

Registration

20 Lakh
9/15

10 Lakh
11 states

Min or
M.S.

Major
UTs

J&K -
A -
HP -
Sikkim -
Mizoram -
Meghalaya -
Tripura -
Assam -
Nagaland -
etc -

SECTION 22

Liability to take registration
under GST



40 Lakh

All persons having aggregate turnover in a F.Y
which EXCEEDS

28 800
Mizoram
Mizoram

MANIPUR
MIZORAM
NAGALAND
TRIPURA

MEGHALAYA
ARUNACHAL PRADESH
SIKKIM
UTTARAKHAND
TELANGANA
PUDUCHERRY

ASSAM

HIMACHAL PRADESH
JAMMU & KASHMIR
REST OF INDIA



In case of
Supply of:
Goods only
[excluding ice-
Cream, tobacco etc]

10 lakhs

20 lakhs

40 lakhs.

SERVICE only
OR
BOTH

10 lakhs

20 lakhs.

20 lakhs

Goods only
incl. ice cream
Tobacco etc.

10 lakh

20 lakh

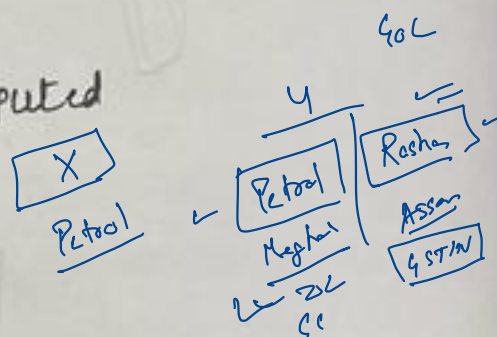
20 lakh.

① meaning of Aggregate turnover

Aggregate turnover includes:

- taxable supplies
- exempt supplies (incl. Non Taxable supply / non-supply)
- exports
- inter state supplies

of person having same PAN computed on ALL INDIA BASIS



② ~~A person~~ A person has to take GST registration in all the state / U.T. in which he has place of business. There is no concept of 1 central GST No.

(eg: Mr. A has business in Delhi as well as in Goa. Assuming his aggregate turnover crosses the threshold limit, he will have to take GST registration in both Delhi & Goa)

⇒ except in such state in which he is making exclusively exempt / non taxable supply (refer eg: 9 Pg 7-16)

③ In case, he has place of business in 2 different states having different threshold limit. In such a case we will check whether his aggregate turnover exceeds the threshold limit which is lower and he will have to take registration in both / all of the states &

(eg: Mr. A has business in Assam with turnover of 5 lakh & in Mizoram with turnover of 8 lakh.

His aggregate turnover comes out to be 13 lakh. In such a case; 13 lakh will be compared with the lower threshold limit of ₹ 10 lakh for Mizoram and he will be liable to take GST registration in both Assam and Mizoram.

* However, in case there is a exempt or non-taxable supply from a state with lower threshold limit, the concept of lower limit shall not apply and as such the threshold of the state in which he provides taxable supply will prevail subjected to lower limit

④

A person is required to take registration in the state in which he has place of business. In case, he has multiple places of business within the same state, he has two options:

- ⇒
- a) Take single registration for all POB within state. with one place as PRINCIPAL PLACE OF BUSINESS (PPOB) and all other places as ADDITIONAL PLACES OF BUSINESS. (APOB)
 - b) Take different registration number for all such places of business.

⑤

A person shall be deemed to be the supplier of Goods ONLY in case he is supplying goods as well ~~as~~ as receiving interest / discount on loans and deposits (which is a supply of service).

⇒

However, while calculating the aggregate turnover the interest amount shall be considered.

COMPULSORY REGISTRATION

Section 24

Following persons / nature of business shall be required to take GST registration even though their aggregate turnover does not exceed the limit as provided in section 22.

(Section 24 will override section 22).

①

Person making ^{inward} ~~outward~~ supply, tax on which is liable to be paid under RCM (i.e. recipient of Goods or service)

R

② Persons making any inter state supply (refer a chart below for clarity)

I

③ Persons who make taxable supply of GOSOB on behalf of other taxable person, whether as AGENT or ~~or~~ otherwise. (in case when the agent issues invoice in his own name)

A

④ Casual Taxable Person (CTP) making taxable supply.

