



CMA Kedarnath

Hyderabad



# **The Institute of Cost Accountants of India**

## **(Statutory body under an Act of Parliament)**

### **Tax Research Department**

Behind every successful business decision, there is always a **CMA**

## Session on Input Tax Credit : Part-I ~ ACCGST-9



## Introduction to GST

GST is known as the Goods and Services Tax

- ❖ It is an indirect tax which has replaced many indirect taxes in India such as the excise duty, VAT, CST, Services tax, Entertainment Tax and Luxury Tax etc.
- ❖ The Goods and Service Tax Act was passed in the Parliament on 29th March 2017 and came into effect on 1st July 2017.
- ❖ Goods and Services Tax Law in India is a
- ✓ **Comprehensive:** GST has wider in scope
- ✓ **Multi-stage:** GST is levied on the value additions at each stage, i.e., the monetary value added at each stage to achieve the final sale to the end customer
- ✓ **Destination Based Tax:** GST is called as destination-based tax or consumption-based tax, it means Goods and Service Tax is levied at the point of consumption.

## Structure of GSTIN:

GSTIN is a 15 characters Alpha Numeric

Here is a format break-down of the GSTIN: **36AABCK6904F2ZO**

- ✓ The first two digits represent the state code as per Indian Census 2011. Every state has a unique code. For instance,
  - ✓ State code of Karnataka is 29
  - ✓ State code of Delhi is 07
- ✓ The next **10** digits will be the PAN number of the taxpayer
- ✓ The 13<sup>th</sup> digit will be assigned based on the number of registration within a state
- ✓ The 14<sup>th</sup> digit will be “Z” by default
- ✓ The last 15<sup>th</sup> digit will be for check code. It may be an alphabet or a number.
- Note: Maximum 35 GST registrations can be taken in a state

## Benefits of GST



## Introduction to Input Tax Credit (ITC)

- ❑ ITC is the most common word with which we associate present day taxation system
- ❑ Lesser the cascading effect of the taxes, better is the taxation system
- ❑ In an ideal taxation system, taxes never form part of cost of product, until the goods or services reach the ultimate consumer
- ❑ This is possible only when credit of any taxes paid in the course of business, by the recipient of goods or services is allowed to him, in the name of “credit”
- ❑ Thus, entire taxes paid by him are set off against his output tax liability and there is no cascading impact of taxes.

# Introduction to Input Tax Credit

- ❖ Input Tax Credit is the Tax that a business pays on its
  - ✚ Purchases
  - ✚ Services and
  - ✚ Capital Goods
- ❖ ITC makes flow of credit across an entire supply chain a seamless process
- ❖ The fundamental aspect under GST regime is tax is charged on value addition at each stage of supply
- ❖ The supplier is eligible to claim ITC on its purchases and utilize the same by way of setting off while discharging the Output tax in the course of furtherance of business.
- ❖ With the help of ITC the cost of the goods / or services are available at cheaper and effective price
- ❖ GST Law does not require 'one to one' co-relation between inputs / input services and final products / services
- ❖ Any eligible ITC can be used for payment of tax on any taxable output supply

# Introduction to Input Tax Credit

## ❑ Input Tax Credit:

- ✓ Input tax credit is nothing but “credit of the input taxes”

## ❑ Input Tax:

- ✓ Tax on Inputs

## ❑ What are the Inputs for a business

- The inputs for a business can be divided into 3 parts
- ✓ Input Goods other than capital goods i.e., Raw Materials etc.,
- ✓ Input Services
- ✓ Capital Goods

## Relevant Definitions:

### ✦ Input: Sec.2(59)

“Input” means **any** goods other than capital goods used or intended to be used by a supplier in the course or furtherance of business

### ✦ Input Services: Sec.2(60)

“Input Services” means **any** service used or intended to be used by a supplier in the course or furtherance of business

### ✦ Capital Goods: Sec.2(19)

“Capital goods” means goods, the value of which is capitalised in the books of account of the person claiming the input tax credit and which are used or intended to be used in the course or furtherance of business;

## Key terminology in ITC:

The definition of ITC is not restricted to “used for making outward supplies”, it uses the words

- ❖ “Used or Intended to be used” – encompasses all supplies used  
&
- ❖ “In the course or furtherance of business”

According to “**Businessdictionary.com**” the words in the course or furtherance of business defined as

- ✓ “Daily or regular routine peculiar to a firm or trade,
- ✓ involving purchase, production, and sale of usual goods and or services,
- ✓ and payment and receipt of money.”

