or services used for taxable (incl. zero rated supplies) as well as exempted supplies. ITC only in relation to taxable (incl. zero rated supplies) shall be allowed.
17(3)	The value of exempt supply shall include supplies on which the recipient is liable to pay tax on reverse charge basis transactions in securities, sale of land and, subject to clause (b) of paragraph 5 of Schedule II, sale of building. All other negative list services do not fall in exempt category.

17(5)	<p><b>Blocked Credit</b></p> <p>(a) Motor Vehicles for transportation of persons having approved seating capacity of not more than thirteen person (including the driver) <u>except</u></p> <p>(i) Further supply of such motor vehicles</p> <p>(ii) Transportation of passengers</p> <p>(iii) Imparting training on driving such motor vehicle</p> <p>(aa) Vessels &amp; Aircrafts except</p> <p>(i) Further supply of such vessels &amp; aircrafts</p> <p>(ii) Transportation of passengers</p> <p>(iii) Imparting training on driving such vessel / flying such aircraft</p> <p>(iv) Transportation of goods</p> <p>(ab) Services of general insurance, servicing, repair and maintenance in so far as they relate to blocked motor vehicle, vessels or aircraft. If ITC is allowed on vehicle, vessel &amp; aircraft, ITC on ancillary services shall also be allowed.</p> <p>(b) (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 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) Travel benefits extended to employees on vacation such as leave or home travel concession except where it is obligatory for an employer to provide services under any law.</p> <p>(c) works contract services when supplied for construction of an immovable property (other than plant and machinery except where it is an input service for further supply of works contract service)</p> <p>(d) goods or services received by a taxable person for construction of an immovable property (other than plant or machinery) on his own account.</p> <p>(e) goods or services procured by a composition scheme dealer</p> <p>(f) goods or services received by a non-resident taxable person except on goods imported by him</p> <p>(g) goods or services used for personal purposes</p> <p>(h) goods lost, stolen, destroyed, written off or disposed of by way of gift or free samples</p> <p>(i) any recovery of tax from an assessee by reasons of fraud, willful misstatement or suppression of facts (sec. 74); detention &amp; seizure (sec. 129) &amp; confiscation of goods (sec. 130)</p>
18(1) + Rule 40	<p><b>Sec. 18(1)(a):</b> A person applying for registration <u>within thirty days</u> from becoming liable for registration shall be entitled to take ITC in respect of stock / semi-finished / finished goods held in stock on the day immediately preceding the date from which he becomes liable to pay tax.</p> <p><b>Sec. 18(1)(b):</b> A person taking voluntary registration u/s 25(3) shall be allowed ITC of stock / semi-finished / finished goods on the date immediately preceding the grant of registration certificate.</p> <p><b>Sec. 18(1)(c):</b> A registered person who ceases to follow the composition scheme shall avail the benefit of ITC on inputs + <u>capital goods</u> held on the date immediately preceding the date of cessation of composition scheme. However, ITC on capital goods shall be allowed by <u>reducing 5% per quarter</u> or part thereof from the date of invoice.</p> <p><b>Sec. 18(1)(d):</b> A person whose goods or services were exempt have now become taxable shall avail ITC on inputs + capital goods on the day immediately preceding the day when such goods or services becomes taxable. However, ITC on capital goods shall be allowed by reducing 5% per quarter or part thereof from the date of invoice.</p>
18(2)	A registered person shall not be entitled to take input tax credit in respect of any supply of goods or services or both to him after the expiry of one year from the date of issue of tax invoice
18(3) + Rule 41	<p>Transfer of credit on sale, merger, amalgamation, lease or transfer of a business</p> <p><b>Step 1:</b> Transferor shall request in Form GST ITC - 02 on the common portal that his un-utilised ITC shall be transferred to the transferee. However, in case of demerger, ITC shall be apportioned on</p>

Rule 41A	<p>the basis of assets.</p> <p><b>Step 2:</b> Transferer shall also provide a certificate by a practicing CA / CMA.</p> <p><b>Step 3:</b> The transferee shall accept ITC on the common portal &amp; such ITC shall be credited to ECrL.</p> <p>The registered person (transferor), having separate registrations for multiple places of business within a State/Union Territory, can transfer the unutilized ITC (wholly or partly) lying in his electronic credit ledger to any or all of the newly registered place(s) of business in the ratio of the value of assets held by them at the time of registration.</p>																				
18(4) + Rule 44	<p>Reversal of ITC when a registered person who has availed ITC switches from normal scheme to composition levy or when his supplies get wholly exempted from tax.</p> <ul style="list-style-type: none"> <li>❖ ITC on input will be reversed proportionately on the basis of corresponding invoices on which credit had been availed on such inputs. If invoices are not available, the ITC to be reversed will be based on the prevailing market price of such goods on the date of switch over/exemption. Balance of ITC, if any, lying in the electronic credit ledger shall lapse.</li> <li>❖ ITC involved in the remaining useful life (in months) of the capital goods will be reversed on pro-rata basis, taking the useful life as 5 years.</li> </ul>																				
18(6) + Rule 40(2)	<p>If capital goods or P/M on which ITC has been taken is supplied, he must pay higher of:</p> <p>(a) ITC – 5% per quarter or part thereof or (b) Tax on transaction value</p>																				
	<p><b>Manner of Utilization of ITC</b></p> <table border="1"> <thead> <tr> <th>ITC of (↓)</th> <th>Output IGST Liability</th> <th>Output CGST Liability</th> <th>Output SGST / UTGST Liability</th> </tr> </thead> <tbody> <tr> <td>IGST</td> <td>(I)</td> <td>(II) – In any order and in any proportion</td> <td></td> </tr> <tr> <td colspan="4">(III) ITC of IGST to be completely exhausted mandatorily</td> </tr> <tr> <td>CGST</td> <td>(V)</td> <td>(IV)</td> <td>Not permitted</td> </tr> <tr> <td>SGST</td> <td>(VII) Only after the ITC of CGST has been utilized fully</td> <td>Not permitted</td> <td>(VI)</td> </tr> </tbody> </table> <p>Note: ITC cannot be used for tax payable under RCM.</p>	ITC of (↓)	Output IGST Liability	Output CGST Liability	Output SGST / UTGST Liability	IGST	(I)	(II) – In any order and in any proportion		(III) ITC of IGST to be completely exhausted mandatorily				CGST	(V)	(IV)	Not permitted	SGST	(VII) Only after the ITC of CGST has been utilized fully	Not permitted	(VI)
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SGST	(VII) Only after the ITC of CGST has been utilized fully	Not permitted	(VI)																		
Rule 86A	<p>Restrictions on utilisation of ITC if ITC has been fraudulently availed or is ineligible. The restrictions can be imposed in the following circumstances:</p> <p>(i) ITC has been availed by the registered person on the basis of tax invoices:</p> <ul style="list-style-type: none"> <li>• Issued by a non-existent registered person or by a supplier not conducting any business from the place declared in registration; or</li> <li>• Without actual receipts of goods or services or both; or</li> <li>• In respect of any supply the tax in respect of which has not been paid to the Government.</li> </ul> <p>(ii) The registered person availing ITC has been found non-existent or not to be conducting any business from the registered place of business; or</p> <p>(iii) The registered person availing ITC is not in possession of tax invoice / debit note or any other valid document for it.</p> <p>Such restrictions can be imposed for a period of 1 year from the date of imposing such restrictions.</p>																				
Rule 86B	<p>Where a registered person taxable supply (other than exempt &amp; zero rated) exceeds ₹ 50 lakhs in a month, the input tax credit shall be restricted to 99% of the output tax liability.</p> <p><b>Exceptions to rule 86B:</b></p> <p>(a) Where the said person has paid &gt; ₹ 1 lakh as income tax in each of the last 2 financial years.</p> <p>(b) Where the registered person has received refund of &gt; ₹ 1 lakh in the preceding year on account of unutilized ITC in case of (i) zero rated supplies or (ii) inverted duty structure</p> <p>(c) Where the registered person has discharged his liability towards output tax through the electronic cash ledger for an amount which is &gt; 1% of the total output tax liability, applied cumulatively upto the said month in the current financial year.</p> <p>(d) Where the registered person is Government Department; Public Sector Undertaking; Local Authority; Statutory Body</p>																				