However, certain exemption as provided in section 23.

⑤ Non-Resident Taxable Person (N RTP) making taxable supply.

⑥ Persons who are required to pay tax u/s 9(5), i.e. in case of certain specified services only. (MCM)

Eg: Ola/Uber, OYO, Urban Clap.

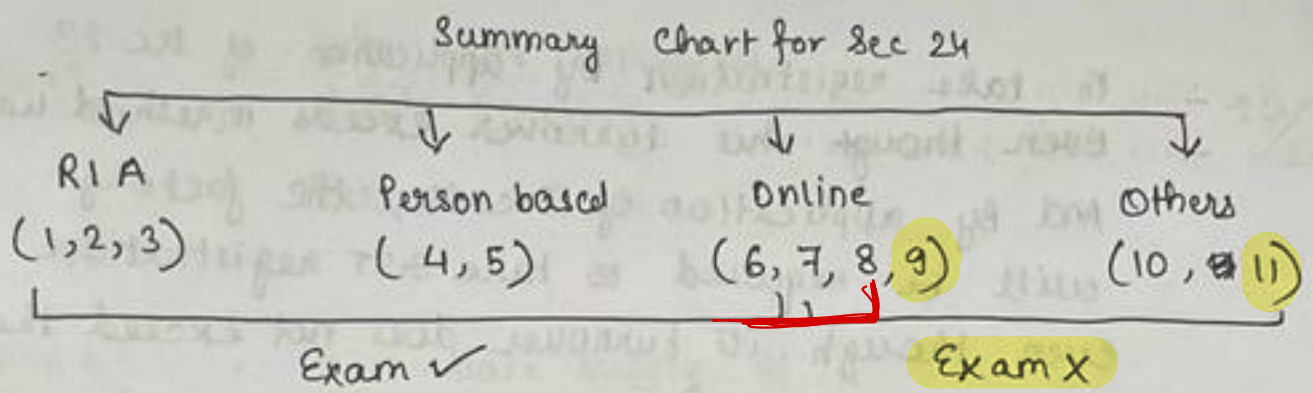
⑦ Every Electronic Commerce Operator (ECO) required to collect TCS u/s 52 (eg: Amazon, Flipkart etc)

⑧ All persons supplying GOSOB through ECO, except services u/s 9(5)

⑨ Every person supplying OIDAR Service ~~u/s 22~~ #

⑩ All persons required to deduct TDS u/s 51

⑪ Input Service Distributor #



Exemption to Registration

Section 23

Even though a person might be liable to take GST registration u/s 22 or u/s 24. However, there are certain situation / conditions where a person will not be liable to take registration.

- ① Persons engaged in exclusive supply of exempt / non taxable goods or service or both.
- ② An agriculturist, to the extent of supply of produce out of the cultivation of land.
 Agriculturist means an INDIVIDUAL OR HUF who undertakes cultivation of land
 - by own labour or
 - by labour of the family or
 - by servants on wages under the family supervision.
- ③ Persons engaged in EXCLUSIVE outward supply on which tax is liable to be paid under RCM
 (Eg: ABC & Co. is a GTA service provider having turnover of 1 crore. Its major recipient are factories, none of whose turnover exceeds 20 lakh. ABC & Co. opts for RCM structure.
 In this case, the GTA will not be required

To take registration by application of sec 23 even though his turnover exceeds threshold limit And By application of sec 24, the factory will be required to take GST registration even though its turnover does not exceed the threshold limit.)

(A) Inter state supply:

Following persons will not be liable to take registration even though there are making inter state supplies :

- (a) Persons making inter state supply of notified handicraft goods or notified products. ^{*} (~~UPTO THRESHOLD LIMIT~~) $\frac{20L}{10L}$
- (b) Persons making inter state supply of TAXABLE SERVICE (~~UPTO THRESHOLD LIMIT~~) $\frac{20L}{10L}$
- (c) Casual Taxable person making inter state supply of notified handicraft goods or notified products (~~UPTO THRESHOLD LIMIT~~) $\frac{20L}{10L}$

* Notified Products: Products made by craftsman, predominantly by hand even though some machine may also be used.