## Key terminology in ITC:

According to “**Businessdictionary.com**” the words furthurance of business defined as

- ✓ “Furtherance is the act of helping, or
- ✓ an advancement, preposition for, for the sake of,
- ✓ In favour of, in the service of, on account of, on behalf of.”

## Relevant Definitions:

### 🚩 **Input Tax: Sec.2(62) of CGST Act, 2017 defines**

“Input tax” in relation to a registered person, means the CGST, SGST, IGST or UTGST charged on any supply of goods or services or both made to him and includes

- (a) the IGST charged on import of goods;
- (b) the tax payable under the provisions of sub-sections (3) and (4) of section 9 of CGST Act, 2017
- (c) the tax payable under the provisions of sub-sections (3) and (4) of section 5 of the IGST Act
- (d) the tax payable under the provisions of sub-sections (3) and (4) of section 9 of the respective SGST Act; or
- (e) the tax payable under the provisions of sub-sections (3) and (4) of section 7 of the UTGST Act.

### 🚩 **Input Tax Credit (ITC): Sec.2(64)**

“Input tax credit” means the credit of input tax;

## Claiming of ITC is an Inherent Right ?

- ✓ A claim of ITC is **not** an **inherent right**
- ✓ A claim of ITC is an **entitlement** created under the statute and
- ✓ Can't be claimed independent of the provision.

□ (or)

- A claim of ITC is **not** an **inherent right**
- which a person can claim Independent of the provisions of the law and
- **without** fulfilling conditions and restrictions as may be laid down

## Relevant Case Laws on ITC:

### □ Hon'ble Bombay HC:

- In the case of "**Mahalaxmi Cotton Ginning Pressing and oil industries vs. State of MH & Ors**"
- "The set off provision and held that the purpose of set off is to obviate (eliminate) cascading effect of the tax burden on the ultimate consumer"

### □ Hon'ble Kerala HC:

- In the case of **Mohammed Haji Manachithodi Agencies vs. State of Kerala**
- It was held that the set off is in the nature of a concession and no dealer has a right to claim ITC independent of the provision of section 11 of the Kerala VAT Act. Hon'ble Bombay HC:

### □ Hon'ble Rajasthan HC:

- In the case of **Panwar trading corporation vs. State of Rajasthan**
- It was held that "the availment of ITC is creature of statue" and "the terms on which ITC can be claimed must be strictly observed."

## Note on ITC:

Various HC's argued that

- ❑ ITC is a vested right of a tax payer
- ❑ ITC is a property which can't be denied as per Article 300A
- ❑ Time limit for claiming of ITC is a directory but not mandatory

## Relevant Definitions:

✚ **Invoice: Sec.2(66)** : “Invoice” or “tax invoice” means the tax invoice referred to in section 31;

✚ **Inward Supply: Sec.2(67)**

“Inward supply” in relation to a person, shall mean receipt of goods or services or both whether by purchase, acquisition or any other means with or without consideration.

✚ **Return: Sec.2(97)**

“Return” means any return prescribed or otherwise required to be furnished by or under this Act or the rules made thereunder;

✚ **Reverse Charge: Sec.2(98)**

Reverse charge means the liability to pay tax by the **recipient** of supply of goods or services or both instead of the supplier of such goods or services or both under sub-section (3) or sub-section (4) of section 9, or under on (3) or sub section (4) of section 5 of the Integrated Goods and Services Tax Act;

## S.16(1): Eligible to claim ITC

- ✚ Registration under GST
- ✚ Goods/Services to be used in the course or furtherance of business

### Note:

- ✓ As a thumb rule, a registered person would be eligible to claim credit of Input Tax
- ✓ Un-registered person would not be able to claim Input Tax Credit for the period prior to GST Registration
- *However as per section 18(1)(a) and 18(1)(b) entitle a person to claim credit of tax paid on inputs*
- *which are procured during the period, when such person was unregistered person and*
- *such inputs are held in stock or inputs contained in semi-finished or FG held in stock*

## S.16(1): Eligible to claim ITC

- ❖ **S.18(1)(a):** a person applies for registration with in 30 days of from the date on which he becomes liable for registration
- ❖ **S.18(1)(b):** a person applies for Voluntary Registration, also eligible to claim the ITC
- ❖ **S.18(2):** A registered person shall not be entitled to take input tax credit under sub-section (1) of Section 18 in respect of any supply of goods or services or both to him after the expiry of one year from the date of issue of tax invoice relating to such supply.

