



SUPPLEMENTARY

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List of major Amendment Notifications, Circulars (issued upto 31.05.2018) applicable for December, 2018 term of examination:												
Paper - 18												
W.e.f. 01.11.2017:												
1.	Notification No. 43/2017- Central Tax (Rate), dt. 14.11.2017	Seeks to amend Notification No. 4/2017- Central Tax (Rate), dated the 28th June, 2017 in the following way: (i) after Sl. No. 4, the following serial number and the entries shall be inserted, namely: - <table><tr><td>S. No.</td><td>Description of supply of goods</td><td>Supplier of goods</td><td>Recipient of Goods</td></tr><tr><td>4A</td><td>Raw cotton</td><td>Agriculturist</td><td>Any registered person</td></tr></table>			S. No.	Description of supply of goods	Supplier of goods	Recipient of Goods	4A	Raw cotton	Agriculturist	Any registered person
S. No.	Description of supply of goods	Supplier of goods	Recipient of Goods									
4A	Raw cotton	Agriculturist	Any registered person									
2.	Notification No. 55/2017 – Central Tax, dt. 15.11.2017	Amendments made to the Central Goods and Services Tax Rules, 2017. The amended portions are as follows: (i) in rule 43, after sub-rule (2), the following explanation shall be inserted, namely:- “Explanation - For the purposes of rule 42 and this rule, it is hereby clarified that the aggregate value of exempt supplies shall exclude the value of supply of services specified in the notification of the Government of India in the Ministry of Finance, Department of Revenue No. 42/2017-Integrated Tax (Rate), dated the 27th October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number GSR 1338(E) dated the 27th October, 2017.”; (ii) sub-rule (2) of rule 54 will be: Where the supplier of taxable service is an insurer or a banking company or a financial institution, including a non-banking financial company, the said supplier may issue a consolidated tax invoice or any other document in lieu thereof, by whatever name called for the supply of services made during a month at the end of the month, whether issued or made available, physically or electronically whether or not serially numbered, and whether or not containing the address of the recipient of taxable service but containing other information as mentioned under rule 46. (iii) after rule 97, the following rule shall be inserted, namely:- 97A. Manual filing and processing – Notwithstanding anything contained in this Chapter, in respect of any process or procedure prescribed herein, any reference to electronic filing of an application, intimation, reply, declaration, statement or electronic issuance of a notice, order or certificate on the common portal shall, in respect of that process or procedure, include manual filing of the said application, intimation, reply, declaration, statement or issuance of the said notice, order or certificate in such Forms as appended to these rules.” (iv) after rule 107, the following rule shall be inserted, namely:-										

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		<p>107A. Manual filing and processing – Notwithstanding anything contained in this Chapter, in respect of any process or procedure prescribed herein, any reference to electronic filing of an application, intimation, reply, declaration, statement or electronic issuance of a notice, order or certificate on the common portal shall, in respect of that process or procedure, include manual filing of the said application, intimation, reply, declaration, statement or issuance of the said notice, order or certificate in such Forms as appended to these rules.</p> <p>(v) After rule 109, the following rule shall be inserted, namely:-</p> <p>109A. Appointment of Appellate Authority -</p> <p>(1) Any person aggrieved by any decision or order passed under this Act or the State Goods and Services Tax Act or the Union Territory Goods and Services Tax Act may appeal to –</p> <p style="padding-left: 40px;">(a) the Commissioner (Appeals) where such decision or order is passed by the Additional or Joint Commissioner;</p> <p style="padding-left: 40px;">(b) the Additional Commissioner (Appeals) where such decision or order is passed by the Deputy or Assistant Commissioner or Superintendent, within three months from the date on which the said decision or order is communicated to such person.</p> <p>(2) An officer directed under sub-section (2) of section 107 to appeal against any decision or order passed under this Act or the State Goods and Services Tax Act or the Union Territory Goods and Services Tax Act may appeal to –</p> <p style="padding-left: 40px;">(a) the Commissioner (Appeals) where such decision or order is passed by the Additional or Joint Commissioner;</p> <p style="padding-left: 40px;">(b) the Additional Commissioner (Appeals) where such decision or order is passed by the Deputy or Assistant Commissioner or the Superintendent, within six months from the date of communication of the said decision or order.</p>
3.	Notification No. 64/2017 – Central Tax, dt. 15.11.2017	<p>Waiver of the amount of late fee payable by any registered person for failure to furnish the return in FORM GSTR 3B for the month of October, 2017 onwards by the due date, which is in excess of an amount of twenty five rupees for every day during which such failure continues:</p> <p>Where the total amount of central tax payable in the said return is nil, the amount of late fee payable by such registered person for failure to furnish the said return for the month of October, 2017 onwards by the due date shall stand waived to the extent which is in excess of an amount of ten rupees for every day during which such failure continues.</p>
4.	Notification No. 65/2017 – Central Tax, dt. 15.11.2017	Exemption from compulsory registration for suppliers of services through electronic commerce platform if the aggregate turnover does not exceed an amount of twenty lakhs rupees (or ten lakhs rupees, as the case may be) in a financial year.
5.	Notification No. 66/2017	Relaxation from paying GST on advance receipts towards supply of goods has been provided to all registered persons, excluding persons opting for

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	– Central Tax, dt. 15.11.2017	composition levy. Time of supply of goods will be according to section 12(2)(a) of the CGST Act and this will apply in case of change in rate of tax also.
6.	Notification No. 73/2017 – Central Tax, dt. 29.12.2017	<p>Waiver of the amount of late fee payable by any registered person for failure to furnish the return in FORM GSTR-4 by the due date, which is in excess of an amount of twenty five rupees for every day during which such failure continues.</p> <p>Where the total amount payable in lieu of central tax in the said return is nil, the amount of late fee payable by any registered person for failure to furnish the said return by the due date shall stand waived to the extent which is in excess of an amount of ten rupees for every day during which such failure continues.</p>
7.	Notification No. 75/2017 – Central Tax, dt. 29.12.2017	<p>The Central Goods and Services Tax Rules, 2017 is modified as follows:</p> <ul style="list-style-type: none"> • The heading of rule 96 will be "Refund of integrated tax paid on goods or services exported out of India". • The sub-rule 9 of rule 96 will be — The application for refund of integrated tax paid on the services exported out of India shall be filed in FORM GST RFD-01 and shall be dealt with in accordance with the provisions of rule 89. • Sub-rule 4 of rule 89 will be: In the case of zero-rated supply of goods or services or both without payment of tax under bond or letter of undertaking, refund of input tax credit shall be granted as per the following formula – $\text{Refund Amount} = (\text{Turnover of zero-rated supply of goods} + \text{Turnover of zero-rated supply of services}) \times \text{Net ITC} \div \text{Adjusted Total Turnover}$ <p>Where, -</p> <p>(A) "Refund amount" means the maximum refund that is admissible;</p> <p>(B) "Net ITC" means input tax credit availed on inputs and input services during the relevant period other than the input tax credit availed for which refund is claimed under sub-rules (4A) or (4B) or both;</p> <p>(C) "Turnover of zero-rated supply of goods" means the value of zero-rated supply of goods made during the relevant period without payment of tax under bond or letter of undertaking, other than the turnover of supplies in respect of which refund is claimed under sub-rules (4A) or (4B) or both;</p> <p>(D) "Turnover of zero-rated supply of services" means the value of zero-rated supply of services made without payment of tax under bond or letter of undertaking, calculated in the following manner, namely:- Zero-rated supply of services is the aggregate of the payments received during the relevant period for zero-rated supply of services and zero-rated supply of services where supply has been completed for which payment had been received in advance in any period prior to the relevant period reduced by advances received for zero-rated supply of services for which the supply of services has not been completed during the relevant period;</p> <p>(E) "Adjusted Total turnover" means the turnover in a State or a Union</p>

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		territory, as defined under clause (112) of section 2, excluding – (a) the value of exempt supplies other than zero-rated supplies and (b) the turnover of supplies in respect of which refund is claimed under sub rules (4A) or (4B) or both, if any, during the relevant period;
8.	Circular No. 17/17/2017 – GST, dt. 15.11.2017	<p>Manual filing and processing of refund claims in respect of zero-rated supplies —</p> <p>The applications/documents/forms pertaining to refund claims on account of zero-rated supplies shall be filed and processed manually till further orders made by the Council. The following conditions and procedure are laid down for the manual filing and processing of the refund claims:</p> <p>As per section 16(3) of the IGST Act read with clause (i) of sub-section (3) and sub-section (6) of section 54 of the CGST Act and rules 89 to 96A of the CGST Rules, 2017, a registered person may make zero-rated supplies of goods or services or both on payment of integrated tax and claim refund of the tax so paid, or make zero-rated supplies of goods or services or both under bond or Letter of Undertaking without payment of integrated tax and claim refund of unutilized input tax credit in relation to such zero rated supplies.</p> <p>The refund of integrated tax paid on goods exported out of India is governed by rule 96 of the CGST Rules. The shipping bill filed by an exporter shall be deemed to be an application for refund in such cases. The application shall be deemed to have been filed only when export manifest or export report is filed and the applicant has furnished a valid return in FORM GSTR-3 or FORM GSTR-3B, as the case may be. Upon receipt of the information regarding furnishing of a valid return in FORM GSTR-3 or FORM GSTR-3B, as the case may be, from the common portal, the system designated by the Customs shall process the claim for refund and an amount equal to the integrated tax paid in respect of such export shall be electronically credited to the bank account of the applicant. Any order regarding withholding of such refund or its further sanction respectively in PART-B of FORM GST RFD-07 or FORM GST RFD-06 shall be done manually till the refund module is operational on the common portal.</p> <p>The application for refund of integrated tax paid on zero-rated supply of goods to a Special Economic Zone developer or a Special Economic Zone unit or in case of zero-rated supply of services (except for the cases covered above para and below para) is required to be filed in FORM GST RFD-01A (as notified in the CGST Rules vide notification No. 55/2017 – Central Tax dated 15.11.2017) by the supplier on the common portal and a print out of the said form shall be submitted before the jurisdictional proper officer along with all necessary documentary evidences as applicable (as per the details in statement 2 or 4 of Annexure to FORM GST RFD – 01), within the time stipulated for filing of such refund under the CGST Act.</p> <p>The application for refund of unutilized input tax credit on inputs or input services used in making such zero-rated supplies shall be filed in FORM GST RFD01A on the common portal and the amount claimed as refund shall get debited in accordance with sub-rule (3) of rule 86 of the CGST Rules from the amount in the electronic credit ledger to the extent of the claim. The common portal shall generate a proof of debit (ARN- Acknowledgement Receipt Number) which would be mentioned in the FORM GST RFD-01A submitted manually, along with the print out of FORM GST RFD-01A to the</p>