Examples:

Mr. A

Regisⁿ Reqd

Section

Situation 1:

- Intra state supply of goods goods (taxable) in Trip X 22
- Turnover $\rightarrow 15L$ ✓

Situation 2:

- Intra state supply of goods (taxable) in Assam / Trip X 22
- Turnover $\rightarrow 25L$

Situation 3 :

- Inter state supply of goods (exempt) in Assam / in Trip

X

23 / 22 / 24

- Turnover: 50 L

Situation 4 :

- Inter state supply of goods (taxable) in Assam / in Trip

✓

24

X
X
X

- Turnover 32 L

Situation 5

- Interstate supply of services (taxable) in Assam / in Trip

X

23 / 24

- Turnover 15 L

Situation 6

- Inter state supply of service (taxable) in Assam

✓

22 / 23 / 24

- Turnover 25 L

Q2 What if in above question, he was engaged in servicing of mobile phones & tablets instead of selling them?

Ans:- As per Section 22 of the CGST Act, 2017, every person is liable to be registered in every state / UT in which he is making taxable supply of goods or service or both. The threshold limit for Assam in case of supply of services is Rs. 20L.

Mr. A, is engaged in supplying of service by way of servicing of mobile phones & tablets having a T/O of Rs. 25L in Guwahati, Assam.

He is liable to be registered under the GST Act in Assam.

Q3 What if Q1, he was engaged in servicing of mobile phones along with trading of mobile phones & tablets

Ans:- As per Section 22 of CGST Act, 2017, every person is liable to be registered in every state / UT in which he is making taxable supply of goods or services. The threshold limit for Assam in case of supply of goods & service is Rs. 20L.

Mr. A is engaged in supply of both goods & services from a shop in Guwahati, Assam having T/O of Rs. 25L. Hence, he is liable to be registered under the GST Act in Assam.

Q4 Mr. B, is engaged in supply of goods and services from a showroom in Mizoram. His T/O in the P.F.Y was ₹ 26L. His T/O during the current FY is ₹ 9L, out of which the service component amounted to ₹ 5L. Determine whether he is liable to be registered under the GST Act.

Ans:- As per section 22 of CGST Act, every person is liable to be registered in every state/UT in which he is making taxable supply of goods or services or both. The threshold limit in case of supply from the state of Mizoram is Rs. 10L.

Mr. B is engaged in supply of goods and service from state of Mizoram having T/O of ₹ 9L.

Hence, he is not liable to be registered under the GST Act in Mizoram.

Q5:- Mr. C is having a ice-cream parlour in the state of Rajasthan. His T/O from such shop is Rs. 16L. He also has a footwear showroom in the state of ~~in~~ Meghalaya having a T/O of Rs. 7L. Determine his liability for Registration. Also suggest whether he can opt for composition levy u/s 10.

Ans:- As per Section 22 of CGST Act, every person is liable to be registered in every state/UT in which he is making taxable supply if his T/O exceeds the specified threshold limit. The threshold limit in case of Rajasthan for exclusive supply of goods is Rs. 40L. However, this limit ~~is~~ shall change to Rs. 20L in case of the person is engaged in supply of, inter-alia, ice cream. Furthermore, the threshold limit for the state of Meghalaya is Rs. 20L.

In the given case, Mr. C is engaged in supply of ice-cream from the state of Rajasthan and supply of footwear from the state of Meghalaya. The threshold limit applicable in this case is Rs. 20L.

Since his aggregate T/O being 23L (16L + 7L) exceeds the threshold limit of ₹ 20L, he is liable to be registered under the GST Act in Rajasthan as well as Meghalaya.

M.C. shall be eligible to opt for composition levy since the restriction is on manufacturer of ice-cream and not on trader of ice-cream.

Q6. What if in above Q5, he is engaged in Rajasthan as a trader of Mobile phones instead of ice-cream?

Ans:- As per section 22 of CGST, every person is liable to be registered in every state/UT in which he is making taxable supply if his T/O exceeds the specified threshold limit. The threshold limit in case of Rajasthan for exclusive supply of goods is Rs. 40L. Furthermore, the threshold limit for the state of Meghalaya is Rs. 20L.

In case, a person has place of business in two different states having different threshold limit, the limit of that state having a lower threshold value shall prevail.

In the given case, M.C. is engaged in the supply of mobile phones from Rajasthan & supply of footwear from Meghalaya having an aggregate T/O of Rs 23L (16L + 7L); which exceeds the threshold limit of ₹ 20L (being the lower of both the states).