## S.16(1): Eligible to claim ITC - Q&A

1. Whether a person applying for new registration with in 30 days of becoming liable for registration, would be entitle to claim of credit of tax paid on inputs held in stock and inputs contained in semi-finished goods or FG held in stock as on the date when he becomes liable for registration ?

Ans: Yes, he is eligible to claim on the same

2. Whether a person applying for new registration voluntarily, would be entitle to claim of credit of tax paid on inputs held in stock and inputs contained in semi-finished goods or FG held in stock as on the date of grant of registration ?

Ans: Yes, he is eligible to claim on the same, as on the day immediately preceding the date of grant of registration

## **S.16(1): Eligible to claim ITC - Q&A**

3. Whether credit would be allowed to a person if he uses goods or services received by him for personal consumption / non-business purposes ?

Ans: ITC Not eligible

4. If a person is engaged in supply of taxable as well as exempted goods. Whether he would be entitled to claim ITC of the taxes paid on goods or services?

Ans: Yes, Proportionate ITC eligible

## S.16(2): Basic Conditions for availing ITC

The registered person will be entitled to ITC on a supply

if ALL the following 4 conditions are fulfilled

- ✚ Possession of Tax Invoice or Debit note
- ✚ Receipt of the goods and / or Services
- ✚ Tax leviable on supply actually paid to **Government**
- ✚ Furnished the return u/s 39 to claim ITC by Filing GSTR-3B

# Conditions for Availing ITC

## I. Possession of Tax Paying Document [Section 16(2)(a) read with rule 36]

Documentary requirements and conditions for claiming ITC Rule: 36

- ✓ An invoice
- ✓ Debit note
- ✓ Bill of entry for the assessment of IGST on imports;
- ✓ Input Service Distributor invoice or ISD Credit Note

### Note:

To qualify a document as **Tax Invoice**, it has to satisfy requirements specified in the Rule 46 of CGST Rules, 2017 as follows:

## S.31 Tax Invoice:

- Name, address and GSTIN of the supplier
- A consecutive serial number not exceeding 16 characters, unique for a financial year
- Date of Invoice issue
- Name, address and GSTIN, if registered of the recipient
- Name and address of the recipient and the address of delivery
- The name of the State and its code
- HSN code for Goods & SAC for Services
- Description of goods or services
- Quantity in case of goods and unit
- Total value of supply of goods or services or both
- Taxable value of the supply of goods or services or both taking into account discount or abatement, if any;
- Rate of tax
- Amount of tax charged in respect of taxable goods or services
- Place of supply along with the name of the State, in the case of a supply in the course of inter-State trade or commerce;
- Address of delivery where the same is different from the place of supply;
- Whether the tax is payable on reverse charge basis; and
- Signature or digital signature of the supplier or his authorised representative:

## Tax Invoice:

- ❖ Apart from the above in the case of the export of goods or services, the invoice shall carry an endorsement –

“SUPPLY MEANT FOR EXPORT/SUPPLY TO SEZ UNIT OR SEZ DEVELOPER FOR AUTHORISED OPERATIONS ON PAYMENT OF INTEGRATED TAX”

(or)

“SUPPLY MEANT FOR EXPORT/SUPPLY TO SEZ UNIT OR SEZ DEVELOPER FOR AUTHORISED OPERATIONS UNDER BOND OR LETTER OF UNDERTAKING WITHOUT PAYMENT OF INTEGRATED TAX”,

- as the case may be.

- ❖ **S.34 Concept of Debit Note:**

The debit note is similar to the tax invoice and it contains all the details similar to the tax invoice but the heading replaces with “Debit Note” instead of tax invoice.