## REGISTRATION UNDER GST

Section	Particulars												
22(1)	<p><b>Threshold Limit for Registration</b></p> <table border="1"> <thead> <tr> <th>Particulars</th> <th>[SPECIAL CATEGORY STATES] MANIPUR / MIZORAM / NAGALAND / TRIPURA</th> <th>ARUNACHAL PRADESH / MEGHALAYA / SIKKIM / UTTARAKHAND / PUDUCHERRY / TELANGANA</th> <th>JAMMU &amp; KASHMIR / ASSAM / HIMACHAL PRADESH / OTHER STATES</th> </tr> </thead> <tbody> <tr> <td>Exclusively goods</td> <td>10 lakhs</td> <td>20 lakhs</td> <td>40 lakhs</td> </tr> <tr> <td>Exclusively services or both goods &amp; services</td> <td>10 lakhs</td> <td>20 lakhs</td> <td>20 lakhs</td> </tr> </tbody> </table> <p>The limit of 40 lakhs is not applicable in case of the following:</p> <p>(a) Persons requiring compulsory registration u/s 24.</p> <p>(b) Persons engaged in making supplies of ice cream and other edible ice, whether or not containing cocoa, Pan masala, Tobacco, <b><u>fly ash bricks / blocks, bricks of fossil meals or similar siliceous earths, building bricks and earthen or roofing tiles.</u></b></p> <p>☛ <b>Aggregate turnover:</b> Taxable supplies + Exempt supplies + Exports + Inter-state supplies of persons having the same PAN be computed on all India basis. But it shall not include CGST / SGST / UTGST / IGST / Cess &amp; Value of Inward supplies on which RCM applies</p> <p>Note: If a person has multiple places of business in different states across India, the threshold limit will be the lower limit applicable to all the branches combined together.</p>	Particulars	[SPECIAL CATEGORY STATES] MANIPUR / MIZORAM / NAGALAND / TRIPURA	ARUNACHAL PRADESH / MEGHALAYA / SIKKIM / UTTARAKHAND / PUDUCHERRY / TELANGANA	JAMMU & KASHMIR / ASSAM / HIMACHAL PRADESH / OTHER STATES	Exclusively goods	10 lakhs	20 lakhs	40 lakhs	Exclusively services or both goods & services	10 lakhs	20 lakhs	20 lakhs
Particulars	[SPECIAL CATEGORY STATES] MANIPUR / MIZORAM / NAGALAND / TRIPURA	ARUNACHAL PRADESH / MEGHALAYA / SIKKIM / UTTARAKHAND / PUDUCHERRY / TELANGANA	JAMMU & KASHMIR / ASSAM / HIMACHAL PRADESH / OTHER STATES										
Exclusively goods	10 lakhs	20 lakhs	40 lakhs										
Exclusively services or both goods & services	10 lakhs	20 lakhs	20 lakhs										
22(2)	Individuals already registered under the Pre-GST law (i.e., Excise, VAT, Service Tax etc.) shall be liable to be registered under GST before 22 <sup>nd</sup> June 2017.												
22(3)	Where a business is transferred to another person as a going concern, the transferee/successor, is to be registered with effect from the date of such transfer/succession.												
22(4)	Where the business is transferred because of amalgamation/ de-merger of two or more companies, the transferee is to be registered with effect from the date on which the Registrar of Companies issues a certificate of incorporation giving effect to such order.												
23	<p><b>Persons not liable for registration</b></p> <ol style="list-style-type: none"> <li>Engaged exclusively in supplying goods / services / both wholly exempt from tax;</li> <li>Agriculturist to the extent of supply of produce out of cultivation of land;</li> <li>Persons making only reverse charge supplies;</li> <li>Person making inter-State supplies of taxable services and having up to ₹ 20,00,000 (₹ 10 lakhs in case of Special Category States)</li> <li>Persons / Casual Taxable Person making inter-State supplies of notified handicraft goods up to ₹ 20,00,000 (₹ 10 lakhs in case of Special Category States)</li> </ol>												
24	<p><b>Compulsory Registration</b></p> <ol style="list-style-type: none"> <li>Persons making any Inter-State Taxable Supply. However, inter-state supplier of services or handicraft goods shall be allowed a threshold limit of ₹ 20 lakh (₹ 10 lakh in case of Special Category States)</li> <li>Casual taxable persons (CTP) making taxable supply. However, threshold limit of ₹ 20 lakh (₹ 10 lakh in case of Special Category States) is available in case of CTP making taxable supplies of notified handicraft goods.</li> <li>Persons who are required to pay tax under reverse charge</li> <li>Non-resident taxable persons (NRTP) making taxable supply</li> <li>(i) Every ECO (Electronic Commerce Operator) and (ii) persons who supply goods and/or services, other than supplies specified under section 9(5), through such ECO who is required to collect tax at source under section 52, but threshold limit of registration is available in case of suppliers supply goods / services through ECO.</li> </ol>												

	<p>6. Persons who are required to deduct tax under section 51</p> <p>7. Persons who make taxable supply of goods or services or both on behalf of other taxable persons whether as an agent or otherwise</p> <p>8. Input Services Distributor, whether or not separately registered under this act.</p> <p>9. Every person supplying online information and data base access or retrieval (OIDAR) services from a place outside India to a person in India, other than a registered person,</p>									
25(1)	<p><b>When to apply for registration?</b></p> <table border="1"> <thead> <tr> <th>Particular</th> <th>Where</th> <th>When</th> </tr> </thead> <tbody> <tr> <td>Person who is liable to be registered u/s 22 of section 24</td> <td>in every such state/UT in which he is so liable</td> <td>within 30 days from the date on which he becomes liable to registration</td> </tr> <tr> <td>A casual taxable person or a non-resident taxable person</td> <td></td> <td>at least 5 days prior to commencement of business</td> </tr> </tbody> </table>	Particular	Where	When	Person who is liable to be registered u/s 22 of section 24	in every such state/UT in which he is so liable	within 30 days from the date on which he becomes liable to registration	A casual taxable person or a non-resident taxable person		at least 5 days prior to commencement of business
Particular	Where	When								
Person who is liable to be registered u/s 22 of section 24	in every such state/UT in which he is so liable	within 30 days from the date on which he becomes liable to registration								
A casual taxable person or a non-resident taxable person		at least 5 days prior to commencement of business								
25(2)	<p>A business entity having its branches in multiple states will have to take separate state-wise registration for the branches in different States.</p> <p>However, an entity with different branches in the same state / UT can have single registration wherein it can declare one place as principal place of business (PPoB) and other branches as additional place of business (APoB) and can also have separate registration.</p> <p>☞ A person having unit in SEZ/SEZ developer will have to mandatorily take a separate application for registration as distinct from his place of business located outside SEZ in the same State / UT.</p>									
25(3)	A person who is not liable to be registered u/s 22 or 24 may get himself registered voluntarily.									
25(4) / (5)	A person who has obtained or is required to obtain more than one registration, whether in one registration, whether in one State/Union territory or more than one State/Union territory shall, in respect of each such registration, be treated as distinct persons.									
25(6) / (7)	Permanent Account Number is mandatory to be eligible for grant of registration. A non-Resident Taxable Person (NRTP) may be granted registration on the basis of other prescribed documents.									
25(6A) / (6B) / (6C)	<p>Aadhaar authentication is mandatory for all assesses.</p> <p>If Aadhaar number has not been assigned to the person required to undergo authentication of Aadhaar number, such person shall furnish the following identification documents namely:-</p> <p>(a) his / her Aadhaar Enrolment ID slip; and</p> <p>(b) (i) Bank Passbook with photograph (ii) Voter identity card (iii) Passport (iv) Driving License</p> <p>However, once Aadhaar number is allotted to such person, he shall undergo the authentication of Aadhaar number within a period of 30 days of the allotment of the Aadhaar number.</p> <p><u>Persons/class of persons exempt from Aadhaar authentication</u></p> <ul style="list-style-type: none"> <li>• A person who is not a citizen of India</li> <li>• Department or establishment of Central or State Government</li> <li>• Local Authority</li> <li>• Statutory Body</li> <li>• Public Sector Undertaking</li> <li>• A person applying for Unique Identity Number</li> </ul>									
Rule 10A	<b>Furnishing of Bank Account Details:</b> A taxpayer has an option to give his bank details after registration, within 30 days from the date of grant of registration or before furnishing details in GSTR-1 / IFF, whichever is earlier. This relaxation is not available for TDS deductor/TCS collector.									
Rule 10	<p>Effective date of registration</p> <table border="1"> <tbody> <tr> <td>Where application for registration is submitted within 30 days from the date, he becomes liable to registration</td> <td>Effective date of registration shall be the date on which he becomes liable to registration</td> </tr> <tr> <td>Where application for registration is <b>not submitted</b> within 30 days from the date, he becomes liable to registration</td> <td>Effective date of registration shall be the date of grant of registration</td> </tr> </tbody> </table>	Where application for registration is submitted within 30 days from the date, he becomes liable to registration	Effective date of registration shall be the date on which he becomes liable to registration	Where application for registration is <b>not submitted</b> within 30 days from the date, he becomes liable to registration	Effective date of registration shall be the date of grant of registration					
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Where application for registration is <b>not submitted</b> within 30 days from the date, he becomes liable to registration	Effective date of registration shall be the date of grant of registration									