Hence, he will be liable to be registered under the GST Act in both Rajasthan and Meghalaya.

Q7 Mr. D is engaged in taxable supply from the state of Maharashtra and exempt supply from the state of Mizoram. Turnover from Maharashtra is ₹ 27 lakh & turnover from Mizoram is ₹ 10 lakh. Determine his liability of Registration.

Ans:- As per Section 22 of the CGST Act, every person is liable to be registered in every state / UT in which he is making taxable supply, if his aggregate turnover exceeds the specified threshold limit.

The threshold limit in case of exclusive supply of goods from the state of Maharashtra is ₹ 40L and from the state of Mizoram is ₹ 10L.

In case a person is having place of business in two different states, the threshold limit of the state having the lower limit shall prevail, only if taxable supply is made from such state.

Hence, the threshold limit of Mizoram being ₹ 10L shall not be taken into consideration, since Mr. D is making exempt supply from Mizoram.

In the given case, Mr. D is engaged in making taxable supply from Maharashtra and exempt supply from Mizoram having an aggregate T/O of ₹ 37L, being lower than the applicable threshold limit of ₹ 40L.

Hence, he is not liable to be registered under GST Act.

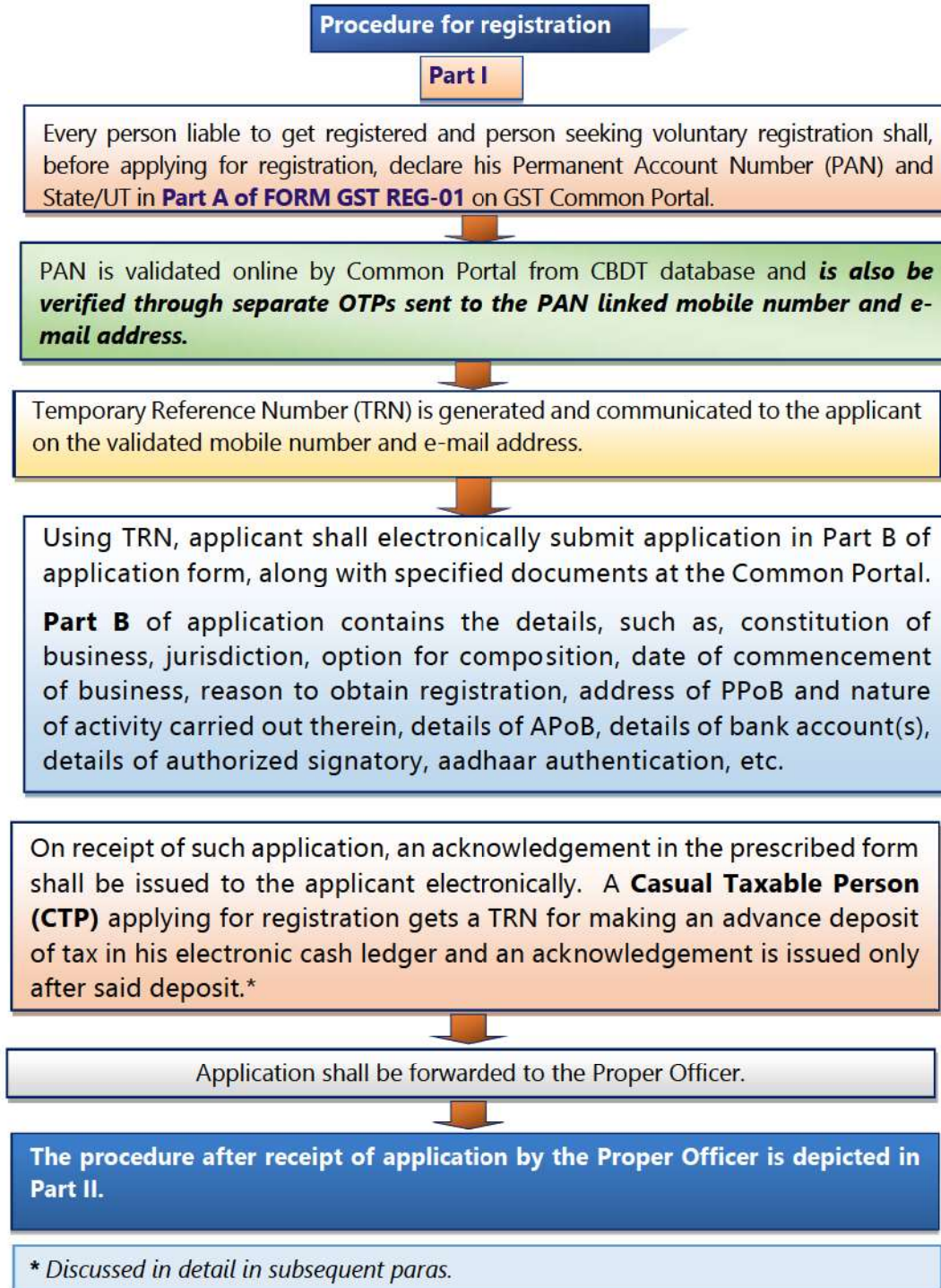
Q8

What if Q7, his turnover in the state of Maharashtra is Rs. 37L.

Soln:-

He would be liable to be registered under the GST Act, only in Maharashtra. Since, he is making exempt supply from Mizoram, he is not liable for registration there.

Procedure for registration has been depicted by way of a diagram below:



Flow chart for Time Limit of NEW REGISTRATION

If PO does not
take any action
within 7 days

↓
Deemed
Approval.

↓
[THE END.]

Application

↓
Submitted by Taxpayer.

↓
PO will take action within

7 days if:-

- Aadhar Authentication, and
- No site verification reqd.

30 days if:-

- Aadhar authentication not opted, or.
- Aadhar authentication or.
- PO wants site verification

PO shall either

Approve

↓
[THE END.]

GST-REG-06

Issue SCN for clarification.

OR

↓
Assessee reqd. to reply within 7 days
of SCN

↓
Replied

OR

Not Replied.

↓
P.O will take further action
within 7 days of clarification

↓
Approve 😊

↓
[THE END.]

GST REG-06.

↓
Reject ☹️

↓
[THE END.]

↓
P.O will reject
application

↓
[THE END.]

If PO does
not take any
action within
7 days

↓
Deemed
Approval

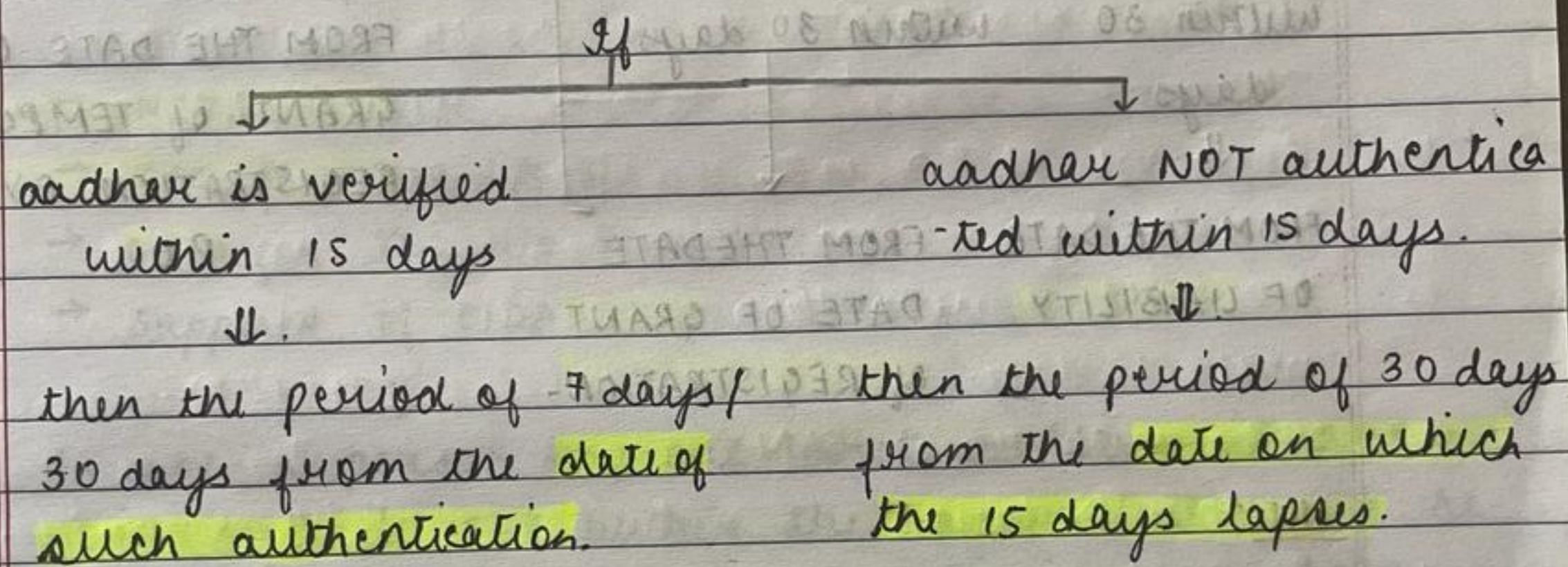
↓
[THE END.]