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		jurisdictional proper officer, and with all necessary documentary evidences as applicable, within the time stipulated for filing of such refund under the CGST Act.
9.	Circular No. 25/25/2017-GST, dt. 21.12.2017	<p>Manual filing of applications for Advance Ruling and appeals before Appellate Authority for Advance Ruling –</p> <p>Manual applications till the advance ruling module is made available on the common portal of GST, the following conditions and procedure are prescribed:</p> <p>Form and Manner of Application to the Authority for Advance Ruling:</p> <p>An application for obtaining an advance ruling under sub-section (1) of section 97 of the CGST Act and the rules made thereunder, shall be made in quadruplicate, in FORM GST ARA-01. The application shall clearly state the question on which the advance ruling is sought. The application shall be accompanied by a fee of five thousand rupees which is to be deposited online by the applicant, in the manner specified under section 49 of the CGST Act. It is reiterated that though the application shall be filed manually till the advance ruling module is made available on the common portal, the fee is required to be deposited online in terms of section 49 of the CGST Act.</p> <p>Form and Manner of Appeal to the Appellate Authority for Advance Ruling:</p> <p>An appeal against the advance ruling issued under sub-section (6) of section 98 of the CGST Act and the rules made thereunder shall be made by an applicant in quadruplicate, in FORM GST ARA-02 and shall be accompanied by a fee of ten thousand rupees to be deposited online, in the manner specified in section 49 of the CGST Act. It is reiterated that though the application shall be filed manually till the advance ruling module is made available on the common portal, the fee is required to be deposited online in terms of section 49 of the CGST Act.</p> <p>An appeal made by the concerned officer or the jurisdictional officer referred to in section 100 of the CGST Act and the rules made thereunder shall be filed in quadruplicate, in FORM GST ARA-03 and no fee shall be payable by the said officer for filing the appeal. As per section 100 (2) of the CGST Act, the appeal shall be filed within a period of thirty days from the date on which the ruling sought to be appealed against is communicated to the applicant or the concerned officer or the jurisdictional officer, as the case may be.</p>
10.	Notification No. 1/2018 - Central Tax, dt. 01.01.2018	<p>Seeks to amend Notification No. 8/2017- Central Tax, dated 27.06.2017, so as to give changes the following:</p> <ol style="list-style-type: none"> 1. In clause (i), for the words "one per cent.", the words "half per cent." shall be substituted; So, it will be — half per cent of the turnover in State in case of a manufacturer. 2. In clause (iii), for the words "half per cent. of the turnover", the words "half per cent. of the turnover of taxable supplies of goods" shall be substituted. So, it will be — half per cent. of the turnover of taxable

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		supplies of goods in State in case of other suppliers.
11.	Notification No. 3/2018 – Central Tax, dt. 23.01.2018	<p>Amendments made to the Central Goods and Services Tax Rules, 2017. The amended portions are as follows:</p> <p>1. in rule 3, in sub-rule (3A):</p> <p>A person who has been granted registration on a provisional basis under rule 24 or who has been granted certificate of registration under sub-rule (1) of rule 10 may opt to pay tax under section 10 with effect from the first day of the month immediately succeeding the month in which he files an intimation in FORM GST CMP-02, on the common portal either directly or through a Facilitation Centre notified by the Commissioner, on or before the 31st day of March, 2018, and shall furnish the statement in FORM GST ITC-03 in accordance with the provisions of sub-rule (4) of rule 44 within a period of one hundred and eighty days from the day on which such person commences to pay tax under section 10:</p> <p>2. in rule 7:</p> <p>(i) Manufacturers, other than manufacturers of such goods as may be notified by the Government — half per cent. of the turnover in the State or Union territory</p> <p>(ii) Suppliers making supplies referred to in clause (b) of paragraph 6 of Schedule II — two and a half per cent. of the turnover in the State or Union territory</p> <p>(iii) Any other supplier eligible for composition levy under section 10 and the provisions of this Chapter — half per cent. of the turnover of taxable supplies of goods in the State or Union territory.</p> <p>3. in rule 20, the proviso shall be omitted as follows:</p> <p>Provided that no application for the cancellation of registration shall be considered in case of a taxable person, who has registered voluntarily, before the expiry of a period of one year from the effective date of registration.</p> <p>4. In case of value of supply, after rule 31, the following rule shall be inserted, namely:-</p> <p>31A. Value of supply in case of lottery, betting, gambling and horse racing.-</p> <p>(1) Notwithstanding anything contained in the provisions of this Chapter, the value in respect of supplies specified below shall be determined in the manner provided hereinafter.</p> <p>(2) (a) The value of supply of lottery run by State Governments shall be deemed to be 100/112 of the face value of ticket or of the price as notified in the Official Gazette by the organising State, whichever is higher.</p> <p>(b) The value of supply of lottery authorised by State Governments shall be deemed to be 100/128 of the face value of ticket or of the price as notified in the Official Gazette by the organising State, whichever is higher.</p> <p>Explanation:- For the purposes of this sub-rule, the expressions-</p>

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		<p>(a) "lottery run by State Governments" means a lottery not allowed to be sold in any State other than the organizing State;</p> <p>(b) "lottery authorised by State Governments" means a lottery which is authorised to be sold in State(s) other than the organising State also; and</p> <p>(c) "Organising State" has the same meaning as assigned to it in clause (f) of sub-rule (1) of rule 2 of the Lotteries (Regulation) Rules, 2010.</p> <p>(3) The value of supply of actionable claim in the form of chance to win in betting, gambling or horse racing in a race club shall be 100% of the face value of the bet or the amount paid into the totalisator.";</p> <p>5. In rule 43, after sub-rule (2), for the Explanation, the following Explanation shall be substituted, namely:-</p> <p>"Explanation:-For the purposes of rule 42 and this rule, it is hereby clarified that the aggregate value of exempt supplies shall exclude:- (a) the value of supply of services specified in the notification of the Government of India in the Ministry of Finance, Department of Revenue No. 42/2017-Integrated Tax (Rate), dated the 27th October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number GSR 1338(E) dated the 27th October, 2017;</p> <p>(b) the value of services by way of accepting deposits, extending loans or advances in so far as the consideration is represented by way of interest or discount, except in case of a banking company or a financial institution including a non-banking financial company, engaged in supplying services by way of accepting deposits, extending loans or advances; and</p> <p>(c) the value of supply of services by way of transportation of goods by a vessel from the customs station of clearance in India to a place outside India."</p> <p>6. in rule 54, after sub-rule (1), the following sub-rule shall be inserted, namely:-</p> <p>1A(a): A registered person, having the same PAN and State code as an Input Service Distributor, may issue an invoice or, as the case may be, a credit or debit note to transfer the credit of common input services to the Input Service Distributor, which shall contain the following details:-</p> <p>(i) name, address and Goods and Services Tax Identification Number of the registered person having the same PAN and same State code as the Input Service Distributor;</p> <p>(ii) a consecutive serial number not exceeding sixteen characters, in one or multiple series, containing alphabets or numerals or special characters - hyphen or dash and slash symbolised as "-" and "/" respectively, and any combination thereof, unique for a financial year;</p> <p>(iii) date of its issue;</p> <p>(iv) Goods and Services Tax Identification Number of supplier of common service and original invoice number whose credit is sought to be transferred to the Input Service Distributor;</p> <p>(v) name, address and Goods and Services Tax Identification Number</p>
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		<p>of the Input Service Distributor;</p> <p>(vi) taxable value, rate and amount of the credit to be transferred; and</p> <p>(vii) signature or digital signature of the registered person or his authorised representative.</p> <p>(b) The taxable value in the invoice issued under clause (a) shall be the same as the value of the common services.</p> <p>7. with effect from 23rd October, 2017, in rule 89, for sub-rule (4A) and sub-rule (4B), the following sub-rules shall be substituted, namely:-</p> <p>(4A) In the case of supplies received on which the supplier has availed the benefit of the Government of India, Ministry of Finance, notification No. 48/2017-Central Tax dated the 18th October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1305 (E) dated the 18th October, 2017, refund of input tax credit, availed in respect of other inputs or input services used in making zero-rated supply of goods or services or both, shall be granted.</p> <p>(4B) In the case of supplies received on which the supplier has availed the benefit of the Government of India, Ministry of Finance, notification No. 40/2017-Central Tax (Rate) dated the 23rd October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1320 (E) dated the 23rd October, 2017 or notification No. 41/2017-Integrated Tax (Rate) dated the 23rd October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1321(E) dated the 23rd October, 2017 or notification No. 78/2017- Customs dated the 13th October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1272(E) dated the 13th October, 2017 or notification No. 79/2017-Customs dated the 13th October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1299(E) dated the 13th October, 2017, or all of them, refund of input tax credit, availed in respect of inputs received under the said notifications for export of goods and the input tax credit availed in respect of other inputs or input services to the extent used in making such export of goods, shall be granted.</p> <p>8. In rule 96, the following sub-rules have been modified:</p> <p>(i) In sub-rule (1), the shipping bill filed by an exporter of goods shall be deemed to be an application for refund of integrated tax paid on the goods exported out of India.</p> <p>(ii) in sub-rule (2), the details of the relevant export invoices in respect of export of goods contained in FORM GSTR-1 shall be transmitted electronically by the common portal to the system designated by the Customs and the said system shall electronically transmit to the common portal, a confirmation that the goods covered by the said invoices have been exported out of India.</p> <p>Provided that where the date for furnishing the details of outward supplies in FORM GSTR-1 for a tax period has been extended in exercise of the powers conferred under section 37 of the Act, the supplier shall furnish the information relating to exports as specified in Table 6A of FORM GSTR-1</p>
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		<p>after the return in FORM GSTR-3B has been furnished and the same shall be transmitted electronically by the common portal to the system designated by the Customs.</p> <p>(iii) in sub-rule (3), upon the receipt of the information regarding the furnishing of a valid return in FORM GSTR-3 or FORM GSTR-3B, as the case may be from the common portal, the system designated by the Customs or the proper officer of Customs, as the case may be, shall process the claim of refund in respect of export of goods and an amount equal to the integrated tax paid in respect of each shipping bill or bill of export shall be electronically credited to the bank account of the applicant mentioned in his registration particulars and as intimated to the Customs authorities.</p> <p>(iv) for sub-rule (9), the following sub-rules shall be substituted, namely:-</p> <p>"(9) The application for refund of integrated tax paid on the services exported out of India shall be filed in FORM GST RFD-01 and shall be dealt with in accordance with the provisions of rule 89".</p> <p>(10) The persons claiming refund of integrated tax paid on exports of goods or services should not have received supplies on which the supplier has availed the benefit of the Government of India, Ministry of Finance, notification No. 48/2017- Central Tax dated the 18th October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1305 (E) dated the 18th October, 2017 or notification No. 40/2017-Central Tax (Rate) 23rd October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1320 (E) dated the 23rd October, 2017 or notification No. 41/2017-Integrated Tax (Rate) dated the 23rd October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1321 (E) dated the 23rd October, 2017 or notification No. 78/2017-Customs dated the 13th October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1272(E) dated the 13th October, 2017 or notification No. 79/2017-Customs Tax dated the 13th October, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1299 (E) dated the 13th October, 2017."</p>
12.	Notification No. 4/2018 – Central Tax, dt. 23.01.2018	<p>Waiver of the amount of late fee payable by any registered person for failure to furnish the return in FORM GSTR 1 by the due date, which is in excess of an amount of twenty five rupees for every day during which such failure continues:</p> <p>Where there are no outward supplies in any month/quarter, the amount of late fee payable by such registered person for failure to furnish the said details by the due date, shall stand waived to the extent which is in excess of an amount of ten rupees for every day during which such failure continues.</p>
13.	Notification No. 5/2018 – Central Tax, dt. 23.01.2018	<p>Waiver of the amount of late fee payable by any registered person for failure to furnish the return in FORM GSTR 5 by the due date, which is in excess of an amount of twenty five rupees for every day during which such failure continues:</p> <p>Where the total amount of central tax payable in the said return is nil, the amount of late fee payable by such registered person for failure to furnish the</p>