26(1) / (2)	Grant or rejection of registration/UIN under any SGST Act/UTGST Act is deemed to be registration / rejection under CGST Act provided application for registration has not been rejected under CGST Act.
27	<p><b><u>Registration pertaining to CTP / NRTP</u></b> Both CTP &amp; NRTP have to compulsorily get registered under GST irrespective of the threshold limit, at least 5 days prior to commencement of business.</p> <p><b><u>Period of validity of registration certificate granted to CTP/NRTP: Earlier of</u></b> (i) Period specified in the registration application, or (ii) 90 days from the effective date of registration (can be extended by a period not exceeding 90 days)</p> <p><b><u>Advance deposit of tax:</u></b> CTP/NRTP are required to make an <b><u>advance deposit of tax</u></b> in an amount equivalent to the estimated tax liability for the period for which the registration is sought. Where extension of time is sought, such registered taxable person will deposit an additional amount of tax equivalent to the estimated tax liability of such person for the period for which the extension is sought.</p>
	<p>Registration for TDS Deductor / TCS Collector: They would be granted registration within 3 working days from the date of submission of application after due verification.</p> <p>The PO if satisfied that a person to whom a certificate of registration has been issued is no longer liable to deduct tax u/s 51 or collect tax u/s 52, the said officer may cancel the registration.</p>
28	<p><b><u>Amendment of Registration</u></b> 1. Non-core fields such as change in email id, mobile numbers do not require any approval. 2. Core fields such as change in legal name of business, address of PPOB / APoB, addition / deletion of partners or directors or Karta requires prior approval of the business. However, Application for amendment of registration cannot be filed in following situations: (a) Change in PAN. (b) Change in place of business from one State to the other. In these cases, a new registration is required.</p>
29(1)	<p>Cancellation of Registration by assessee on his own or by the department in the following cases: (a) Discontinuance of business; (b) Fully transfer of business including death of the proprietor, amalgamation, change in constitution of business etc. (c) Taxable person (other than voluntarily registered person) who is no longer liable to be registered u/s 22 or 24</p>
29(2)	<p>Cancellation of Registration by the proper officer on his own in the following cases: (a) The registered person- ❖ does not conduct any business from the declared place of business, or ❖ issues invoice/bill without supply of goods/services in violation of the provisions of this Act, or ❖ violates the provisions relating to anti-profiteering measure or ❖ avails ITC in violations of the provisions of section 16 or ❖ furnishes the details of outward supply in Form GSTR-1 u/s 37 for one or more tax period which is in excess of the outward supplies declared by him in his valid return u/s 39 for the said tax period or ❖ violates the provision of rule 86B (b) A registered person has not filed returns for 6 continuous months / 2 tax period for QRMP scheme (<b><i>Composition supplier has not furnished return for a financial year beyond 3 months from the due date of furnishing the said return</i></b>) (c) Voluntarily registered person has not commenced the business within 6 months from the date of registration (d) Registration was obtained by means of fraud, willful misstatement or suppression of facts</p>
Proviso to 29(1) / 29(2)	<p><b><u>Suspension of Registration</u></b> The proper officer may suspend his registration during pendency of the proceedings relating to cancellation of registration. The taxpayer is freed from the routine compliances, including filing returns, under GST law during the pendency of the proceedings.</p>

	<p><b><u>The period and manner of suspension of registration is as follows:</u></b></p> <ol style="list-style-type: none"> <li><u>Where registered person has applied for cancellation of registration:</u> The registration shall be deemed to be suspended from:             <ol style="list-style-type: none"> <li>The date of submission of the application or</li> <li>The date from which the cancellation is sought, whichever is later,</li> </ol> </li> <li><u>Where cancellation has been initiated by the Department on its own motion:</u> The PO shall suspend the registration of such person with effect from a date to be determined by him.</li> <li>A registered person, whose registration has been suspended as above:             <ul style="list-style-type: none"> <li>shall not make any taxable supply during the period of suspension and</li> <li>shall not be required to furnish any return under section 39.</li> </ul> </li> <li>The suspension of registration shall be deemed to be revoked upon completion of the cancellation proceedings by the proper officer.</li> </ol>
29(3)	Cancellation of registration will not impact the outstanding liability of the assessee.
29(4)	Deemed cancellation under CGST if cancelled under SGST/UTGST.
	<p><b><u>Procedure of Cancellation</u></b></p> <ol style="list-style-type: none"> <li>By the registered person: He should electronically submit the application within 30 days of occurrence of the event warranting cancellation.             <ul style="list-style-type: none"> <li>☞ The details of inputs contained in semi-finished/finished goods held in stock on the date from which cancellation of registration is sought, liability (if any) thereon should be declared in the application.</li> <li>☞ Where the PO is satisfied that the person is no longer liable to be registered, PO shall issue the order of cancellation of registration within 30 days from the date of submission of application for cancellation.</li> </ul> </li> <li>By the proper officer: Where the PO cancels the registration suo-motu, he shall give a show cause notice to the registered person. The assessee needs to reply within 7 days of service of notice.             <ul style="list-style-type: none"> <li>☞ If reply to SCN is satisfactory / pending returns are duly filled / tax dues are paid, proper officer shall drop the proceedings and pass an order in prescribed form.</li> <li>☞ Where the reply is not satisfactory, the PO shall issue the order of cancellation of registration within 30 days from the date of reply to SCN.</li> </ul> </li> </ol>
29(5)	<p>Every person whose registration is cancelled shall <b>reverse his ITC</b> in the following manner:</p> <p><b><u>Inputs:</u></b> ITC on inputs computed proportionately on the basis of corresponding invoices or tax on transaction value whichever is higher.</p> <p><b><u>Capital Goods:</u></b> ITC on pro-rata basis taking the useful life as 5 years or tax on transaction value whichever is higher.</p>
30(1) & 30(2)	<p><b><u>Revocation of Cancellation of Registration</u></b></p> <p>Assessee to apply for revocation within 30 days from the date of cancellation order. Can be extended further by Joint/Additional Commissioner by 30 days. Can be further extended by Commissioner by 30 days.</p> <p>If the PO is satisfied that there are sufficient grounds for revocation of cancellation, he may revoke the cancellation within 30 days of receipt of application. Otherwise, he may reject.</p> <p>However, he has to first issue SCN to the applicant who shall furnish the clarification within 7 working days of service of SCN. The proper officer shall dispose the application (accept/reject the same) within 30 days of receipt of clarification.</p> <p>The suspension of registration shall be deemed to be revoked upon furnishing of pending GST returns, where GST registration was suspended due to non-filing of GST return for a financial year beyond 3 months from the due date of furnishing the said return by a composition taxpayer or returns for such tax period, being 6 continuous months / 2 tax period for QRMP scheme.</p> <p>Further all the returns due from the date of order of cancellation till the date of order of revocation of cancellation of registration have to be furnished within 30 days from the date of order of revocation.</p>