Note:-

a. Assessee has the option to give bank details at the time of application or within 45 days from date of grant of Registration.

The assessee has 15 days for Aadhar authentication from the submission of FORM REG-01.

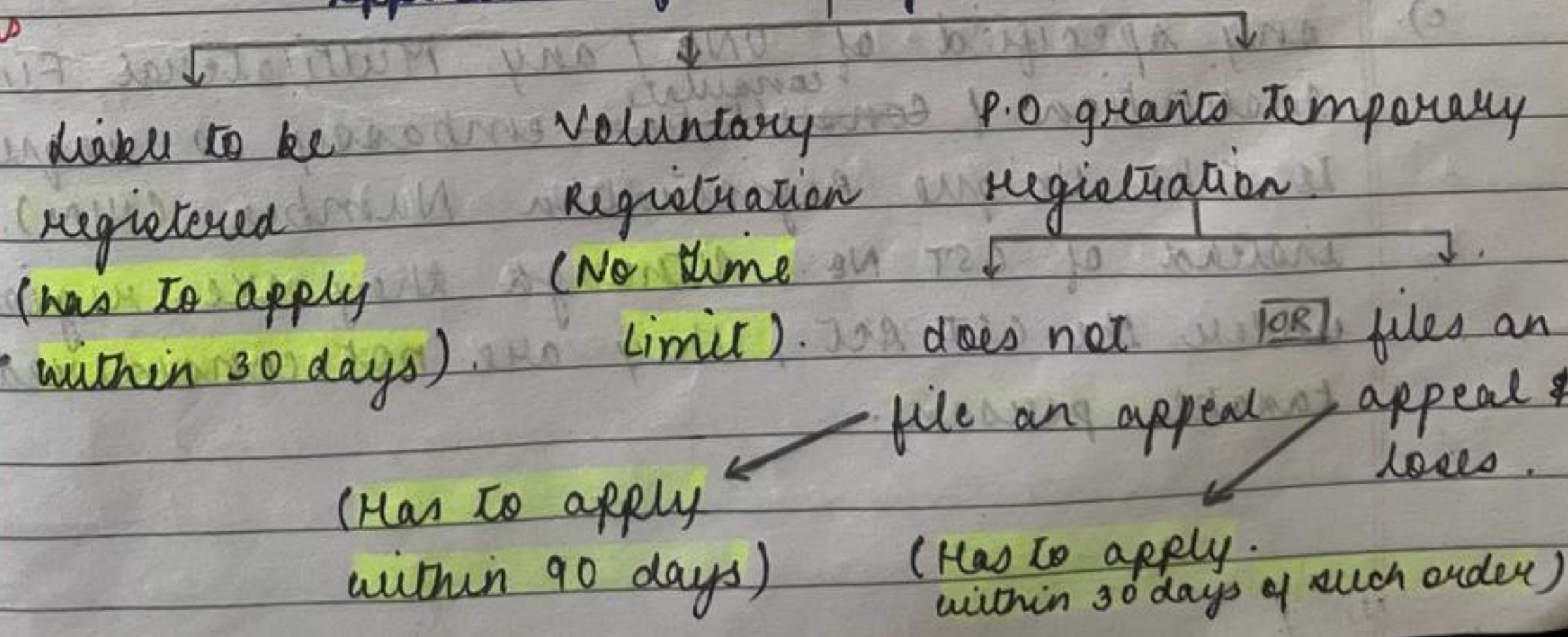
* Now refer chart in Pg-62. before going ahead.