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		said return by the due date shall stand waived to the extent which is in excess of an amount of ten rupees for every day during which such failure continues.
14.	Notification No. 6/2018 – Central Tax, dt. 23.01.2018	<p>Waiver of the amount of late fee payable by any registered person for failure to furnish the return in FORM GSTR 5A by the due date, which is in excess of an amount of twenty five rupees for every day during which such failure continues:</p> <p>Where the total amount of integrated tax payable in the said return is nil, the amount of late fee payable by such registered person for failure to furnish the said return by the due date, shall stand waived to the extent which is in excess of an amount of ten rupees for every day during which such failure continues.</p>
15.	Notification No. 7/2018 – Central Tax, dt. 23.01.2018	Waiver of the amount of late fee payable by any registered person for failure to furnish the return in FORM GSTR 6 by the due date, which is in excess of an amount of twenty five rupees for every day during which such failure continues.
16.	Notification No.12/2018 – Central Tax, dt. 07.03.2018	<p>Amendment made to the Central Goods and Services Tax Rules, 2017.</p> <p>The amended portion is as follows:</p> <p>(i) with effect from the date of publication of this notification in the Official Gazette, in rule 117, in sub-rule (4), in clause (b), for sub-clause (iii), the following shall be substituted, namely:-</p> <p>(iii) The registered person availing of this scheme and having furnished the details of stock held by him in accordance with the provisions of clause (b) of sub-rule (2), submits a statement in FORM GST TRAN 2 by 31st March 2018, or within such period as extended by the Commissioner, on the recommendations of the Council, for each of the six tax periods during which the scheme is in operation indicating therein, the details of supplies of such goods effected during the tax period;</p>
17.	Notification No. 13/2018 – Central Tax, dt. 07.03.2018	Rescinds Notification No. 6/2018 - Central Tax, dated the 23rd January, 2018 (Reduction of late fee in case of delayed filing of FORM GSTR-5A).
18.	Notification No. 14/2018 – Central Tax, dt. 23.03.2018	<p>Amendments made to the Central Goods and Services Tax Rules, 2017. The amended portions are as follows:</p> <p>1. in sub-rule (1) of rule 45,</p> <p>The inputs, semi-finished goods or capital goods shall be sent to the job worker under the cover of a challan issued by the principal, including where such goods are sent directly to a job-worker, and where the goods are sent from one job worker to another job worker, the challan may be issued either by the principal or the job worker sending the goods to another job worker:</p> <p>Provided that the challan issued by the principal may be endorsed by the job worker, indicating therein the quantity and description of goods where</p>

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		<p>the goods are sent by one job worker to another or are returned to the principal:</p> <p>Provided further that the challan endorsed by the job worker may be further endorsed by another job worker, indicating therein the quantity and description of goods where the goods are sent by one job worker to another or are returned to the principal.</p> <p>2. in rule 127, in clause (iv),</p> <p>To furnish a performance report to the Council by the tenth day of the close of each quarter.</p> <p>3. in sub-rule (6) of rule 129,</p> <p>The Director General of Safeguards shall complete the investigation within a period of three months of the receipt of the reference from the Standing Committee or within such extended period not exceeding a further period of three months for reasons to be recorded in writing as may be allowed by the Authority and, upon completion of the investigation, furnish to the Authority, a report of its findings along with the relevant records.</p> <p>4. in rule 133, after sub-rule (3), the following sub-rule may be inserted, namely:-</p> <p>(4) If the report of the Director General of Safeguards referred to in sub-rule (6) of rule 129 recommends that there is contravention or even non-contravention of the provisions of section 171 or these rules, but the Authority is of the opinion that further investigation or inquiry is called for in the matter, it may, for reasons to be recorded in writing, refer the matter to the Director General of Safeguards to cause further investigation or inquiry in accordance with the provisions of the Act and these rules.</p>
19.	Notification No. 21/2018 – Central Tax, dt. 18.04.2018	<p>Amendments made to the Central Goods and Services Tax Rules, 2017. The amended portion is as follows:</p> <p>(i) in rule 89, for sub-rule (5), the following shall be substituted, namely:-</p> <p>(5). In the case of refund on account of inverted duty structure, refund of input tax credit shall be granted as per the following formula:- Maximum Refund Amount = {(Turnover of inverted rated supply of goods and services) x Net ITC ÷ Adjusted Total Turnover} - tax payable on such inverted rated supply of goods and services.</p> <p>Explanation:- For the purposes of this sub-rule, the expressions –</p> <p>(a) "Net ITC" shall mean input tax credit availed on inputs during the relevant period other than the input tax credit availed for which refund is claimed under sub-rules (4A) or (4B) or both; and</p> <p>(b) "Adjusted Total turnover" shall have the same meaning as assigned to it in sub-rule (4).</p>
20.	Notification No. 2/2018- Central Tax (Rate), dt. 25.01.2018	<p>Seeks to amend Notification No. 12/2017- Central Tax (Rate), Dt. 28-06-2017, in the following way:</p> <p>(1) Serial No. 3 will be:</p> <p>Pure services (excluding works contract service or other composite</p>