## TAX INVOICE, DR. & CR. NOTES

Section	Particulars
31(3)(a)	A registered person may, within one month from the date of issuance of certificate of registration, issue a revised invoice against the invoice already issued during the period beginning with the effective date of registration till the date of issuance of certificate of registration to him.
31(3)(b)	A registered person may not issue a tax invoice if the value of the supply is less than two hundred rupees, the recipient is unregistered and does not require a tax invoice.
31(3)(c)	A registered person supplying exempted goods or services or paying tax u/s 10 shall issue a bill of supply instead of a tax invoice. Further a bill of supply need not be issued where the value of the supply is less than two hundred rupees, the recipient is unregistered and does not require a bill of supply. ➤ Where a registered person is supplying taxable as well as exempted goods or services to an unregistered person, a single "invoice-cum-bill of supply may be issued for all such supplies.
31(3)(d)	A registered person shall on receipt of advance payment issue a Receipt Voucher evidencing receipt of such payment.
31(3)(e)	Where any advance is received but subsequently no supply is made and no tax invoice is issued, the said registered person may issue a refund voucher against such payment.
31(3)(f) / (g)	A recipient liable to pay tax under RCM has to issue invoice only when supplies have been received from an unregistered supplier. [31(3)(f)] Further, a registered person who is liable to pay tax under reverse charge shall issue a payment voucher at the time of making payment to the supplier. [31(3)(g)]
48(4)	<p><b><u>E-Invoicing:</u></b> All registered business with an aggregate turnover (based on PAN) in any preceding financial year from 2017-18 onwards greater than ₹ 5 crores will be required to issue e-invoices for B2B supplies.</p> <p>Rule 48(4) stipulates that the e-invoice shall be prepared by uploading such particulars as contained in Form GST INV-01 on the Common GST Electronic Portal and obtain an IRN (Invoice Reference Number). Upon successful registration of invoice on IRP, it will return a signed e-invoice to supplier with IRN and QR Code. IRN is embedded in QR Code which shall be extracted and printed on the invoice.</p> <p><b><u>Advantages:</u></b> Under e-invoicing business has to report the B2B invoice data only once in the e-invoice form and the same is reported in multiple forms (GSTR-1, E-way bill etc.). E-way bill can be auto-generated using e-invoice data. GSTR-1 can also be auto-populated with the e-invoice data. It will become part of the business process of taxpayer.</p> <p><b><u>Exemption from e-invoicing</u></b></p> <ol style="list-style-type: none"> <li>1. Special Economic Zone units</li> <li>2. Insurer or banking company or financial institution including NBFC</li> <li>3. GTA supplying services in relation to transportation of goods by road in a goods carriage</li> <li>4. Supplier of passenger transportation service</li> <li>5. Person supplying services by way of admission to exhibition of cinematograph films in multiplex screens</li> <li>6. A Government Department or A Local Authority</li> </ol> <p><b><u>Dynamic QR Code</u></b></p> <p>All B2C invoices issued by a registered person whose aggregate turnover in any preceding financial year from 2017-18 onwards exceeds ₹ 500 crores are proposed to have a QR Code.</p> <p><b><u>Non-applicability of requirement of Dynamic QR Code:</u></b></p> <ol style="list-style-type: none"> <li>(i) Insurer or banking company or financial institution including NBFC</li> <li>(ii) Goods transport agency supplying services in relation to transportation of goods by road in a goods carriage</li> <li>(iii) Supplier of passenger transportation service</li> <li>(iv) Person supplying services by way of admission to exhibition of cinematograph films in multiplex</li> </ol>

	<p>screens</p> <p>(v) Supplier of online information and database access or retrieval (OIDAR) services.</p> <p>☞ <b>No Dynamic QR Code in case of exports</b></p> <p>☞ <b>Parameters/details are required to be captured in the Dynamic QR Code:</b> Supplier GSTIN number, Supplier UPI ID, Payee's Bank A/c number and IFSC, Invoice number &amp; invoice date, Total Invoice value and GST amount along with breakup i.e. CGST, SGST, IGST, CESS etc. Further, Dynamic QR Code should be such that it can be scanned to make a digital payment.</p>									
	Particulars of a tax invoice [Refer Pg. 10.11]									
	Number of HSN required on a tax invoice / bill of supply									
	<table border="1"> <thead> <tr> <th>S. No.</th> <th>Annual Turnover (AT) in the preceding FY</th> <th>Number of Digits of HSN Code</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>AT ≤ ₹ 5 crores</td> <td>For B2B supply – 4 For B2C supply – 4 (optional)</td> </tr> <tr> <td>2.</td> <td>AT &gt; ₹ 5 crores</td> <td>6</td> </tr> </tbody> </table>	S. No.	Annual Turnover (AT) in the preceding FY	Number of Digits of HSN Code	1.	AT ≤ ₹ 5 crores	For B2B supply – 4 For B2C supply – 4 (optional)	2.	AT > ₹ 5 crores	6
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1.	AT ≤ ₹ 5 crores	For B2B supply – 4 For B2C supply – 4 (optional)								
2.	AT > ₹ 5 crores	6								
	<p>Number of invoices to be issued:</p> <p>1. In case of goods: Triplicate.</p> <p>☞ Original for the buyer; duplicate for the transporter (where supply involves movement of goods) &amp; triplicate for the supplier. Delivery challan to be issued in triplicate also.</p> <p>2. In case of services: Duplicate</p> <p>☞ Original for the buyer &amp; duplicate for the supplier</p>									
34	<p><b><u>Credit and Debit Notes</u></b></p> <p><b>Debit Note:</b> Where the price declared is less than the actual value of the goods or services or where the supplier has charged lower tax rate than what is applicable or where the goods supplied is more than what has been declared in the tax invoice, the supplier shall issue a debit note for the difference amount.</p> <p><b>Credit Note:</b> Where the price declared is more than the actual value of the goods or services or where the supplier has charged higher tax rate than what is applicable or where the goods supplied is less than what has been declared in the tax invoice, or where the goods or services are of inferior quality the supplier shall issue a credit note for the difference amount.</p> <p>The credit note can be raised by earlier of the following dates:</p> <p>(a) 30<sup>th</sup> November following the end of the financial year or</p> <p>(b) the date of furnishing of the relevant annual return</p>									



## ACCOUNTS AND RECORDS

Section	Particulars
35(1)	<p>Every registered person shall maintain books of accounts at his principal place of business (PPOB) and books of account relating to additional place of business (APOB) at respective places.</p> <p>Books to be maintained: A true and correct account of following is to be maintained:</p> <ol style="list-style-type: none"> <li>production or manufacture of goods;</li> <li>inward and outward supply of goods or services or both;</li> <li>stock of goods;</li> <li>input tax credit availed;</li> <li>output tax payable and paid</li> </ol>
35(2)	<p><b>Records by warehouse keeper:</b> Every operator of a warehouse shall maintain details of goods remaining in the warehouse, including the particulars relating to dispatch, movement, receipt, and disposal of such goods. The operator shall store in such manner that goods can be identified item-wise and owner-wise and shall facilitate any physical verification by the PO on demand.</p> <p><b>Records by transporter:</b> Any person engaged in the <b>business of transporting goods</b> shall maintain records of goods transported, delivered and goods stored in transit by him along with GSTIN of the registered consignor and consignee for each of his branches.</p>
35(3)	<p><b>Additional Documents to be maintained by:</b></p> <ol style="list-style-type: none"> <li><b>Registered Person:</b> <ul style="list-style-type: none"> <li>the goods/services imported/exported,</li> <li>supplies attracting payment of tax on reverse charge along with relevant documents, including invoices, bills of supply, delivery challans, credit notes, debit notes, receipt vouchers, payment vouchers and refund vouchers.</li> <li>separate account of advances received, paid and adjustments made thereto.</li> <li>names and complete addresses of suppliers from whom he has received / supplied the goods or services</li> <li>particulars of the complete address of the premises where goods are stored by him.</li> </ul> <p>However, a supplier who has opted for composition scheme is not required to maintain such records.</p> <ol style="list-style-type: none"> <li><b>Stock of goods:</b> Accounts of stock of goods received and supplied, goods lost, stolen, opening &amp; closing balance of stock including raw materials, finished goods, scrap and wastage thereof.</li> <li><b>Details of tax:</b> Details of tax payable (including tax payable under reverse charge), tax collected and paid, input tax, register of tax invoice, debit/credit notes, delivery challan.</li> </ol> </li> <li><b>Agent:</b> – Every agent shall maintain accounts depicting the-           <ol style="list-style-type: none"> <li>authorisation received from each principal to receive/supply goods/services on behalf of such principal separately;</li> <li>particulars including description, value and quantity (wherever applicable) of goods/services received / supplied on behalf of every principal;</li> <li>details of accounts furnished to every principal; and</li> <li>tax paid on receipts/ supply of goods/services effected on behalf of every principal.</li> </ol> </li> <li><b>Manufacturer:</b> Maintain monthly production accounts showing quantitative details of raw materials/services used in the manufacture and quantitative details of the goods so manufactured including the waste and by products thereof.</li> <li><b>Service Provider:</b> Additionally maintain the accounts showing quantitative details of goods used in the provision of services, details of input services utilised and the services supplied.</li> <li><b>Person executing works contract:</b> <ul style="list-style-type: none"> <li>the names and addresses of the persons on whose behalf the works contract is executed / suppliers from whom he received goods or services;</li> <li>description, value and quantity (wherever applicable) of goods/services received / utilised for the execution of works contract;</li> <li>the details of payment received in respect of each works contract.</li> </ul> </li> </ol>