# Conditions for Availing ITC

## II. Receipt of the goods and / or Services [Section 16(2)(b)]:

- ITC is eligible to claim once the goods or services are received by the recipient
- **Issue:** When the goods are placed order during the end of the month

## IV. Recipient has furnished the return u/s 39 [Section 16(2)(d)]:

- ITC can be availed **only** by Filing GSTR-3B monthly return and no other mechanism is available to the recipient of the goods or services.

## Conditions for Availing ITC

### III. Tax leviable on supply actually paid to Government

- ❖ Tax should actually have been paid, by cash or through utilization of ITC, on the goods and / or services for which ITC is being taken.
- ❖ Provisional ITC can be taken initially, prior to matching in the common portal, and used for payment of self-assessed tax on outward supply

## Conditions for Availing ITC - Provisional ITC:

- ✓ From 09<sup>th</sup> Oct 2019 to 31<sup>st</sup> Dec 2019:

Invoices not uploaded by supplier then recipient shall not claim in excess of **20%** of Eligible credit reflected in GSTR-2A [vide Notification no. 49/2019 - CT dt. 09.10.2019]

- ✓ From 01<sup>st</sup> Jan 2020 to 31<sup>st</sup> Dec 2020:

Invoices not uploaded by supplier then recipient shall not claim in excess of **10%** of Eligible credit reflected in GSTR-2A [vide Notification no. 75/2019 - CT dt.26.12.2019]

- ✓ From 01<sup>st</sup> Jan 2021 onwards:

Invoices not uploaded by supplier then recipient shall not claim in excess of **5%** of Eligible credit reflected in GSTR-2A

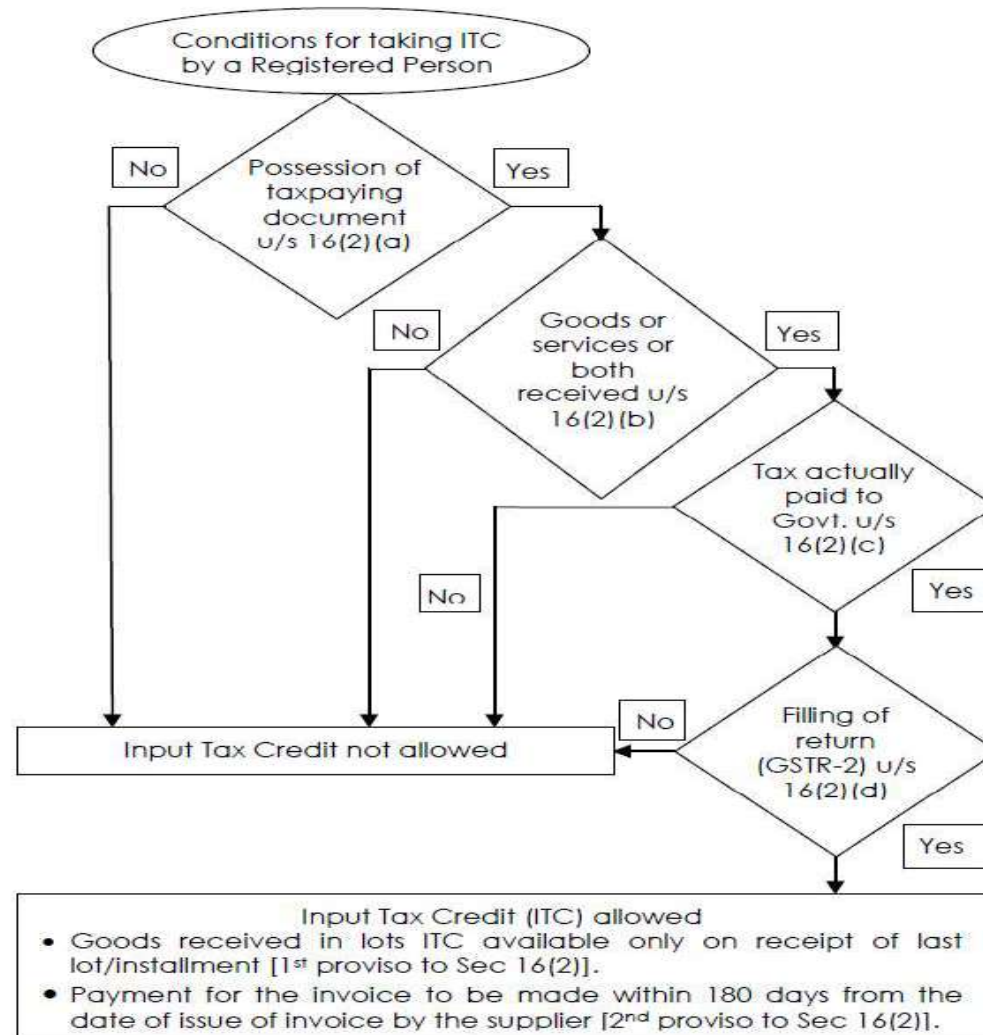
- ✓ From 01<sup>st</sup> Jan 2022 onwards:

ITC claims will be allowed only if it appears in GSTR-2B – it means ITC claim restricted to the extent auto populated in 2B/3B

## Let's have Q&A

- ❖ Mr. X is a registered dealer writes a letter to the department officer stating that he missed claim the ITC for the month of March-2023, to the tune of Rs 10,00,000, based on this situation, answer the below questions:
- I. Can the officer has the power to grant ITC and allow & credit to dealer's ECL ?
- II. How to claim and what is the mechanism to claim the ITC ?
- III. What is the last date / due date to claim the missed ITC for the FY 2022-23 ?
- IV. Let's say Mr. X kept hold his Mar-2023 GSTR-3B Return as hold due to reconciliation issue and filed on 31.12.2023, does he violated any section and what are the consequences ?
- V. Mr. X is filed GSTR-9 for the FY 2022-23 during the month of Aug-2023 say on 15<sup>th</sup> Aug 2023, can he eligible to claim the missed ITC in the GSTR-9 ?
- VI. If Mr. X filed GSTR-9 of FY 2022-23 on 15.08.2023 then what is the due date for claiming of ITC ?
- VII. What is the mechanism to reverse the excess ITC claimed in the GSTR-3B return ?
- VIII. Can we, reverse the excess ITC pertaining to FY 2022-23 in the GSTR-9 or any other mechanism available to do the same ?

**Simplified Approach:**



## Special Notes on ITC:

<b>Note 1</b>	In case of Goods received in lots	<p>ITC available only on receipt of last lot / Installment</p> <p><b>Eg:</b> XYZ makes an advance payment in August and orders 10 MT of a particular chemical which is in short supply. The supplier of the chemical raises a bill for the entire amount in August and collects GST from XYZ on the advance paid. The chemical is delivered in lots over a period of three months and the supply is completed in November. Though XYZ paid some tax in advance as early as August, he can take the ITC only on receipt of last instalment of the chemical in the month of November.</p>
<b>Note 2</b>	<p><b>Payment for the invoice to be made within 180 days from DOI:</b></p> <ul style="list-style-type: none"> <li>◆ The registered person must pay the supplier, the value of the goods and/or services along with the tax within 180 days from the date of issue of invoice.</li> <li>◆ In the event of failure to do so, Such credits availed by the registered person should be reversed in GSTR - 3B</li> <li>◆ Interest will be paid @ 18% from the date of availing credit till the date of reversal of credit.</li> <li>◆ However, once the payment is made to supplier later, the recipient will be entitled to avail the credit again without any time limit</li> </ul>	<p><b>Exceptions:</b></p> <p>This condition of payment of value of supply plus tax within 180 days does not apply in the following situations:</p> <p>(i) Supplies on which tax is payable under reverse charge</p> <p>(ii) Deemed supplies without consideration</p> <p>That means in above 2 cases, even though payment is not made to supplier, ITC can be availed</p>
<b>Note 3</b>	If depreciation claimed on tax component, ITC not allowed	<p>Thus, in respect of the tax paid on such items, dual benefit cannot be claimed under Income-tax Act, 1961 and GST laws simultaneously. In other words, either depreciation on the tax component can be claimed under Income Tax Act or ITC of such tax paid can be availed under GST laws.</p>

## Time Limit for availing ITC S.16(4): Old Provision

ITC on invoices pertaining to a financial year or debit notes relating to invoices pertaining to a financial year can be availed any time till the

a) **Due date** of filing of the return **for the month of September** of the succeeding FY



b) The **date of filing of the relevant annual return**,

- It may be noted that the return for the month of September is to be filed by the 10<sup>th</sup> October
- Annual return of a F.Y is to be filed by 31<sup>st</sup> December of the succeeding FY
- The time limit u/s 16(4) does not apply to claim for re-availing of credit that had been reversed earlier.