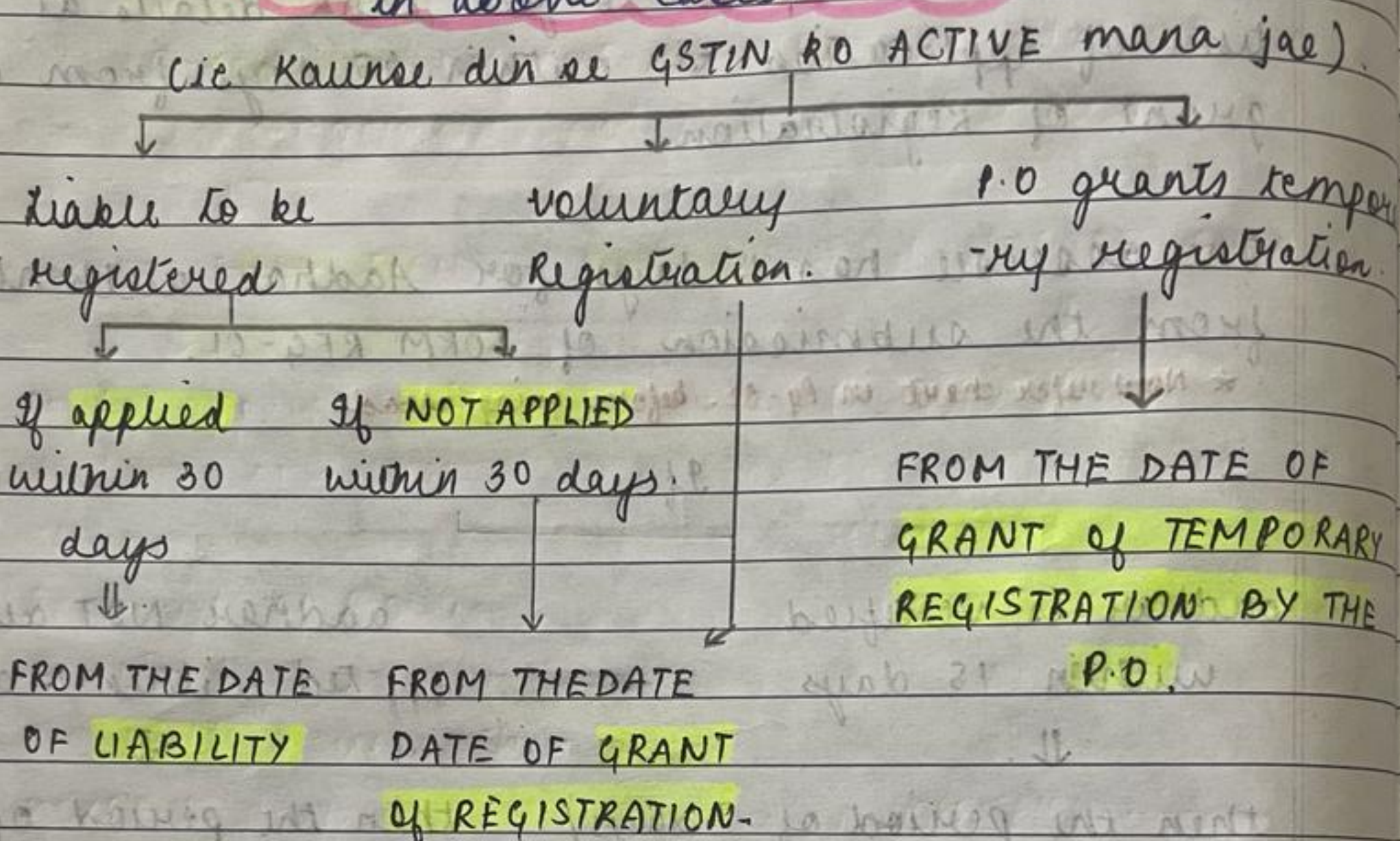
* After the GST No. is granted, it is to be communicated within 3 days.

TIME LIMIT
Application of New Registration.

i.e. if becomes liable on 1st Nov, then has to apply by 1st Dec



Effective date of Registration in above cases.