	<p><b><u>How the accounts and records will be maintained?</u></b></p> <ul style="list-style-type: none"> <li>❖ <b><u>Records may be maintained manually:</u></b> Each volume of books of account maintained manually shall be serially numbered.</li> <li>❖ <b><u>Records may be maintained in electronic FORM:</u></b> Maintain such accounts in electronic form stored on any electronic device and shall be authenticated by means of a digital signature. <ul style="list-style-type: none"> <li>✓ Proper electronic back-up of records shall be maintained in the event of destruction</li> <li>✓ Shall produce, on demand, the relevant records duly authenticated by him before the PO.</li> <li>✓ Details of files, their passwords and explanation for codes shall be provided.</li> <li>✓ No entry to be erased/overwritten. Incorrect entries, other than those of clerical nature, be scored out under attestation and thereafter correct entry be recorded.</li> </ul> </li> </ul>
35(6)	Failure to maintain accounts – PO shall determine the tax payable on unaccounted goods and/or services, as if the same had been supplied by such person.
36	<p>Period of retention of books of account: 72 months from the date of filing annual return.</p> <ul style="list-style-type: none"> <li>➤ Where an appeal / proceeding is going on – 1 year after disposal of appeal / proceedings or 72 months from the date of filing annual return, whichever is later.</li> </ul>

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## E-WAY BILL

Section	Particulars
68	<p>E-Way Bill: It is an electronic document (Form GST EWB 01) generated on the GST Portal evidencing movement of goods.</p> <p><b>Advantages of E-way Bill:</b></p> <ul style="list-style-type: none"> <li>✚ Faster movement of goods.</li> <li>✚ Improves the turnaround time of trucks and help the logistics industry by increasing the average distances travelled, reducing the travel time as well as costs.</li> <li>✚ Elimination of state boundary check-posts.</li> <li>✚ From department perspective, it helps to ensure that goods being transported comply with the GST Law, track movement of goods and check tax evasion</li> </ul>
	<p>E-way Bill is issued when movement of goods of consignment value is more than ₹ 50,000.</p> <p>Consignment Value: Amount declared in an invoice and also includes the GST but shall exclude the value of exempt supply of goods where the invoice is issued in respect of both exempt and taxable supply of goods.</p>
	<p><b>Compulsory E-Way Bill</b></p> <ol style="list-style-type: none"> <li>1. Inter-State transfer of goods by principal to Job-worker</li> <li>2. Inter-State transfer of handicraft goods by a person exempted from obtaining registration</li> </ol>
	<p>E-way bill in bill to ship to model shall be raised by either the supplier from where the movement of goods are starting or by the person from whom the directions are received to send goods to another person.</p>
	<p><b>Information in E-way Bill:</b></p> <p><b>Part A:</b> To be furnished by the registered person who is causing <b>movement of goods of consignment value &gt; ₹ 50,000</b> or the transporter, on an authorisation received from the registered person or the e-commerce operator or courier agency, on an authorization received from the consignor.</p> <p><b>Details in Part A:</b> GSTIN of supplier &amp; recipient, place of delivery, document number and date, value of goods, HSN code, and reasons for transportation, etc.</p> <p><b>Part B:</b> To be furnished by the person who is <b>transporting the goods.</b></p> <p><b>Details:</b> Transporter document number (Goods Receipt Number or Railway Receipt Number or Airway Bill Number or Bill of Lading number) and Vehicle number in case of transport by road.</p>
	<p><b>When details in Part B is not required:</b> Intra-state movement of goods within 50 kms</p> <ul style="list-style-type: none"> <li>❖ From the place of business of the consignor to the place of business of the transporter</li> <li>❖ From the place of business of the transporter finally to the place of business of the consignee.</li> </ul>
	<p><b>Transfer of goods from one conveyance to another:</b> Where the goods are transferred from one conveyance to another, the consignor or the recipient, who has provided information in Part A, or the transporter shall, before such transfer and further movement of goods, update the details of conveyance in Part B of the e-way bill on the common portal.</p>
	<p><b>Consolidated E-Way Bill: For multiple consignments (with E-way bill generated individually)</b> being carried in the same vehicle, the transporter may prepare a consolidated e-way bill in Form GST EWB - 02 by indicating serial number of each e-way bill, on the common portal prior to commencement of transport of goods whose value exceeds ₹ 50,000.</p> <p>Further, where individual consignment value is &lt; ₹ 50,000 but the aggregate of the consignment value of goods carried in the conveyance is &gt; ₹ 50,000, the transporter, shall, in respect of inter-state supply, generate the E-way Bill in Form GST EWB-01 and may also generate a consolidated E-way Bill in Form GST EWB-02 on the common portal prior to the movement of goods.</p>
	<p><b>Cancellation of E-Way Bill:</b> Where an e-way bill has been generated, but goods are either not transported then the e-way bill may be cancelled electronically on the common portal within 24 hours of generation of the e-way bill. However, an e-way bill cannot be cancelled if it has been verified in transit in accordance with the provisions of rule 138B.</p>

	<p><b><u>Validity of E-Way Bill</u></b>          One day for every 20 kms or part in case of Over Dimensional Cargo or multimodal shipment in which atleast one leg involves transport by ship.          One day for every 200 kms or part in case of other than Over Dimensional Cargo or multimodal shipment in which atleast one leg involves transport by ship.</p>
	<p><b><u>Extension of Validity</u></b>          If under circumstances of an exceptional nature, the goods cannot be transported within the validity period, the transporter may extend the e-way bill before 8 hours and after 8 hours of expiry of the validity.</p>
	<p><b><u>Acceptance of E-Way Bill:</u></b> Earlier of          i. 72 hours of the details being made available on the common portal or          ii. The time of delivery of goods,</p>
	<p><b><u>Verification of Documents, Inspection and Verification of goods</u></b>          The Commissioner or an officer empowered by him to intercept any conveyance to verify the e-way bill for all inter-state and intra-state movement of goods.           A summary report of every inspection of goods in transit shall be recorded online by the proper officer in Part A of FORM GST EWB-03 within 24 hours of inspection and the final report in Part B of FORM GST EWB-03 shall be recorded within 3 days of such inspection. The period of 24 hours or 3 days shall be counted from the midnight of the date on which vehicle was intercepted.           Where a vehicle has been detained for a period exceeding 30 minutes, the transporter may upload the said information in specified form on the common portal.</p>
	<p><b><u>Restriction on furnishing Part A of Form GST EWB-01</u></b>          No person shall be allowed to furnish the information in Part A of Form GST EWB-01 where:          (i) A person paying tax under composition scheme has not furnished the statement for payment of self-assessed tax for 2 consecutive quarters, or          (ii) A person paying tax under regular scheme has not furnished the returns for 2 consecutive tax periods, or          (iii) A person paying tax under regular scheme has not furnished GSTR-1 (Statement of outward supplies) for any 2 consecutive tax periods.          (iv) A person whose registration has been suspended under Rule 21A of the CGST Rules.          ⇨ <b>However, blocking of GSTIN for e-way bill generation facility is only on outward movement of goods. E-way bills can be generated for inward supplies received by said registered person.</b></p>
	<p><b><u>Other Points</u></b></p> <ul style="list-style-type: none"> <li>❖ <b>Where the goods are imported by railways:</b> there is no requirement to carry e-way bill along with the goods, but railways have to carry invoice or delivery challan or bill of supply as the case may be along with goods. Further, e-way bill generated for the movement is required to be produced at the time of delivery of the goods. Railways shall not deliver goods unless the e-way bill required under rules is produced at the time of delivery.</li> <li>❖ The register person or the transporter may at his option, generate and carry the e-way bill even if the value of the consignment is less than ₹ 50,000.</li> <li>❖ Where the goods are supplied by an unregistered supplier to a recipient who is registered, the movement shall be said to be caused by such recipient if the recipient is known at the time of commencement of the movement of goods.</li> </ul>