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		<p>supplies involving supply of any goods) provided to the Central Government, State Government or Union territory or local authority or a Governmental authority or a Government Entity by way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution.</p> <p>(2) after serial number 3 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>Serial No. 3A: Composite supply of goods and services in which the value of supply of goods constitutes not more than 25 per cent. of the value of the said composite supply provided to the Central Government, State Government or Union territory or local authority or a Governmental authority or a Government Entity by way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution.</p> <p>(3) Serial number 16 will be:</p> <p>Services provided to the Central Government, by way of transport of passengers with or without accompanied belongings, by air, embarking from or terminating at a regional connectivity scheme airport, against consideration in the form of viability gap funding: Provided that nothing contained in this entry shall apply on or after the expiry of a period of three years from the date of commencement of operations of the regional connectivity scheme airport as notified by the Ministry of Civil Aviation.</p> <p>(4) after serial number 19 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>19A: Services by way of transportation of goods by an aircraft from customs station of clearance in India to a place outside India. Provided that nothing contained in this serial number shall apply after the 30th day of September, 2018.</p> <p>19B: Services by way of transportation of goods by a vessel from customs station of clearance in India to a place outside India. Provided that nothing contained in this serial number shall apply after the 30th day of September, 2018.</p> <p>(5) against serial number 22, after item (b), the following item shall be inserted, namely: -</p> <p>"(c) motor vehicle for transport of students, faculty and staff, to a person providing services of transportation of students, faculty and staff to an educational institution providing services by way of pre-school education and education upto higher secondary school or equivalent."</p> <p>(6) after serial number 29 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>29A: Services of life insurance provided or agreed to be provided by the Naval Group Insurance Fund to the personnel of Coast Guard under the Group Insurance Schemes of the Central Government.</p>
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		<p>(7) serial number 36 will be:</p> <p>Services of life insurance business provided under following schemes- (a) Janashree Bima Yojana;</p> <p>(b) Aam Aadmi Bima Yojana;</p> <p>(c) Life micro-insurance product as approved by the Insurance Regulatory and Development Authority, having maximum amount of cover of two lakhs rupees;</p> <p>(d) Varishtha Pension BimaYojana;</p> <p>(e) Pradhan Mantri Jeevan JyotiBimaYojana;</p> <p>(f) Pradhan Mantri Jan DhanYogana;</p> <p>(g) Pradhan Mantri Vaya Vandan Yojana.</p> <p>(8) after serial number 36 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>36A: Services by way of reinsurance of the insurance schemes specified in serial number 35 or 36.</p> <p>(9) after serial number 39 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>39A: Services by an intermediary of financial services located in a multi services SEZ with International Financial Services Centre (IFSC) status to a customer located outside India for international financial services in currencies other than Indian rupees (INR). Explanation.- For the purposes of this entry, the intermediary of financial services in IFSC is a person,-</p> <p>(i) who is permitted or recognised as such by the Government of India or any Regulator appointed for regulation of IFSC; or</p> <p>(ii) who is treated as a person resident outside India under the Foreign Exchange Management (International Financial Services Centre) Regulations, 2015; or</p> <p>(iii) who is registered under the Insurance Regulatory and Development Authority of India (International Financial Service Centre) Guidelines, 2015 as IFSC Insurance Office; or</p> <p>(iv) who is permitted as such by Securities and Exchange Board of India (SEBI) under the Securities and Exchange Board of India (International Financial Services Centres) Guidelines, 2015.</p> <p>(10) serial number 45 will be:</p> <p>Services provided by-</p> <p>(a) an arbitral tribunal to –</p> <p>(i) any person other than a business entity; or</p> <p>(ii) a business entity with an</p> <p>(iii) the Central Government, State Government, Union territory, local authority, Governmental Authority or Government Entity</p> <p>(b) a partnership firm of advocates or an individual as an advocate</p>
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		<p>other than a senior advocate, by way of legal services to-</p> <p>(i) an advocate or partnership firm of advocates providing legal services;</p> <p>(ii) any person other than a business entity; or</p> <p>(iii) a business entity with an aggregate turnover up to twenty lakhs rupees (ten lakhs rupees in the case of special category states) in the preceding financial year</p> <p>(iv) the Central Government, State Government, Union territory, local authority, Governmental Authority or Government Entity.</p> <p>(c) a senior advocate by way of legal services to-</p> <p>(i) any person other than a business entity; or</p> <p>(ii) a business entity with an aggregate turnover up to twenty lakhs rupees (ten lakhs rupees in the case of special category states) in the preceding financial year.</p> <p>(iii) the Central Government, State Government, Union territory, local authority, Governmental Authority or Government Entity.</p> <p>(11) after serial number 53 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>53A: Services by way of fumigation in a warehouse of agricultural produce.</p> <p>(12) serial number 54, after item (g), the following item shall be inserted, namely:-</p> <p>Services relating to cultivation of plants and rearing of all life forms of animals, except the rearing of horses, for food, fibre, fuel, raw material or other similar products or agricultural produce by way of—</p> <p>(a) agricultural operations directly related to production of any agricultural produce including cultivation, harvesting, threshing, plant protection or testing;</p> <p>(b) supply of farm labour;</p> <p>(c) processes carried out at an agricultural farm including tending, pruning, cutting, harvesting, drying, cleaning, trimming, sun drying, fumigating, curing, sorting, grading, cooling or bulk packaging and such like operations which do not alter the essential characteristics of agricultural produce but make it only marketable for the primary market;</p> <p>(d) renting or leasing of agro machinery or vacant land with or without a structure incidental to its use;</p> <p>(e) loading, unloading, packing, storage or warehousing of agricultural produce;</p> <p>(f) agricultural extension services;</p> <p>(g) services by any Agricultural Produce Marketing Committee or Board or services provided by a commission agent for sale or purchase of agricultural produce.</p>
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		<p>(h) services by way of fumigation in a warehouse of agricultural produce.</p> <p>(13) serial number 60 will be:</p> <p>Services by a specified organisation in respect of a religious pilgrimage facilitated by the Ministry of External Affairs, the Government of India, under bilateral arrangement.</p> <p>(14) after serial number 65 and the entries relating thereto, the following entries shall be inserted, namely:</p> <p>65A: Services by way of providing information under the Right to Information Act, 2005 (22 of 2005).</p> <p>(15) serial number 66 will be:</p> <p>(a) by an educational institution to its students, faculty and staff;</p> <p>(aa) by an educational institution by way of conduct of entrance examination against consideration in the form of entrance fee;</p> <p>(b) to an educational institution, by way of,-</p> <p>(i) transportation of students, faculty and staff;</p> <p>(ii) catering, including any mid-day meals scheme sponsored by the Central Government, State Government or Union territory;</p> <p>(iii) security or cleaning or housekeeping services performed in such educational institution;</p> <p>(iv) services relating to admission to, or conduct of examination by, such institution; upto higher secondary;</p> <p>(v) supply of online educational journals or periodicals:</p> <p>Provided that nothing contained in sub-items (i), (ii) and (iii) of item (b) shall apply to an educational institution other than an institution providing services by way of pre-school education and education up to higher secondary school or equivalent.</p> <p>Provided further that nothing contained in sub-item (v) of item (b) shall apply to an institution providing services by way of,-</p> <p>(i) pre-school education and education up to higher secondary school or equivalent; or</p> <p>(ii) education as a part of an approved vocational education course.</p> <p>(16) serial number 77 will be:</p> <p>Service by an unincorporated body or a non- profit entity registered under any law for the time being in force, to its own members by way of reimbursement of charges or share of contribution –</p> <p>(a) as a trade union;</p> <p>(b) for the provision of carrying out any activity which is exempt from the levy of Goods and service Tax; or</p> <p>(c) up to an amount of seven thousand five hundred rupees 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</p>
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		<p>complex.</p> <p>(17) serial number 81 will be:</p> <p>Services by way of right to admission to-</p> <p>(a) circus, dance, or theatrical performance including drama or ballet;</p> <p>(b) award function, concert, pageant, musical performance or any sporting event other than a recognised sporting event;</p> <p>(c) recognised sporting event;</p> <p>(d) planetarium, where the consideration for right to admission to the events or places as referred to in items (a), (b), (c) or (d) above is not more than ₹ 500 per person.</p>								
21.	Notification No. 3/2018-Central Tax (Rate), dt. 25.01.2018	<p>Seeks to amend Notification No. 13/2017- Central Tax (Rate), Dt. 28-06-2017, in the following way:</p> <p>After serial number 5 and the entries relating thereto, the following serial number and the entries relating thereto shall be inserted, namely: -</p> <table><tr><th>Sl. No.</th><th>Category of Supply of Services</th><th>Supplier of service</th><th>Recipient of Service</th></tr><tr><td>5A</td><td>Services supplied by the Central Government, State Government, Union territory or local authority by way of renting of immovable property to a person registered under the Central Goods and Services Tax Act, 2017 (12 of 2017).</td><td>Central Government, State Government, Union territory or local authority</td><td>Any person registered under the Central Goods and Services Tax Act, 2017.</td></tr></table>	Sl. No.	Category of Supply of Services	Supplier of service	Recipient of Service	5A	Services supplied by the Central Government, State Government, Union territory or local authority by way of renting of immovable property to a person registered under the Central Goods and Services Tax Act, 2017 (12 of 2017).	Central Government, State Government, Union territory or local authority	Any person registered under the Central Goods and Services Tax Act, 2017.
Sl. No.	Category of Supply of Services	Supplier of service	Recipient of Service							
5A	Services supplied by the Central Government, State Government, Union territory or local authority by way of renting of immovable property to a person registered under the Central Goods and Services Tax Act, 2017 (12 of 2017).	Central Government, State Government, Union territory or local authority	Any person registered under the Central Goods and Services Tax Act, 2017.							
22.	Notification No. 11/2018-Central Tax (Rate), dt. 28.05.2018	<p>Seeks to amend Notification No. 4/2017-Central Tax (Rate), dated the 28th June, 2017 in the following way:</p> <p>In the said notification, after S. No. 6 and the entries relating thereto, the following serial number and the entries shall be inserted, namely: -</p> <table><tr><th>S. No.</th><th>Description of Goods</th><th>Supplier of goods</th><th>Recipient of supply</th></tr><tr><td>7.</td><td>Priority Sector Lending Certificate</td><td>Any registered person</td><td>Any registered person</td></tr></table>	S. No.	Description of Goods	Supplier of goods	Recipient of supply	7.	Priority Sector Lending Certificate	Any registered person	Any registered person
S. No.	Description of Goods	Supplier of goods	Recipient of supply							
7.	Priority Sector Lending Certificate	Any registered person	Any registered person							
23.	Notification No. 2/2018-Integrated Tax (Rate), dt. 25.01.2018	<p>Seeks to amend Notification No.9/2017- Integrated Tax (Rate), dated the 28th June, 2017, in the following way;</p> <p>(1) serial number 3 will be:</p> <p>Pure services (excluding works contract service or other composite supplies involving supply of any goods) provided to the Central Government, State Government or Union territory or local authority or a Governmental authority or a Government Entity by way of any activity in relation to any function entrusted to a Panchayat under article 243G of</p>								