NOTE:-

- a). In case of CTP, he has to apply at least 5 days before the commencement of business.
- b). PAN is mandatory for grant of Registration.
- c). any specified of UNO / any Multilateral Financial Institution / ^{consulate} ~~constitution~~ embassy is required to take Unique Registration Number (UIN) instead of GST No. Although they are registered under the GST Act, they are not considered as taxable person.

The purpose of VIN is for claiming refund on NOTIFIED GOSOB received by them. One VIN for the whole of India. It is not required state-wise.

P.O is required to issue registration within 3 working days.

d). The above procedure is NOT APPLICABLE for.

- NRTP.
- GST for TDS U/S 51.
- GST for TCS U/S 52.
- Supplier of OIDAR.

e).

In case a person has one unit in SEZ unit and one unit outside SEZ within the same state, then he has to take two separate registrations for both units within same state.

SEZ

DTA

AMENDMENT TO REGISTRATION.

Based on importance the amendment is categorised under two categories

CORE FIELD.

NON-CORE FIELD.

- a. to be applied within 15 days of actual change.
- b. Approval of P.O is required
- c. P.O will ^{or} phone within next 15 days or he will raise SCN within 15 days
- d. RP shall reply to SCN within 7 days
- e. P.O shall approve / reject within 7 days

Show Cause Notice

- a. No Time Limit
- b. No approval of P.O required

CORE FIELD

15 din me apply kro

next 15 din me, PO shall

approve

Issue SCN

RP shall reply within 7 days

PO shall within 7 days

Approve / Reject

Core Field Areas.

- a. Legal Name (i.e Name in PAN Card).
- b. Address of Principal Place of Business.
Additional Place of Business.

20/3

114 | 6/4 | 6/5 ✓
6/4 | 30/4

c. Addition / Deletion / Retirement of

- Directors.
- Partners.
- Karta.
- Managing Committee.
- Board of Trustees, etc.

Note:- a) Seemed amendment in case P.O fails to respond within 7 days / 15 days.

CANCELLATION OF REGISTRATION.

Voluntary
Cancellation by R.P.

(To be applied within
30 days of occurrence).

May suspend
till final OR it if he deems
cancellation fit
is done &
then cancel it

it will be deemed to
be suspended from
date of

- Submission of application.
- Date from which cancellation is sought
whichever is LATER

Sub-Moto
cancellation by P.O.

Issue SCN to R.P.

R.P. to reply within
7 days of SCM.

P.O. shall pass order
within 30 days
from reply to SCM

REVOCATION OF CANCELLATION.

Next page.

* /QRMP - 2 tax periods of 3 months each.

Page No. 60

Date:

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RP shall within 30 days.

DOS000C

FROM DATE OF SERVICE OF ORDER OF CANCELLATION. apply

for revocation of cancellation.

(30 days extension by Assistant / Joint Commissioner

⊕

30 days extension by Commissioner).

ie. 90 days

P.O within 30 days revoke the cancellation or
issue SCN.

RP within 7 days, reply to SCN.

P.O within 30 days, accept / reject application.

Suo-Moto

REASON FOR CANCELLATION

voluntary

b) Registration was obtained has not commenced
business within 6 months from the date of
registration.

a) Registration was obtained by means of (FRAUD)
WILFULL MISSTATEMENT / SUPPRESSION OF FACTS.

c) RP has not filed GST Returns for

- in case of Regular RP: continuous 6 months

- in case of composition: continuous 3 months

The annual RP return is not filed within
3 months from due date i.e. 30/4 GSTR 4.

Mon/c

Annul

Susp



$$\textcircled{1} = S + P$$

$$3B = S + P = T + P$$

d). contravenes the following provision of GST Act.

- (i) does not conduct any business from declared place of business
- (ii) issue invoice without supply of goods or services
- (iii) avails input in violation of Section 16.
- (iv) declares Turnover in GSTR-1 > Turnover in GSTR-3B
- (v) Violates section 86B (i.e compulsory CASH payment).

Other Points

- a). UIN Holder cannot apply for cancellation.
- b). GST Practitioner cannot apply for cancellation.
- c). No concept of "Revocation of cancellation" in case of voluntary application for cancellation.
- d). The cancellation will not affect liability of R.P to pay tax / any other due for any period PRIOR TO CANCELLATION.

General Reasons for Cancellation.