## PAYMENT OF TAX

Section	Particulars																				
49(1) / (3)	<p><b>Electronic Cash Ledger:</b> Every deposit made towards tax, interest, penalty, fee or any other amount by a person shall be credited to the electronic cash ledger of such person. is a summary of all the deposits / payments made by a taxpayer.</p> <p>The deposit can be made through Internet Banking, Credit card or Debit card, NEFT or RTGS or IMPS or UPI or Over the Counter payment for deposits up to ₹ 10,000 per challan per tax period, by cash, cheque or demand draft. This limit of ₹ 10,000 is not applicable to deposits made by proper officer to recover outstanding dues including attachment proceedings or sale of moveable/immoveable properties, to collect the amount by way of cash/cheque/demand draft during any investigation/enforcement activity.</p> <p>❖ A registered person can deposit tax, interest, penalty, fees through a challan in FORM GST PMT-06 can be generated on the common portal. The challan is valid for a period of fifteen days.</p>																				
49(10)/(11)/(12)	<p>These sub-sections of section 49 provide a facility to the registered person to transfer an amount from one (major/minor) head to another (major/minor) head in the electronic cash ledger.</p> <p>➤ A registered person may transfer any balance available under CGST major head in his Electronic Cash Ledger to the CGST or IGST major head of Electronic Cash Ledger of a distinct person as specified u/s 25. However, no such transfer shall be allowed if the said registered person has any unpaid liability in his Electronic Liability Register.</p>																				
49(2) / (4) / (5)	<p><b>Electronic Credit Ledger:</b> The ECrL is maintained in FORM GST PMT- 02 for each registered person on the common portal and every claim of input tax credit is to be credited to this ledger.</p> <p><b>Manner of utilisation of ITC (also discussed in ITC chapter)</b></p> <table border="1"> <thead> <tr> <th>ITC of (↓)</th> <th>Output IGST Liability</th> <th>Output CGST Liability</th> <th>Output SGST / UTGST Liability</th> </tr> </thead> <tbody> <tr> <td>IGST</td> <td>(I)</td> <td>(II) – In any order and in any proportion</td> <td></td> </tr> <tr> <td colspan="4">(III) ITC of IGST to be completely exhausted mandatorily</td> </tr> <tr> <td>CGST</td> <td>(V)</td> <td>(IV)</td> <td>Not permitted</td> </tr> <tr> <td>SGST</td> <td>(VII) - Only after the ITC of CGST has been utilized fully</td> <td>Not permitted</td> <td>(VI)</td> </tr> </tbody> </table> <p>➤ ITC is not allowed from the tax to be paid on reverse charge basis.</p>	ITC of (↓)	Output IGST Liability	Output CGST Liability	Output SGST / UTGST Liability	IGST	(I)	(II) – In any order and in any proportion		(III) ITC of IGST to be completely exhausted mandatorily				CGST	(V)	(IV)	Not permitted	SGST	(VII) - Only after the ITC of CGST has been utilized fully	Not permitted	(VI)
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CGST	(V)	(IV)	Not permitted																		
SGST	(VII) - Only after the ITC of CGST has been utilized fully	Not permitted	(VI)																		
49(6)	The balance in the electronic cash ledger or electronic credit ledger after payment of tax interest, penalty, fee or any other amount payable may be refunded.																				
49(7) / (8) / (9)	<p><b>Electronic Liability Register:</b> Every taxable person shall discharge his tax and other dues in the following order, namely-</p> <p>(a) self-assessed tax, and other dues of the previous tax period;</p> <p>(b) self-assessed tax, and other dues of the current tax period;</p> <p>(c) any other amount payable under this Act including the demand determined u/s 73 or 74.</p>																				
	<p><b>Benefits of new payment system:</b></p> <ul style="list-style-type: none"> <li>❖ No more queues and waiting for making payments as payments can be made online 24 X 7.</li> <li>❖ Instant online receipts for payments made online</li> <li>❖ Tax Consultants can make payments on behalf of the clients.</li> <li>❖ Single Challan form to be created online, replacing the three or four copy Challan</li> <li>❖ Revenue will come earlier into the Government Treasury as compared to the old system.</li> <li>❖ Greater transparency.</li> <li>❖ Online payments made after 8 pm will be credited to the taxpayer's account on the same day.</li> </ul>																				
50	<p><b>Interest on delayed payment of tax:</b> The rate of interest shall not exceed</p> <p>(a) 18% p.a. on failure to pay tax to the Government's account on or before the due date.</p> <p>(b) 24% p.a. on wrongly availed &amp; utilised ITC. (not yet effective)</p>																				

- ❖ The period of interest will be from the date following the due date of payment to the actual date of payment of tax.
- ❖ The liability for interest can be settled by adjustment with balance in Electronic Cash Ledger but not with balance in electronic credit ledger.
- ❖ Interest shall be applicable only on the net taxes paid through electronic cash ledger and not on the gross taxes paid for such tax period provided the return for that tax period is not filled. If the liability arises after the return is filled, interest is to be calculated on the gross amount.

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## TDS &amp; TCS

Section	Particulars
51(1)	<p>The following persons are liable to deduct tax at source:</p> <p>(a) CG/SG Department            (b) Local Authority            (c) Government Agencies            (d) Notified persons [Authority set up by an Act of Parliament / Government with <math>\geq</math> 51% participation by way of equity is with the Govt. or Society established by CG/SG/LA or PSUs]</p> <p><u>TDS not to be deducted in the following cases:</u></p> <p>(i) When goods and/or services are supplied from a public sector undertaking (PSU) to another PSU, whether or not as a distinct person            (ii) When supply of goods and/or services takes place between one person to another person specified in clauses (a), (b), (c) and (d) of section 51(1) of the CGST Act.</p> <p><u>Standard Rate of deduction &amp; Value of Supply</u>            The tax would be deducted @ 1% CGST + 1% SGST on the total value of supply, if value exceeds ₹ 2,50,000 (excluding the tax component). 2% for inter-state supply.</p> <p><u>Note: No TDS</u> when the location of the supplier and the place of supply is in a State/ Union territory which is different from the State/ Union territory of registration of the recipient.</p>
51(2)	Deposit of TDS with the Government – 10 <sup>th</sup> of the succeeding month.
51(3)	<p><b>TDS Certificate:</b> To be issued by the deductor            The content of Form GSTR-7A (TDS Certificate) are TDS Certificate No., GSTIN of deductor, Name of deductor, GSTIN of deductee, Legal name of the deductee &amp; Trade Name, (if any), Tax period in which tax deducted and accounted in GSTR-7, Details of supplies &amp; Amount of tax deducted</p>
51(5)	Reflection of amount of TDS – In ECL of the deductee and the deductee can claim credit of the tax deducted for payment of tax and other liability.
51(6)	Non-remittance by the deductor will attract interest u/s 50 @ 18% p.a.
	<u>Registration of Deductor under GST:</u> Any person required to deduct tax u/s 51 shall submit a registration application on the common portal. The proper officer shall, after due verification, grant registration within 3 working days from the date of the application.
52(1)	<p>Every Electronic Commerce Operator (ECO), not being an agent, shall collect TCS on the net value of taxable supplies [supplies net of returns if any] made through it by suppliers @ 0.5% CGST + 0.5% SGST on net value of intra-State taxable supplies. 1% of the net value of inter-State taxable supplies.</p> <p><u>Note: TCS not to apply on services notified u/s 9(5) of CGST Act, 2017.</u></p>
52(3)	The TCS collected by ECO has to be remitted within 10 days succeeding the month of collection.
52(4)/(5)	<p><u>Filing of Monthly &amp; Annual Statements by ECO</u></p> <ul style="list-style-type: none"> <li>○ An electronic statement [Form GSTR-8] has to be filed by the ECO containing details of the outward supplies effected through it, including the supplies returned through it and the amount collected by it as TCS during the month within 10 days of the next month.</li> <li>○ The ECO is also mandated to file an Annual Statement [Form GSTR-9B] on or before 31<sup>st</sup> December following the end of the financial year.</li> </ul>
52(6)	<p>Rectification of Errors (Not possible in case of scrutiny, audit, inspection etc.):</p> <p>(a) 30<sup>th</sup> November of next financial year or            (b) Date of filing annual statement, whichever is earlier</p>
52(7)	The supplier can claim credit of tax deposited by ECO in his electronic cash ledger for payment of tax and other liability.
52(12)/ (13)/(14)	<p>Notice to the Electronic Commerce Operator: PO can issue notice to ECO, asking him to furnish details of the goods/services supplied, stock of goods lying in warehouses etc. The ECO is required to furnish such details within 15 working days.</p> <p>The ECO will face penalty upto ₹ 25,000 on failing to furnish the information.</p>