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	<p>the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution.</p> <p>(2) after serial number 3 and the entries relating thereto, the following entries shall be inserted, namely: -</p> <p>3A: Composite supply of goods and services in which the value of supply of goods constitutes not more than 25 per cent of the value of the said composite supply provided to the Central Government, State Government or Union territory or local authority or a Governmental authority or a Government Entity by way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution.</p> <p>(3) against serial number 10, after item (b), the following item shall be inserted, namely:</p> <p>Services received from a provider of service located in a non- taxable territory by –</p> <p>(a) the Central Government, State Government, Union territory, a local authority, a governmental authority or an individual in relation to any purpose other than commerce, industry or any other business or profession;</p> <p>(b) an entity registered under section 12AA of the Income-tax Act, 1961 (43 of 1961) for the purposes of providing charitable activities; or</p> <p>(ba) way of supply of online educational journals or periodicals to an educational institution other than an institution providing services by way of-</p> <p>(i) pre-school education and education up to higher secondary school or equivalent; or</p> <p>(ii) education as a part of an approved vocational education course;</p> <p>(c) a person located in a non-taxable territory:</p> <p>Provided that the exemption shall not apply to –</p> <p>(i) online information and database access or retrieval services received by persons specified in entry (a) or entry (b); or</p> <p>(ii) services by way of transportation of goods by a vessel from a place outside India up to the customs station of clearance in India received by persons specified in the entry.</p> <p>(4) serial number 17 will be:</p> <p>Services provided to the Central Government, by way of transport of passengers with or without accompanied belongings, by air, embarking from or terminating at a regional connectivity scheme airport, against consideration in the form of viability gap funding:</p> <p>Provided that nothing contained in this entry shall apply on or after the expiry of a period of three years from the date of commencement of operations of the regional connectivity scheme airport as notified by the Ministry of Civil Aviation.</p>
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	<p>(5) after serial number 20 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>20A: Services by way of transportation of goods by an aircraft from customs station of clearance in India to a place outside India. Provided that nothing contained in this serial number shall apply after the 30th day of September 2018.</p> <p>20B: Services by way of transportation of goods by a vessel from customs station of clearance in India to a place outside India. Provided that nothing contained in this serial number shall apply after 30th day of September 2018.</p> <p>(6) against serial number 23, after item (b), the following item shall be inserted, namely: -</p> <p>Services by way of giving on hire –</p> <p>(a) to a state transport undertaking, a motor vehicle meant to carry more than twelve passengers; or</p> <p>(b) to a goods transport agency, a means of transportation of goods.</p> <p>(c) motor vehicle for transport of students, faculty and staff, to a person providing services of transportation of students, faculty and staff to an educational institution providing services by way of pre-school education and education upto higher secondary school or equivalent.</p> <p>(7) after serial number 30 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>30A: Services of life insurance provided or agreed to be provided by the Naval Group Insurance Fund to the personnel of Coast Guard under the Group Insurance Schemes of the Central Government.</p> <p>(8) serial number 37 will be:</p> <p>Services of life insurance business provided under following schemes</p> <p>(a) Janashree Bima Yojana;</p> <p>(b) Aam Aadmi Bima Yojana;</p> <p>(c) Life micro-insurance product as approved by the Insurance Regulatory and Development Authority, having maximum amount of cover of two lakhs rupees;</p> <p>(d) Varishtha Pension Bima Yojana;</p> <p>(e) Pradhan Mantri Jeevan Jyoti Bima Yojana;</p> <p>(f) Pradhan Mantri Jan Dhan Yojana;</p> <p>(g) Pradhan Mantri Vaya Vandan Yojana.</p> <p>(9) after serial number 37 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>37A: Services by way of reinsurance of the insurance schemes specified in serial numbers 36 or 37.</p> <p>(10) after serial number 40 and the entries relating thereto, the following serial</p>
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		<p>number and entries shall be inserted namely: -</p> <p>40A: Services by an intermediary of financial services located in a multi services SEZ with International Financial Services Centre (IFSC) status to a customer located outside India for international financial services in currencies other than Indian rupees (INR).</p> <p>Explanation.- For the purposes of this entry, the intermediary of financial services in IFSC is a person,-</p> <p>(i) who is permitted or recognised as such by the Government of India or any Regulator appointed for regulation of IFSC; or</p> <p>(ii) who is treated as a person resident outside India under regulation 3 of the Foreign Exchange Management (International Financial Services Centre) Regulations, 2015; or</p> <p>(iii) who is registered under the Insurance Regulatory and Development Authority of India (International Financial Service Centre) Guidelines, 2015 as IFSC Insurance Office; or</p> <p>(iv) who is permitted as such by Securities and Exchange Board of India (SEBI) under the Securities and Exchange Board of India (International Financial Services Centres) Guidelines, 2015.</p> <p>(11) serial number 47 will be:</p> <p>Services provided by-</p> <p>(a) an arbitral tribunal to –</p> <p>(i) any person other than a business entity; or</p> <p>(ii) a business entity with an aggregate turnover up to twenty lakh rupees (ten lakh rupees in the case of special category states) in the preceding financial year;</p> <p>(iii) the Central Government, State Government, Union territory, local authority, Governmental Authority or Government Entity.</p> <p>(b) a partnership firm of advocates or an individual as an advocate other than a senior advocate, by way of legal services to-</p> <p>(i) an advocate or partnership firm of advocates providing legal services;</p> <p>(ii) any person other than a business entity; or</p> <p>(iii) a business entity with an aggregate turnover up to twenty lakh rupees (ten lakh rupees in the case of special category states) in the preceding financial year;</p> <p>(iv) the Central Government, State Government, Union territory, local authority, Governmental Authority or Government Entity;</p> <p>(c) a senior advocate by way of legal services to-</p> <p>(i) any person other than a business entity; or</p> <p>(ii) a business entity with an aggregate turnover up to twenty lakh rupees (ten lakh rupees in the case of special category states) in the preceding financial year.</p> <p>(iii) the Central Government, State Government, Union territory, local</p>
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	<p>authority, Governmental Authority or Government Entity;</p> <p>(12) against serial number 57, after item (g), the following item shall be inserted, namely:-</p> <p>Services relating to cultivation of plants and rearing of all life forms of animals, except the rearing of horses, for food, fibre, fuel, raw material or other similar products or agricultural produce by way of—</p> <p>(a) agricultural operations directly related to production of any agricultural produce including cultivation, harvesting, threshing, plant protection or testing;</p> <p>(b) supply of farm labour;</p> <p>(c) processes carried out at an agricultural farm including tending, pruning, cutting, harvesting, drying, cleaning, trimming, sun drying, fumigating, curing, sorting, grading, cooling or bulk packaging and such like operations which do not alter the essential characteristics of agricultural produce but make it only marketable for the primary market;</p> <p>(d) renting or leasing of agro machinery or vacant land with or without a structure incidental to its use;</p> <p>(e) loading, unloading, packing, storage or warehousing of agricultural produce;</p> <p>(f) agricultural extension services;</p> <p>(g) services by any Agricultural Produce Marketing Committee or Board or services provided by a commission agent for sale or purchase of agricultural produce;</p> <p>(h) services by way of fumigation in a warehouse of agricultural produce;</p> <p>(13) serial number 63 will be:</p> <p>Services by a specified organisation in respect of a religious pilgrimage facilitated by the Ministry of External Affairs, the Government of India, under bilateral arrangement.</p> <p>(14) after serial number 68 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -</p> <p>68A: Services by way of providing information under the Right to Information Act, 2005 (22 of 2005).</p> <p>(15) serial number 69 will be:</p> <p>Services provided –</p> <p>(a) by an educational institution to its students, faculty and staff;</p> <p>(aa) by an educational institution by way of conduct of entrance examination against consideration in the form of entrance fee;</p> <p>(b) to an educational institution, by way of,-</p> <p>(i) transportation of students, faculty and staff;</p> <p>(ii) catering, including any mid-day meals scheme sponsored by the Central Government, State Government or Union territory;</p>
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		<p>(iii) security or cleaning or housekeeping services performed in such educational institution;</p> <p>(iv) services relating to admission to, or conduct of examination by, such institution; upto higher secondary;</p> <p>(v) supply of online educational journals or periodicals;</p> <p>Provided that nothing contained in sub-items (i), (ii) and (iii) of item (b) shall apply to an educational institution other than an institution providing services by way of pre-school education and education up to higher secondary school or equivalent.</p> <p>Provided further that nothing contained in sub-item (v) of item (b) shall apply to an institution providing services by way of,-</p> <p>(i) pre-school education and education up to higher secondary school or equivalent; or</p> <p>(ii) education as a part of an approved vocational education course.</p> <p>(16) serial number 80 will be:</p> <p>Service by an unincorporated body or a non- profit entity registered under any law for the time being in force, to its own members by way of reimbursement of charges or share of contribution –</p> <p>(a) as a trade union;</p> <p>(b) for the provision of carrying out any activity which is exempt from the levy of Goods and service Tax; or</p> <p>(c) up to an amount of seven thousand five hundred rupees 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.</p> <p>(17) serial number 84 will be:</p> <p>Services by way of right to admission to-</p> <p>(a) circus, dance, or theatrical performance including drama or ballet;</p> <p>(b) award function, concert, pageant, musical performance or any sporting event other than a recognised sporting event;</p> <p>(c) recognised sporting event;</p> <p>(d) planetarium, where the consideration for right to admission to the events or places as referred to in items (a), (b), (c) or (d) above is not more than Rs 500 per person.</p>								
24.	Notification No. 3/2018-Integrated Tax (Rate), dt. 25.01.2018	<p>Seeks to amend Notification No.10/2017- Integrated Tax (Rate), dated the 28th June, 2017, in the following way;</p> <p>(1) after serial number 6 and the entries relating thereto, the following serial number and the entries relating thereto shall be inserted, namely: -</p> <table><tr><th>Sl. No.</th><th>Category of Supply of Services</th><th>Supplier of service</th><th>Recipient of Service</th></tr><tr><td>6A</td><td>Services supplied by the Central Government.</td><td>Central Government.</td><td>Any person registered under the Central</td></tr></table>	Sl. No.	Category of Supply of Services	Supplier of service	Recipient of Service	6A	Services supplied by the Central Government.	Central Government.	Any person registered under the Central
Sl. No.	Category of Supply of Services	Supplier of service	Recipient of Service							
6A	Services supplied by the Central Government.	Central Government.	Any person registered under the Central							