## S.16(4): Extended Time Limit till 30<sup>th</sup> Nov of NFY >>>>> LA

S. N	Particulars	Section	Old Time Limit	New Time Limit
1	ITC availment	Section 16(4)	Due date of furnishing GSTR-3B of September month of next financial year	30 November of next financial year
2	Reporting of credit notes	Section 34(2)	Due date of furnishing GSTR-3B of September month of next financial year	30 November of next financial year
3	Amendment in GSTR 1	First proviso of Section 37(3)	Due date of furnishing GSTR-3B of September month of next financial year	30 November of next financial year
4	Amendment in GSTR 3B	Proviso of Section 39(9)	Due date of furnishing GSTR-3B of September month of next financial year	30 November of next financial year

## Blocked Credits u/s 17(5):

In the following cases ITC is not available at all		
S.N	Name	Exception (i.e., ITC is available)
1.	Motor vehicles for transportation of persons having approved seating capacity of not more than 13 persons (including the driver)	<p>When used for making the following taxable supplies:</p> <ul style="list-style-type: none"> <li>• Further supply of such vehicles of conveyances; or</li> <li>• Transportation of passengers; or</li> <li>• imparting training on driving such motor vehicles</li> </ul> <p><b>Eg:</b> A car dealer is allowed ITC on cars purchased for resale; a cab service is allowed ITC on cars purchased for use as cabs; a driving school is allowed ITC on cars purchased for use in teaching driving.</p> <p><b>Note:</b> ITC is available on Motor vehicles with seating capacity of more than 13 persons (Blocked credit is only for vehicles with seating capacity <math>\leq</math> 13 persons)</p>
2.	Vessels and aircraft	<p>(i) for making the following taxable supplies, namely:—</p> <ul style="list-style-type: none"> <li>(A) further supply of such vessels or aircraft; or</li> <li>(B) transportation of passengers; or</li> <li>(C) imparting training on navigating such vessels; or</li> <li>(D) imparting training on flying such aircraft;</li> </ul> <p>(ii) for transportation of goods;</p>
3.	Services of general insurance, servicing, repair and maintenance in so far as they relate to motor vehicles, vessels or aircraft referred to in 1 & 2 points above	If ITC is eligible(as per Exception 1 & 2), then these services also eligible as ITC;