## RETURNS UNDER GST

	Particulars
GSTR 1	<p><u>Furnishing details of outward supplies</u> Who is required to file GSTR-1: Every Registered Person including Casual Taxable Person except:</p> <ol style="list-style-type: none"> <li>Input service distributor (ISD)</li> <li>Non-resident taxable person</li> <li>Person paying tax under composition scheme</li> <li>Person deducting tax at source</li> <li>Person collecting tax at source i.e., e-commerce operator (ECO), not being an agent</li> <li>A supplier of online information and database access or retrieval services (OIDAR)</li> </ol>
	<p><u>Due Date of filing GSTR-1:</u></p> <ul style="list-style-type: none"> <li>➤ If Annual Aggregate T.O. &gt; ₹ 5 crore – From 1<sup>st</sup> to 11<sup>th</sup> day of next month</li> <li>➤ If Annual Aggregate T.O. is ≤ ₹ 5 crores in the preceding year <b>[Quarterly Return Monthly Payment (QRMP) Scheme]</b> – From 1<sup>st</sup> to 13<sup>th</sup> day of month succeeding the quarter.</li> </ul> <p>Also, GSTR-1 cannot be filed before the end of the current tax period except:</p> <ol style="list-style-type: none"> <li>Casual taxpayers, after the closure of their business.</li> <li>Cancellation of GSTIN of a normal taxpayer</li> </ol>
	<p><u>QRMP supplier can pass ITC through furnishing details in IFF:</u> Taxpayers opting for QRMP Scheme may furnish the outward supplies details for the 1<sup>st</sup> and 2<sup>nd</sup> months of a quarter, upto a cumulative value of ₹ 50 lakh in each of the first 2 months of the quarter using IFF. However, invoices pertaining to last month of a quarter are to be uploaded in GSTR-1 only. The invoices are to be furnished in IFF between the 1<sup>st</sup> day of the succeeding month till the 13<sup>th</sup> day of the succeeding month.</p> <p>Details of outward supplies required to be furnished in IFF: The taxpayer has to submit the B2B (business to business) invoice details of both inter-State and intra-State supply transactions along with debit and credit notes of the B2B invoices issued during the month.</p>
	<p><u>Cases where supplier is debarred from furnishing details in IFF:</u></p> <ol style="list-style-type: none"> <li>Registered person other than QRMP has not filled GSTR-3B for preceding two months.</li> <li>Registered person following QRMP scheme has not furnished GSTR-3B for preceding tax period.</li> <li>Registered person who is restricted to use ITC upto 99% of output tax liability has not furnished GSTR-3B for preceding tax period.</li> </ol>
	<p>Details to be furnished: GSTIN; Legal Name; Aggregate Turnover of the P/Y; Year &amp; Month/Quarter; HSN wise summary of outward supplies <u>Invoices + Revised Invoice + Dr. Notes + Credit Notes issued during the month.</u></p> <ul style="list-style-type: none"> <li>❖ For B2B Supplies (For Intra-State / Inter-State): Invoice-wise details of all supplies to be uploaded</li> <li>❖ For B2C Supplies (Inter-State Supplies) If Invoices &gt; ₹ 2,50,000, Invoice wise details to be uploaded. If Invoices ≤ ₹ 2,50,000, State wise Consolidated details to be uploaded.</li> <li>❖ For B2C Supplies (Intra-State Supplies) – Consolidated details of all supplies to be uploaded.</li> <li>❖ Zero rated + Deemed Exports; Debit &amp; Credit Notes issued; Nil Rated / Exempted / Non-GST; Amendments for prior period</li> </ul>
	<p><u>Maximum time limit for rectification:</u> Earlier of the following dates:</p> <ol style="list-style-type: none"> <li>30<sup>th</sup> November following the end of the financial year or</li> <li>Date of filing of the relevant annual return</li> </ol>
	<p><u>Other Notes:</u> GSTR-1 needs to be filed even if there is no business activity (Nil Return) through SMS.</p>
GSTR-2A/2B	<p>GSTR-2A: It is a system generated real-time read only statement of inward supplies for a recipient. GSTR-2B: It is an auto-generated static statement containing the details of eligible. It is available only once a month.</p> <p>The statement in Form GSTR-2B for every month shall be made available to the registered person, a</p>

	day after the due date of furnishing details of outward supplies in IFF / Form GSTR-1.
GSTR-3B	<p>It is a monthly/quarterly return for normal taxpayer</p> <p><u>Due Date of filing GSTR-3B:</u></p> <ol style="list-style-type: none"> <li>1. Monthly Form GSTR-3B [Non-QRMP] – on or before 20<sup>th</sup> of the next month</li> <li>2. Quarterly Form GSTR-3B [QRMP taxpayer] - on or before 22<sup>nd</sup> or 24<sup>th</sup> of the next month succeeding the quarter</li> </ol>
	<p><u>Manner of exercising QRMP Scheme:</u> A registered person intending to opt for QRMP scheme for any quarter shall indicate his preference from 1<sup>st</sup> day of the 2<sup>nd</sup> month of the preceding quarter till the last day of the 1<sup>st</sup> month of the quarter for which the option is being exercised.</p> <p><u>Lapse of QRMP Scheme:</u> Where a registered person's aggregate turnover crosses ₹ 5 crore during a quarter, he shall not be eligible for furnishing return on quarterly basis from the succeeding quarter.</p>
	<u>Details to be furnished:</u> GSTIN, Legal Name, Year & Month/Quarter, summarized details of outward supplies & inward supplies liable to reverse charge, summarized details of inter-state supplies made to unregistered person, composition taxable person and UIN holders, Eligible and Ineligible ITC, Value of exempt, nil rated and non-GST inward supplies, Payment of Tax & TDS / TCS Credit.
	<u>Other Notes:</u> GSTR-3B needs to be filed even if there is no business activity (Nil Return) through SMS.
Rule 88C	<u>Treatment of differential amount between GSTR-1 &amp; GSTR-3B:</u> Where the tax liability as per GSTR-1 exceeds the tax liability as per GSTR-3B, the registered person would be directed to either: <ol style="list-style-type: none"> <li>(i) pay the differential tax liability along with interest, or</li> <li>(ii) explain the difference, within 7 days period</li> </ol>
Rule 88D	<u>Treatment of differential amount between GSTR-2B &amp; GSTR-3B:</u> Such registered person shall, upon receipt of said intimation, either, <ol style="list-style-type: none"> <li>(a) pay an amount equal to the excess ITC, along with interest payable, or</li> <li>(b) furnish a reply, electronically on the common portal, within 7 days' period.</li> </ol>
GSTR-4	<p>It is an annual return for composition supplier. Composition supplier are also required to furnish a statement in the FORM GST CMP-08 containing details of payment of self-assessed tax.</p> <p><u>Due Date:</u> GSTR-4: by 30<sup>th</sup> day of April following the end of such financial year &amp; FORM GST CMP-08: by 18<sup>th</sup> day of month succeeding such quarter.</p> <p><u>Details:</u> GSTIN; Legal Name; TDS/TCS Credit received; Tax, interest, late fees; Refund claim from Electronic Cash Ledger</p> <p><u>Details of Outward Supplies:</u></p> <ul style="list-style-type: none"> <li>❖ Consolidated tax rate wise details of outward supplies in GSTR-4.</li> <li>❖ Invoice-wise details of all inward supplies including reverse charge supplies and import of services.</li> <li>❖ Summary of self-assessed liability as per GST CMP-08 (Net of advances, credit &amp; debit notes and other adjustments due to amendments etc.)</li> </ul>
	<p><u>Other Notes:</u> Since composition suppliers are not eligible to take ITC, they discharge their tax liability only by debiting electronic cash ledger.</p> <p>GSTR-4 &amp; GST CMP-08 need to be filed even if there is no business activity (nil return) through SMS.</p>
GSTR-5	<p>It is a monthly return for Non-resident taxpayer.</p> <p><u>Due Date:</u> Earlier of 13<sup>th</sup> of the next month or within 7 days after expiry of the registration.</p>
Sec. 39(7)	<p><u>Due Date of Payment of Tax</u></p> <p>Every registered person following QRMP Scheme shall deposit tax for each of the first 2 months of the quarter by 25<sup>th</sup> day of the next month. And every registered person (other than QRMP scheme) shall deposit tax not later than the last date on which he is required to furnish his GSTR-3B.</p> <p>QRMP suppliers can choose one of the following methods to pay monthly tax for first 2 months of the quarter:</p> <ol style="list-style-type: none"> <li>(a) <u>Fixed Sum Method:</u> In this method, GST portal will generate a pre-filled challan in Form GST PMT – 06. The tax amount can not be edited and will be calculated as under: <ol style="list-style-type: none"> <li>(i) 35% of the tax paid in cash in the return where the return was furnished quarterly.</li> <li>(ii) 100% of the tax liability paid in cash in the return where was furnished monthly.</li> </ol> </li> </ol>