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				State Government, Union territory or local authority by way of renting of immovable property to a person registered under the Central Goods and Services Tax Act, 2017 (12 of 2017).	State Government, Union territory or local authority	Goods and Services Tax Act, 2017 read with clause (v) of section 20 of Integrated Goods and Services Tax Act, 2017."								
25.	Notification No. 6/2018-Integrated Tax (Rate), dt. 25.01.2018	Seeks to exempts the integrated tax leviable on the supply of services, imported into the territory of India, to the extent of the aggregate of the duties of Customs on the consideration towards royalties and license fees included in the transaction value on which the appropriate duties of Customs have been paid.												
26.	Notification No. 12/2018-Integrated Tax (Rate), dt. 28.05.2018	<p>Seeks to amend Notification No. 4/2017- Integrated Tax (Rate), dated the 28th June, 2017, in the following way;</p> <p>(1) after S. No. 6 and the entries relating thereto, the following serial number and the entries shall be inserted, namely:</p> <table><tr><td>S. No.</td><td>Description of Goods</td><td>Supplier of goods</td><td>Recipient of supply</td></tr><tr><td>7.</td><td>Priority Sector Lending Certificate</td><td>Any registered person</td><td>Any registered person</td></tr></table>					S. No.	Description of Goods	Supplier of goods	Recipient of supply	7.	Priority Sector Lending Certificate	Any registered person	Any registered person
S. No.	Description of Goods	Supplier of goods	Recipient of supply											
7.	Priority Sector Lending Certificate	Any registered person	Any registered person											
27.	Notification No.1/2018-Union Territory Tax, dt. 01.01.2018	<p>Seeks to amend Notification No. 2/2017- Union Territory Tax, dated the 27th June, 2017, in the following way;</p> <p>(1) clause (i) will be: half per cent. of the turnover in Union territory in case of a manufacturer,</p> <p>(2) clause (iii) will be: half per cent. of the turnover of taxable supplies of goods in Union territory in case of other suppliers.</p>												
28.	Circular No. 32/06/2018-GST, dt. 12.02.2018	<p>Clarifications regarding GST in respect of certain services:</p> <table><tr><td>S. No.</td><td>Issue</td><td>Clarification</td></tr><tr><td>1</td><td>Is hostel accommodation provided by Trusts to students covered within the definition of Charitable Activities and thus, exempt under Sl. No. 1 of notification No. 12/2017-CT (Rate).</td><td>Hostel accommodation services do not fall within the ambit of charitable activities as defined in para 2(r) of notification No. 12/2017-CT(Rate). However, services by a hotel, inn, guest house, club or campsite, by whatever name called, for residential or lodging purposes, having declared tariff of a unit of accommodation below one thousand rupees per day or equivalent are exempt. Thus, accommodation service in</td></tr></table>					S. No.	Issue	Clarification	1	Is hostel accommodation provided by Trusts to students covered within the definition of Charitable Activities and thus, exempt under Sl. No. 1 of notification No. 12/2017-CT (Rate).	Hostel accommodation services do not fall within the ambit of charitable activities as defined in para 2(r) of notification No. 12/2017-CT(Rate). However, services by a hotel, inn, guest house, club or campsite, by whatever name called, for residential or lodging purposes, having declared tariff of a unit of accommodation below one thousand rupees per day or equivalent are exempt. Thus, accommodation service in		
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			hostels including by Trusts having declared tariff below one thousand rupees per day is exempt. [Sl. No. 14 of notification No. 12/2017-CT(Rate) refers]
2	<p>Is GST leviable on the fee/amount charged in the following situations/cases: – (1) A customer pays fees while registering complaints to Consumer Disputes Redressal Commission office and its subordinate offices. These fees are credited into State Customer Welfare Fund's bank account.</p> <p>(2) Consumer Disputes Redressal Commission office and its subordinate offices charge penalty in cash when it is required.</p> <p>(3) When a person files an appeal to Consumers Disputes Redressal Commission against order of District Forum, amount equal to 50% of total amount imposed by the District Forum or Rs 25000/- whichever is less, is required to be paid.</p>	<p>Services by any court or Tribunal established under any law for the time being in force is neither a supply of goods nor services. Consumer Disputes Redressal Commissions (National/ State/ District) may not be tribunals literally as they may not have been set up directly under Article 323B of the Constitution. However, they are clothed with the characteristics of a tribunal on account of the following: -</p> <p>(1) Statement of objects and reasons as mentioned in the Consumer Protection Bill state that one of its objects is to provide speedy and simple redressal to consumer disputes, for which a quasijudicial machinery is sought to be set up at District, State and Central levels.</p> <p>(2) The President of the District/ State/National Disputes Redressal Commissions is a person who has been or is qualified to be a District Judge, High Court Judge and Supreme Court Judge respectively.</p> <p>(3) These Commissions have been vested with the powers of a civil court under CPC for issuing summons, enforcing attendance of defendants/witnesses, reception of evidence, discovery/production of documents, examination of witnesses, etc.</p> <p>(4) Every proceeding in these Commissions is deemed to be judicial proceedings as per sections 193/228 of IPC.</p> <p>(5) The Commissions have been deemed to be a civil court under CrPC.</p> <p>(6) Appeals against District Commissions lie to State Commission while appeals against the State Commissions lie to the National Commission. Appeals against National Commission lie to the Supreme Court. In view of the aforesaid, it is</p>	

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			hereby clarified that fee paid by litigants in the Consumer Disputes Redressal Commissions are not leviable to GST. Any penalty imposed by or amount paid to these Commissions will also not attract GST.
	3	Whether the services of elephant or camel ride, rickshaw ride and boat ride should be classified under heading 9964 (as passenger transport service) in which case, the rate of tax on such services will be 18% or under the heading 9996 (recreational, cultural and sporting services) treating them as joy rides, leviable to GST@ 28%?	Elephant/ camel joy rides cannot be classified as transportation services. These services will attract GST @ 18% with threshold exemption being available to small service providers. [Sl. No 34(iii) of notification No. 11/2017-CT(Rate) dated 28.06.2017 as amended by notification No. 1/2018-CT(Rate) dated 25.01.2018 refers]
	4	What is the GST rate applicable on rental services of self-propelled access equipment (Boom Scissors/ Telehandlers)? The equipment is imported at GST rate of 28% and leased further in India where operator is supplied by the leasing company, diesel for working of machine is supplied by customer and transportation cost including loading and unloading is also paid by the customer.	Leasing or rental services, with or without operator, for any purpose are taxed at the same rate of GST as applicable on supply of like goods involving transfer of title in goods. Thus, the GST rate for the rental services in the given case shall be 28%, provided the said goods attract GST of 28%. IGST paid at the time of import of these goods would be available for discharging IGST on rental services. Thus, only the value added gets taxed. [Sl. No 17(vii) of notification No. 11/2017-CT(Rate) dated 28.6.17 as amended refers].
	5	Is GST leviable in following cases: (1) Hospitals hire senior doctors/ consultants/ technicians independently, without any contract of such persons with the patient; and pay them consultancy charges, without there being any employer employee	Health care services provided by a clinical establishment, an authorised medical practitioner or para-medics are exempt. [Sl. No. 74 of notification No. 12/2017- CT(Rate) dated 28.06.2017 as amended refers]. (1) Services provided by senior doctors/ consultants/ technicians hired by the hospitals, whether employees or not, are healthcare services which are exempt. (2) Healthcare services have been

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		<p>relationship. Will such consultancy charges be exempt from GST? Will revenue take a stand that they are providing services to hospitals and not to patients and hence must pay GST?</p> <p>(2) Retention money: Hospitals charge the patients, say, ` 10000/- and pay to the consultants/ technicians only ` 7500/- and keep the balance for providing ancillary services which include nursing care, infrastructure facilities, paramedic care, emergency services, checking of temperature, weight, blood pressure etc. Will GST be applicable on such money retained by the hospitals?</p> <p>(3) Food supplied to the patients: Health care services provided by the clinical establishments will include food supplied to the patients; but such food may be prepared by the canteens run by the hospitals or may be outsourced by the Hospitals from outdoor caterers. When outsourced, there should be no ambiguity that the suppliers shall charge tax as applicable and hospital will get no ITC. If hospitals have their own canteens and prepare their own food; then no ITC will be available on inputs including capital goods and in turn if they supply food to the doctors and their staff; such</p>	<p>defined to mean any service by way of diagnosis or treatment or care for illness, injury, deformity, abnormality or pregnancy in any recognised system of medicines in India[para 2(zg) of notification No. 12/2017- CT(Rate)]. Therefore, hospitals also provide healthcare services. The entire amount charged by them from the patients including the retention money and the fee/payments made to the doctors etc., is towards the healthcare services provided by the hospitals to the patients and is exempt.</p> <p>(3) Food supplied to the in-patients as advised by the doctor/nutritionists is a part of composite supply of healthcare and not separately taxable. Other supplies of food by a hospital to patients (not admitted) or their attendants or visitors are taxable.</p>
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			supplies, even when not charged, may be subjected to GST.	
		6	Appropriate clarification may be issued regarding taxability of Cost Petroleum.	As per the Production Sharing Contract(PSC) between the Government and the oil exploration & production contractors, in case of a commercial discovery of petroleum, the contractors are entitled to recover from the sale proceeds all expenses incurred in exploration, development, production and payment of royalty. Portion of the value of petroleum which the contractor is entitled to take in a year for recovery of these contract costs is called "Cost Petroleum". The relationship of the oil exploration and production contractors with the Government is not that of partners but that of licensor/lessor and licensee/lessee in terms of the Petroleum and Natural Gas Rules, 1959. Having acquired the right to explore, exploit and sell petroleum in lieu of royalty and a share in profit petroleum, contractors carry out the exploration and production of petroleum for themselves and not as a service to the Government. Para 8.1 of the Model Production Sharing Contract (MPSC) states that subject to the provisions of the PSC, the Contractor shall have exclusive right to carry out Petroleum Operations to recover costs and expenses as provided in this Contract. The oil exploration and production contractors conduct all petroleum operations at their sole risk, cost and expense. Hence, cost petroleum is not a consideration for service to GOI and thus not taxable per se. However, cost petroleum may be an indication of the value of mining or exploration services provided by operating member to the joint venture, in a situation where the operating member is found to be supplying service to the oil exploration and production joint venture.
29.	Circular No. 33/07/2018-GST, dt.	Directions under Section 168 of the CGST Act regarding non-transition of CENVAT credit under section 140 of CGST Act or non-utilization thereof in certain cases:		