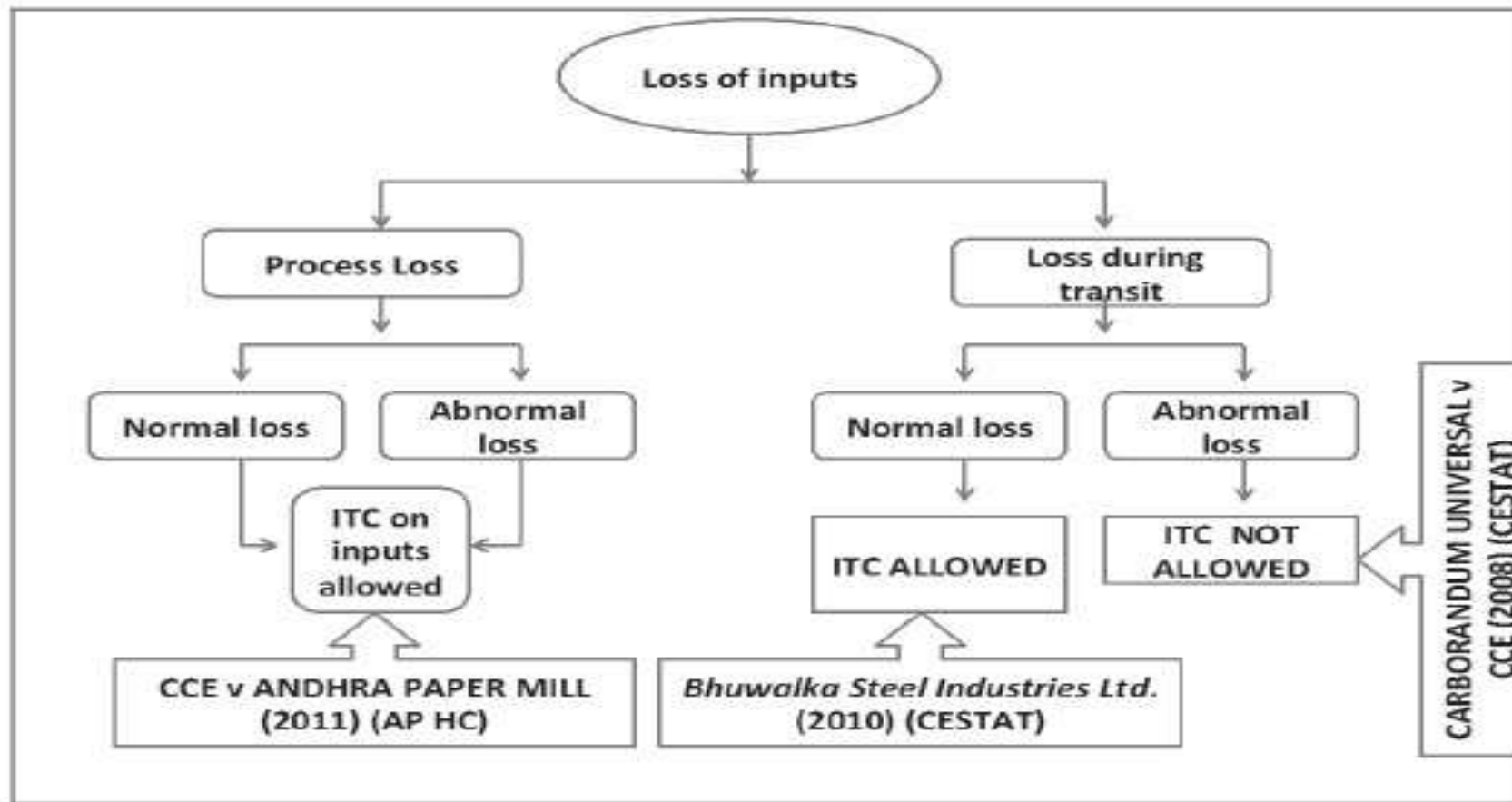
## Blocked Credits u/s 17(5):

4.	Foods and beverages, outdoor catering, beauty treatment, health services, cosmetic and plastic surgery	<p>a) An inward supply of these is used for making an outward taxable supply of the same category or as an element of a taxable composite or mixed supply.  <b>Eg :</b> A caterer for a wedding gets the sweet dish course supplied by a specialist in desserts. He is allowed ITC of the tax paid by him to the specialist.</p> <p>b) <b>The Government has made it obligatory for an employer to provide any of these services to its employees</b></p>
5.	Leasing, renting or hiring of motor vehicles, <b>vessels or aircraft</b> , life insurance and health insurance	<p>a) The Government has made it obligatory for an employer to provide any of these services to its employees; or</p> <p>b) Inward supply of these services is used for making an outward taxable supply of the same category or as an element of a taxable composite or mixed supply.</p>
6.	Works contract services for construction of an immovable property	<p>a) It is input service for further supply of works contract service</p> <p>b) Immovable property is plant and machinery</p>
7.	Membership of a club, health and fitness centre	<b>When such services are provided by an employer to its employees under a statutory obligation</b>
8.	Travel benefits to employees on vacation such as LTC	The Government has made it obligatory for an employer to provide any of these services to its employees under any law;