	<p>However, no such amount may be required to be deposited where the balance in the electronic cash ledger &amp; electronic credit ledger is sufficient to discharge the liability for payment of fixed sum.</p> <p>(b) <u>Self-Assessment Method</u>: The registered person, in this case, shall pay the tax due by considering the tax liability on inward and outward supplies and the input tax credit available, in Form GST PMT-06.</p> <p><u>Applicability of Interest</u></p> <p>(a) <u>For registered person paying through Fixed Sum Method</u>: No interest would be payable in case the tax due is paid in the first 2 months of the quarter by way of depositing auto-calculated fixed sum amount by the due date. However, where the tax computed in Form GST PMT – 06 is not deposited by the due date, interest would be levied. Further, in case Form GSTR-3B, for the quarter is furnished beyond the due date, interest would be payable.</p> <p>(b) <u>For registered person paying through Self-Assessment Method</u>: Interest would be payable u/s 50 on tax payable (net of ITC) which remains unpaid / paid beyond the due date for the first 2 months of the quarter. Further, in case Form GSTR-3B, for the quarter is furnished beyond the due date, interest would be payable.</p>
GSTR-7	<p>It is a return for Tax Deduction at Source being filed by TDS deductor</p> <p><u>Due Date</u>: 10<sup>th</sup> of the next month succeeding the calendar month in which tax was deducted.</p> <p>The supplier can take tax deducted in his ECL after validation and use the same for payment of tax or other liability.</p> <p><u>TDS certificate</u>: It is to be issued by the deductor in Form GSTR-7A to the deductee within 5 days of crediting the amount to the Government.</p>
GSTR-8	<p>It is a monthly statement for tax collection at source being filed by ECO.</p> <p><u>Due Date</u>: 10<sup>th</sup> of the next month succeeding the calendar month in which tax was collected.</p> <p>The supplier can take tax collected in his ECL after validation and use the same for payment of tax or other liability.</p>
GSTR-9	<p>It is an annual return for normal registered person. The due date is 31<sup>st</sup> December of the next year.</p> <p>GSTR-9A for composition supplier.</p>
GSTR-10	<p>It is the final return. Every registered person whose and whose <u>registration has been surrendered or cancelled</u> is required to file a final return within 3 months from the</p> <p>(a) Order of cancellation or</p> <p>(b) Date of order of cancellation, whichever is later.</p>
GSTR-11	<p>It is return for UIN holders. They can claim refund of taxes through this GSTR.</p>
Sec. 40	<p>First Return: The first return contains details of outward supplies from the date after becoming liable to registration till the end of first tax period.</p>
Sec. 47	<p><b><u>Late fees for delay in filing GSTR-1 or GSTR-3B:</u></b></p> <ol style="list-style-type: none"> <li>1. Nil GSTR-1 / GSTR-3B – (₹ 10 CGST + ₹ 10 SGST) per day or ₹ 250 CGST + ₹ 250 SGST / UTGST whichever is lower</li> <li>2. Person having turnover upto ₹ 1.5 crore in preceding year and not falling in 1 above - (₹ 25 CGST + ₹ 25 SGST) per day or ₹ 1,000 CGST + ₹ 1,000 SGST, whichever is lower</li> <li>3. Person having turnover more than ₹ 1.5 crores but upto ₹ 5 crore in preceding year and not falling in 1 above - (₹ 25 CGST + ₹ 25 SGST) per day or ₹ 2,500 CGST + ₹ 2,500 SGST, whichever is lower</li> <li>4. Person having turnover more than ₹ 5 crores in preceding year and not falling in 1 above - (₹ 25 CGST + ₹ 25 SGST) per day or ₹ 5,000 CGST + ₹ 5,000 SGST, whichever is lower</li> </ol> <p><b><u>Late fees for delay in filing GSTR-4:</u></b></p> <ol style="list-style-type: none"> <li>1. Nil GSTR-4 - (₹ 10 CGST + ₹ 10 SGST) per day or ₹ 250 CGST + ₹ 250 SGST, whichever is lower</li> <li>2. Registered person other than 1 above - (₹ 25 CGST + ₹ 25 SGST / UTGST) per day or ₹ 1,000 CGST + ₹ 1,000 SGST, whichever is lower</li> </ol> <p><b><u>Late fees for delay in filing GSTR-7:</u></b> (₹ 25 CGST + ₹ 25 SGST) per day or ₹ 1,000 CGST + ₹ 1,000 SGST, whichever is lower</p>

	<p><b><u>Late fees for delay in filing annual return:</u></b></p> <ol style="list-style-type: none"> <li>1. Turnover <math>\leq</math> ₹ 5 crores – (₹ 25 CGST + ₹ 25 SGST/UTGST) per day or 0.02% of the turnover - CGST + 0.02% of the turnover – SGST, whichever is lower</li> <li>2. Turnover <math>&gt;</math> ₹ 5 crores but <math>\leq</math> ₹ 20 crores – (₹ 50 CGST + ₹ 50 SGST/UTGST) per day or 0.02% of the turnover - CGST + 0.02% of the turnover – SGST, whichever is lower</li> <li>3. Turnover <math>&gt;</math> ₹ 20 crores – (₹ 100 CGST + ₹ 100 SGST/UTGST) per day or 0.25% of the turnover - CGST + 0.25% of the turnover – SGST, whichever is lower</li> </ol>
48	<p>Goods and Services Tax Practitioners (GSTP) GSTP can do all the work on behalf of taxpayers as allowed under GST Law.</p> <p><b><u>Activities undertaken by GSTP:</u></b> A GSTP can undertake any/all of the following activities on behalf of a registered person, if so, authorized by him:</p> <ul style="list-style-type: none"> <li>• Furnish details of outward and inward supplies</li> <li>• Furnish monthly, annual or final return</li> <li>• Make deposit for credit into electronic cash</li> <li>• Furnish information for generation of e-way bill</li> <li>• Furnish details of challan in the prescribed form</li> <li>• File an application for amendment or cancellation of enrolment under rule 58</li> <li>• file an intimation to pay tax under the composition scheme or withdraw from the said scheme</li> <li>• file a claim for refund</li> <li>• file an application for registration amendment/ cancellation</li> <li>• allowed to appear as authorised representative before any officer of Department, Appellate authority or Appellate Tribunal, on behalf of such a registered person provided he is enrolled as GSTP under Rule 83</li> </ul> <p style="text-align: right;">Confirmation from the registered person shall be</p>
	<p><b><u>Who are qualified to act as GSTP:</u></b> Indian citizen having sound mind and has neither been adjudicated as insolvent nor been convicted by a competent court and who is</p> <ul style="list-style-type: none"> <li>○ Retired officer of Commercial Tax Department who had worked at a post not lower than the rank of a Group B gazetted officer for a period <math>\geq</math> 2 years or</li> <li>○ Enrolled as Sales Tax Practitioner under the earlier indirect tax laws for a minimum period 5 years.</li> <li>○ holding the following educational qualification: <ul style="list-style-type: none"> <li>▪ Graduate or postgraduate degree having a degree in Commerce, Law, Banking including Higher Auditing, or Business Administration or Business Management from any Indian University.</li> <li>▪ Degree examination of any Foreign University recognized by any Indian University as mentioned above.</li> <li>▪ Has passed final examination of ICAI / ICSI / Institute of Cost Accountants of India.</li> </ul> </li> </ul>
	<p>The responsibility for correctness of any particulars furnished in the return filed by the GSTP continues to rest with the registered person on whose behalf such return and details are furnished.</p> <p>The registered person before confirming should ensure that the facts mentioned in the return are true and correct before signature. However, failure to respond to request for confirmation is treated as deemed confirmation.</p>

## Don't Quit

When things go wrong as they sometimes will,  
When the road you are trudging seems all up hill,  
When the funds are low and the debts are high,  
And you want to smile, but you have to sigh,  
When care is pressing you down a bit,  
Rest if you must, but don't you quit.

Life is queer with its twist and turns,  
As everyone of us sometimes learns,  
And many a failure turns about,  
When he might have won had he struck it out,  
Don't give up though the pace seems slow,  
You may succeed with another blow.

Often the goal is nearer than,  
It seems to a faint and faltering man,  
Often the struggler has given up,  
When he might have captured the victor's cup,  
And he learned too late when the night came down,  
How close he was to the golden crown.

Success is failure turned inside out,  
The silver tint of the clouds of doubt,  
And you can never tell how close you are,  
It may be near when it seems so far,  
So, stick to the fight when you are hardest hit,  
It's when things seem worst that you must not quit.

All the best!