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23.02.2018	<p>In exercise of the powers conferred under section 168 of the Central Goods and Services Tax Act, 2017 (hereinafter referred to as "Act"), for the purposes of uniformity in implementation of the Act, the Central Board of Excise and Customs hereby directs the following:</p> <p>2. Non-utilization of Disputed Credit carried forward —</p> <p>2.1 Where in relation to a certain CENVAT credit pertaining to which a show cause notice was issued under rule 14 of the CENVAT Credit Rules, 2004, which has been adjudicated and where in the last adjudication order or the last order-in-appeal, as it existed on 1st July, 2017, it was held that such CENVAT credit is not admissible, then such CENVAT credit (herein and after referred to as "disputed credit"), credited to the electronic credit ledger in terms of sub-section (1), (2), (3), (4), (5) (6) or (8) of section 140 of the Act, shall not be utilized by a registered taxable person to discharge his tax liability under this Act or under the IGST Act, 2017, till the order-in-original or the last order-in-appeal, as the case may be, holding that disputed credit as inadmissible is in existence.</p> <p>2.2 During the period, when the last order-in-original or the last order-in-appeal, as the case may be, holding that disputed credit as inadmissible is in operation, if the said disputed credit is utilised, it shall be recovered from the tax payer, with interest and penalty as per the provisions of the Act.</p> <p>3. Non-transition of Blocked Credit</p> <p>3.1 In terms of clause (i) of sub-section (1) of section 140 of the Act, a registered person shall not take in his electronic credit ledger, amount of CENVAT credit as is carried forward in the return relating to the period ending with the day immediately preceding the appointed day which is not eligible under the Act in terms of sub-section (5) of section 17 (hereinafter referred to as „blocked credit“), such as, telecommunication towers and pipelines laid outside the factory premises.</p> <p>3.2 If the said blocked credit is carried forward and credited to the electronic credit ledger in contravention of section 140 of the Act, it shall not be utilized by a registered taxable person to discharge his tax liability under this Act or under the IGST Act, 2017, and shall be recovered from the tax payer with interest and penalty as per the provisions of the Act.</p> <p>4. In all cases where the disputed credit as defined in terms of para 2.1 or blocked credit under para 3.1 is higher than ₹ ten lakhs, the taxpayers shall submit an undertaking to the jurisdictional officer of the Central Government that such credit shall not be utilized or has not been availed as transitional credit, as the case may be. In other cases of transitional credit of an amount lesser than ₹ ten lakhs, the directions as above shall apply but the need to submit the undertaking shall not apply.</p>
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30.	Circular No. 34/8/2018-GST, dt. 01.03.2018	Clarifications regarding GST in respect of certain services:		
		S. No.	Issue	Clarification
		1	Whether activity of bus body building, is a supply of goods or services?	In the case of bus body building there is supply of goods and services. Thus, classification of this composite supply, as goods or service would depend on which supply is the principal supply which may be determined on the basis of facts and circumstances of each case.
		2	Whether retreading of tyres is a supply of goods or services?	<p>In retreading of tyres, which is a composite supply, the pre-dominant element is the process of retreading which is a supply of service. Rubber used for retreading is an ancillary supply. Which part of a composite supply is the principal supply, must be determined keeping in view the nature of the supply involved. Value may be one of the guiding factors in this determination, but not the sole factor. The primary question that should be asked is what is the essential nature of the composite supply and which element of the supply imparts that essential nature to the composite supply.</p> <p>Supply of retreaded tyres, where the old tyres belong to the supplier of retreaded tyres, is a supply of goods (retreaded tyres under heading 4012 of the Customs Tariff attracting GST @ 28%)</p>
		3	Whether Priority Sector Lending Certificates (PSLCs) are outside the purview of GST and therefore not taxable?	<p>In Reserve Bank of India FAQ on PSLC, it has been mentioned that PSLC may be construed to be in the nature of goods, dealing in which has been notified as a permissible activity under section 6(1) of the Banking Regulation Act, 1949 vide Government of India notification dated 4th February, 2016. PSLC are not securities. PSLC are akin to freely tradeable duty scrips, Renewable Energy Certificates, REP license or replenishment license, which attracted VAT.</p> <p>In GST there is no exemption to trading in PSLCs. Thus, PSLCs are taxable as goods at standard rate of 18% under the residuary S. No. 453 of Schedule III of notification No. 1/2017-Central Tax(Rate). GST payable on</p>

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				the certificates would be available as ITC to the bank buying the certificates.
		4	<p>(1) Whether the activities carried by DISCOMS against recovery of charges from consumers under State Electricity Act are exempt from GST?</p> <p>(2) Whether the guarantee provided by State Government to state owned companies against guarantee commission, is taxable under GST?</p>	<p>(1) Service by way of transmission or distribution of electricity by an electricity transmission or distribution utility is exempt from GST under notification No. 12/2017-CT (R), Sl. No. 25. The other services such as, -</p> <p>i. Application fee for releasing connection of electricity;</p> <p>ii. Rental Charges against metering equipment;</p> <p>iii. Testing fee for meters/transformers, capacitors etc.;</p> <p>iv. Labour charges from customers for shifting of meters or shifting of service lines;</p> <p>v. charges for duplicate bill; provided by DISCOMS to consumer are taxable.</p> <p>(2) The service provided by Central Government/State Government to any business entity including PSUs by way of guaranteeing the loans taken by them from financial institutions against consideration in any form including Guarantee Commission is taxable.</p>
31.	Circular No. 38/12/2018, dt. 26.03.2018	<p>Clarification on issues related to Job Work:</p> <p>1. Scope/ambit of job work: It may be noted that the definition of job work, as contained in clause (68) of section 2 of the CGST Act, entails that the job work is a treatment or process undertaken by a person on goods belonging to another registered person. Thus, the job worker is expected to work on the goods sent by the principal and whether the activity is covered within the scope of job work or not would have to be determined on the basis of facts and circumstances of each case. Further, it is clarified that the job worker, in addition to the goods received from the principal, can use his own goods for providing the services of job work.</p> <p>2. Requirement of registration for the principal/ job worker: It is important to note that the provisions of section 143 of the CGST Act are applicable to a registered person. Thus, it is only a registered person who can send the goods for job work under the said provisions. It may also be noted that the registered person (principal) is not obligated to follow the said provisions. It is his choice whether or not to avail or not to avail of the benefit of these special provisions. It may be noted that the job worker is required to obtain registration only if his aggregate turnover, to be computed on all India basis, in a financial year exceeds the specified threshold limit (i.e. ₹ 20 lakhs or ₹ 10 lakhs in case of special category States except Jammu & Kashmir) in case both the principal and the job worker are located in the</p>		

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		<p>same State. Where the principal and the job worker are located in different States, the requirement for registration flows from clause (i) of section 24 of the CGST Act which provides for compulsory registration of suppliers making any inter-State supply of services. However, exemption from registration has been granted in case the aggregate turnover of the inter State supply of taxable services does not exceed ₹20 lakhs or ₹10 lakhs in case of special category States except Jammu & Kashmir in a financial year vide notification No. 10/2017 – Integrated Tax dated 13.10.2017.</p> <p>3. Supply of goods by the principal from job worker's place of business / premises: the supply of goods by the principal from the place of business/ premises of the job worker will be regarded as supply by the principal and not by the job worker as specified in section 143(1)(a) of the CGST Act.</p> <p>4. Movement of goods from the principal to the job worker and the documents and intimation required therefor: the following is clarified with respect to the issuance of challan, furnishing of intimation and other documentary requirements in this regard —</p> <p>(i) Where goods are sent by principal to only one job worker: The principal shall prepare in triplicate, the challan in terms of rules 45 and 55 of the CGST Rules, for sending the goods to a job worker. Two copies of the challan may be sent to the job worker along with the goods. The job worker should send one copy of the said challan along with the goods, while returning them to the principal. The FORM GST ITC-04 will serve as the intimation as envisaged under section 143 of the CGST Act, 2017.</p> <p>(ii) Where goods are sent from one job worker to another job worker: In such cases, the goods may move under the cover of a challan issued either by the principal or the job worker. In the alternative, the challan issued by the principal may be endorsed by the job worker sending the goods to another job worker, indicating therein the quantity and description of goods being sent. The same process may be repeated for subsequent movement of the goods to other job workers.</p> <p>(iii) Where the goods are returned to the principal by the job worker: The job worker should send one copy of the challan received by him from the principal while returning the goods to the principal after carrying out the job work.</p> <p>(iv) Where the goods are sent directly by the supplier to the job worker: In this case, the goods may move from the place of business of the supplier to the place of business/premises of the job worker with a copy of the invoice issued by the supplier in the name of the buyer (i.e. the principal) wherein the job worker's name and address should also be mentioned as the consignee, in terms of rule 46(o) of the CGST Rules. The buyer (i.e., the principal) shall issue the challan under rule 45 of the CGST Rules and send the same to the job worker directly in terms of para (i) above. In case of import of goods by the principal which are then supplied directly from the customs station of import, the goods may move from the customs station of import to the place of business/premises of the job worker with a copy of the Bill of Entry and the principal shall issue the challan under rule 45 of the CGST Rules and send the same to the job worker directly.</p> <p>(v) Where goods are returned in piecemeal by the job worker: In case the goods after carrying out the job work, are sent in piecemeal quantities by a job worker to another job worker or to the principal, the challan issued originally by the principal cannot be endorsed and a fresh challan is</p>
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		<p>required to be issued by the job worker.</p> <p>(vi) Submission of intimation: Rule 45(3) of the CGST Rules provides that the principal is required to furnish the details of challans in respect of goods sent to a job worker or received from a job worker or sent from one job worker to another job worker during a quarter in FORM GST ITC-04 by the 25th day of the month succeeding the quarter or within such period as may be extended by the Commissioner. It is clarified that it is the responsibility of the principal to include the details of all the challans relating to goods sent by him to one or more job worker or from one job worker to another and its return there from. The FORM GST ITC-04 will serve as the intimation as envisaged under section 143 of the CGST Act.</p> <p>5. Liability to issue invoice, determination of place of supply and payment of GST: the following is clarified with respect to the issuance of an invoice, time of supply and value of supply —</p> <p>(i) Supply of job work services: The job worker, as a supplier of services, is liable to pay GST if he is liable to be registered. He shall issue an invoice at the time of supply of the services as determined in terms of section 13 read with section 31 of the CGST Act. The value of services would be determined in terms of section 15 of the CGST Act and would include not only the service charges but also the value of any goods or services used by him for supplying the job work services, if recovered from the principal. Doubts have been raised whether the value of moulds and dies, jigs and fixtures or tools which have been provided by the principal to the job worker and have been used by the latter for providing job work services would be included in the value of job work services. In this regard, attention is invited to section 15 of the CGST Act which lays down the principles for determining the value of any supply under GST. Importantly, clause (b) of sub-section (2) of section 15 of the CGST Act provides that any amount that the supplier is liable to pay in relation to the supply but which has been incurred by the recipient will form part of the valuation for that particular supply, provided it has not been included in the price for such supply. Accordingly, it is clarified that the value of such moulds and dies, jigs and fixtures or tools may not be included in the value of job work services provided its value has been factored in the price for the supply of such services by the job worker. It may be noted that if the job worker is not registered, GST would be payable by the principal on reverse charge basis in terms of the provisions contained in section 9(4) of the CGST Act. However, the said provision has been kept in abeyance for the time being.</p> <p>(ii) Supply of goods by the principal from the place of business/premises of job worker: Section 143 of the CGST Act provides that the principal may supply, from the place of business/premises of a job worker, inputs after completion of job work or otherwise or capital goods (other than moulds and dies, jigs and fixtures or tools) within one year or three years respectively of their being sent out, on payment of tax within India, or with or without payment of tax for exports, as the case may be. This facility is available to the principal only if he declares the job worker's place of business/premises as his additional place of business or if the job worker is registered. Since the supply is being made by the principal, it is clarified that the time, value and place of supply would have to be determined in the hands of the principal irrespective of the location of the job worker's place of business/premises. Further, the invoice would have to be issued</p>
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		<p>by the principal. It is also clarified that in case of exports directly from the job worker's place of business/premises, the LUT or bond, as the case may be, shall be executed by the principal. Illustration: The principal is located in State A, the job worker in State B and the recipient in State C. In case the supply is made from the job worker's place of business / premises, the invoice will be issued by the supplier (principal) located in State A to the recipient located in State C. The said transaction will be an inter-State supply. In case the recipient is also located in State A, it will be an intra-State supply.</p> <p>(iii) Supply of waste and scrap generated during the job work: Sub - section (5) of Section 143 of the CGST Act provides that the waste and scrap generated during the job work may be supplied by the registered job worker directly from his place of business or by the principal in case the job worker is not registered. The principles enunciated in para (ii) above would apply mutatis mutandis in this case.</p> <p>6. Availability of input tax credit to the principal and job worker: in view of the provisions contained in clause (b) of sub-section (2) of section 16 of the CGST Act, the input tax credit would be available to the principal, irrespective of the fact whether the inputs or capital goods are received by the principal and then sent to the job worker for processing, etc. or whether they are directly received at the job worker's place of business/premises, without being brought to the premises of the principal. It is also clarified that the job worker is also eligible to avail ITC on inputs, etc. used by him in supplying the job work services if he is registered.</p>
32.	Circular No. 40/14/2018-GST, dt. 06.04.2018	<p>Clarification on issues related to furnishing of Bond/Letter of Undertaking for exports:</p> <p>In partial modification of Circular No. 8/8/2017-GST dated 4th October, 2017, sub-paras (c), (d) and (e) of para 2 of the said Circular are hereby replaced by the following:</p> <p>c) Form for LUT: The registered person (exporters) shall fill and submit FORM GST RFD-11 on the common portal. An LUT shall be deemed to be accepted as soon as an acknowledgement for the same, bearing the Application Reference Number (ARN), is generated online.</p> <p>d) Documents for LUT: No document needs to be physically submitted to the jurisdictional office for acceptance of LUT.</p> <p>e) Acceptance of LUT/bond: An LUT shall be deemed to have been accepted as soon as an acknowledgement for the same, bearing the Application Reference Number (ARN), is generated online. If it is discovered that an exporter whose LUT has been so accepted, was ineligible to furnish an LUT in place of bond as per Notification No. 37/2017-Central Tax, then the exporter's LUT will be liable for rejection. In case of rejection, the LUT shall be deemed to have been rejected ab initio.</p>
33.	Circular No. 42/16/2018-GST, dt. 13.04.2018	<p>Clarification regarding procedure for recovery of arrears under the existing law and reversal of inadmissible input tax credit:</p> <p>Recovery of central excise duty/ service tax and CENVAT credit thereof arising out of the proceedings under the existing law, unless recovered under the existing law, and that of inadmissible transitional credit, is required to be made as an arrear of tax under the CGST Act. The following procedure is</p>

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	<p>hereby prescribed for the recovery of arrears —</p> <p>(1) Recovery of central excise duty, service tax or wrongly availed CENVAT credit thereof under the existing law and inadmissible transitional credit:</p> <p>(a) The CENVAT credit of central excise duty or service tax wrongly carried forward as transitional credit shall be recovered as central tax liability to be paid through the utilization of amounts available in the electronic credit ledger or electronic cash ledger of the registered person, and the same shall be recorded in Part II of the Electronic Liability Register (FORM GST PMT-01).</p> <p>(b) The arrears of central excise duty, service tax or wrongly availed CENVAT credit thereof under the existing law arising out of any of the situations (Recovery of arrears of wrongly availed CENVAT Credit/ Recovery of CENVAT Credit carried forward wrongly/ Recovery of arrears of central excise duty and service tax/ Recovery of arrears due to revision of return under the existing law), shall, unless recovered under the existing law, be recovered as central tax liability to be paid through the utilization of amounts available in the electronic credit ledger or electronic cash ledger of the registered person, and the same shall be recorded in Part II of the Electronic Liability Register (FORM GST PMT-01).</p> <p>(2) Recovery of interest, penalty and late fee payable:</p> <p>(a) The arrears of interest, penalty and late fee in relation to CENVAT credit wrongly carried forward, arising out of any of the situations (Recovery of arrears of wrongly availed CENVAT Credit/Recovery of CENVAT Credit carried forward wrongly/Recovery of arrears of central excise duty and service tax/ Recovery of arrears due to revision of return under the existing law), shall be recovered as interest, penalty and late fee of central tax to be paid through the utilization of the amount available in electronic cash ledger of the registered person and the same shall be recorded in Part II of the Electronic Liability Register (FORM GST PMT-01).</p> <p>(b) The arrears of interest, penalty and late fee in relation to arrears of central excise duty, service tax or wrongly availed CENVAT credit thereof under the existing law arising out of any of the situations (Recovery of arrears of wrongly availed CENVAT Credit/Recovery of CENVAT Credit carried forward wrongly/Recovery of arrears of central excise duty and service tax/ Recovery of arrears due to revision of return under the existing law), shall, unless recovered under the existing law, be recovered as interest, penalty and late fee of central tax to be paid through the utilization of the amount available in the electronic cash ledger of the registered person and the same shall be recorded in Part II of the Electronic Liability Register (FORM GST PMT-01).</p> <p>(3) Payment of central excise duty & service tax on account of returns filed for the past period:</p> <p>The registered person may file Central Excise/Service Tax return for the period prior to 1st July, 2017 by logging onto www.aces.gov.in and make payment relating to the same through EASIEST portal (cbec-easiest.gov.in), as per the practice prevalent for the period prior to the introduction of GST. However, with effect from 1st of April, 2018, the return</p>
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		<p>filing shall continue on www.aces.gov.in but the payment shall be made through the ICEGATE portal. As the registered person shall be automatically taken to the payment portal on filing of the return, the user interface remains the same for him.</p> <p>(4) Recovery of arrears from assessee under the existing law in cases where such assessee are not registered under the CGST Act, 2017:</p> <p>Such arrears shall be recovered in cash, under the provisions of the existing law and the payment of the same shall be made as per the procedure mentioned in para (3) above supra.</p>
34.	Circular No. 3/1/2018-IGST, dt. 25.05.2018	<p>Applicability of Integrated Goods and Services Tax (integrated tax) on goods supplied while being deposited in a customs bonded warehouse:</p> <p>It is seen that the "transfer/sale of goods while being deposited in a customs bonded warehouse" is a common trade practice whereby the importer files an into-bond bill of entry and stores the goods in a customs bonded warehouse and thereafter, supplies such goods to another person who then files an ex-bond bill of entry for clearing the said goods from the customs bonded warehouse for home consumption.</p> <p>It may be noted that as per sub-section (2) of section 7 of the Integrated Goods and Services Tax Act, 2017, the supply of goods imported into the territory of India, till they cross the customs frontiers of India, is treated as a supply of goods in the course of inter-State trade or commerce. Further, the proviso to subsection (1) of section 5 of the IGST Act provides that the integrated tax on goods imported into India would be levied and collected in accordance with the provisions of section 3 of the Customs Tariff Act, 1975. Thus, in case of supply of the warehoused goods, the point of levy would be the point at which the duty is collected under section 12 of the Customs Act, 1962 which is at the time of clearance of such goods under section 68 of the Customs Act.</p> <p>Sub-section (8A) has been inserted in section 3 of the CTA vide section 102 of the Finance Act, 2018, with effect from 31st March, 2018, so as to provide that the valuation for the purpose of levy of integrated tax on warehoused imported goods at the time of clearance for home consumption would be either the transaction value or the value as per sub-section (8) of section 3 of the CTA (i.e. valuation done at the time of filing the into-bond bill of entry), whichever is higher.</p> <p>It is therefore, clarified that integrated tax shall be levied and collected at the time of final clearance of the warehoused goods for home consumption i.e., at the time of filing the ex-bond bill of entry and the value addition accruing at each stage of supply shall form part of the value on which the integrated tax would be payable at the time of clearance of the warehoused goods for home consumption. In other words, the supply of goods before their clearance from the warehouse would not be subject to the levy of integrated tax and the same would be levied and collected only when the warehoused goods are cleared for home consumption from the customs bonded warehouse.</p> <p>This Circular would be applicable for supply of warehoused goods, while being deposited in a customs bonded warehouse, on or after the 1st of April, 2018.</p>

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35.	Order No. 2/2018 – Central Tax, dt. 31.03.2018	<p>Incidence of GST on providing catering services in train –</p> <p>With a view to remove any doubt or uncertainty and bring uniformity in the rate of GST applicable for all kinds of supply of food and drinks made available in trains, platforms or stations, it is clarified with the approval of GST Implementation Committee, that the GST rate on supply of food and/or drinks by the Indian Railways or Indian Railways Catering and Tourism Corporation Ltd. or their licensees, whether in trains or at platforms (static units), will be 5% without ITC.</p>
36.	Section 110 of Finance Act, 2018	<p>The Social Welfare Surcharge levied under sub-section (1), shall be calculated at the rate of ten per cent. on the aggregate of duties, taxes and cesses which are levied and collected by the Central Government in the Ministry of Finance (Department of Revenue) under section 12 of the Customs Act, 1962 and any sum chargeable on the goods specified in sub-section (1) under any other law for the time being in force, as an addition to, and in the same manner as, a duty of customs, but not including—</p> <p>(a) the safeguard duty referred to in sections 8B and 8C of the Customs Tariff Act;</p> <p>(b) the countervailing duty referred to in section 9 of the Customs Tariff Act;</p> <p>(c) the anti-dumping duty referred to in section 9A of the Customs Tariff Act;</p> <p>(d) the Social Welfare Surcharge on imported goods levied under sub-section (1).</p> <p>The Social Welfare Surcharge on imported goods shall be in addition to any other duties of customs or tax or cess chargeable on such goods, under the Customs Act, 1962 or any other law for the time being in force.</p> <p>All goods are exempt from Education Cess/Secondary & Higher Education Cess w.e.f. 02.02.2018.</p>