## Blocked Credits u/s 17(5):

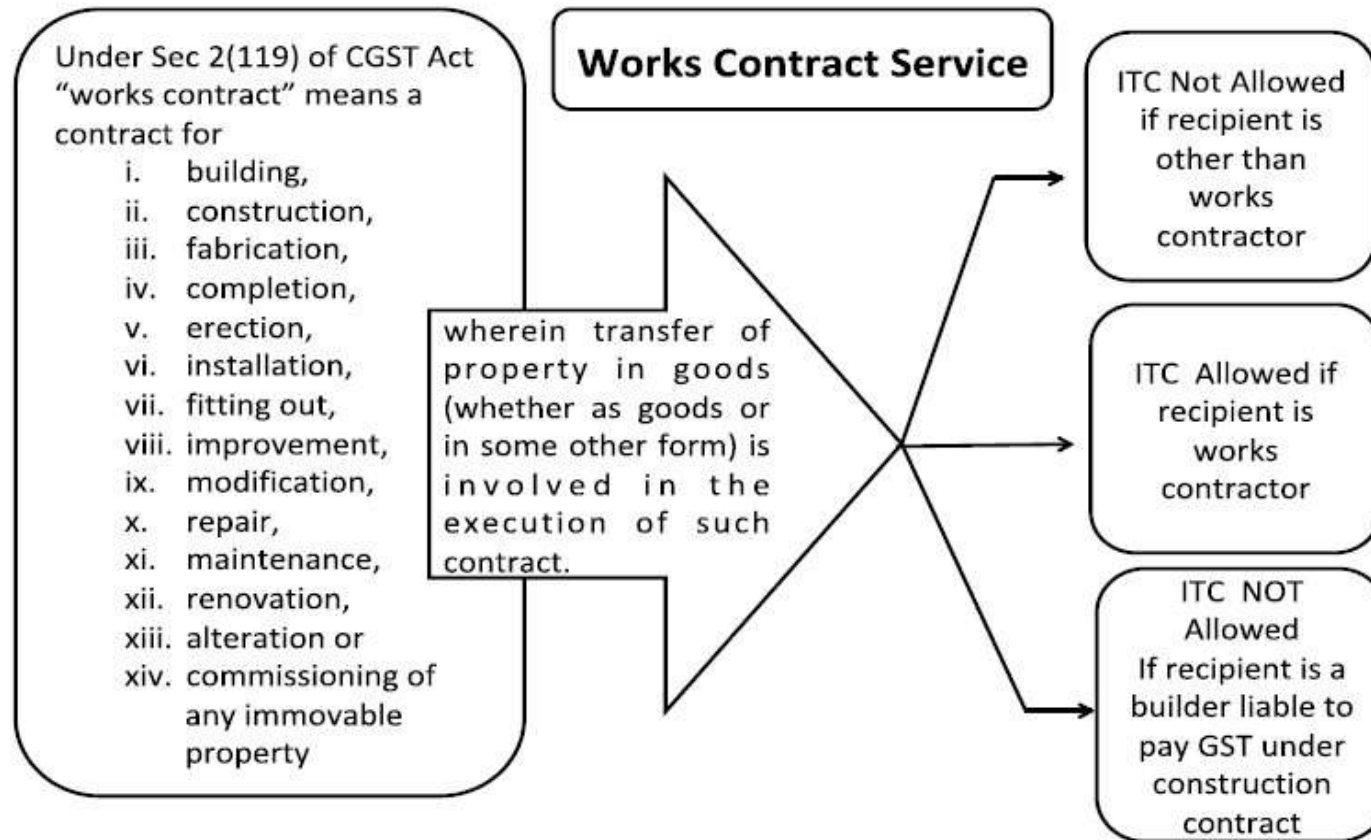
9.	<p>Inward supplies received by a taxable person for construction of an immovable property (other than plant and machinery) on his own account even when such supplies are used in the course or furtherance of business</p> <p>Eg : - A company buys material and hires a contractor to construct an office building to house the plant supervisory staff. The input tax paid on such goods and services is not allowed as credit.</p> <p><b>Meaning of construction and plant and machinery</b></p> <p><b>"Construction"</b>, both in this clause and the previous one, includes reconstruction, renovation, additions or alterations or repairs, to the extent of capitalization, to immovable property;</p> <p><b>"Plant and machinery"</b> means apparatus, equipment, and machinery fixed to earth by foundation or structural supports but excludes land, building or other civil structures, telecommunication towers, and pipelines laid outside the factory premises.</p>
10.	Inward supplies on which tax has been paid under the composition scheme
11.	Inward supplies received by a non-resident taxable person except goods imported by him
12.	Goods and / or services used for personal consumption
13.	Goods that are lost, stolen, destroyed, written off or disposed of by way of gift or free samples
14.	Tax paid under sections 74, 129 and 130. (These sections prescribe the provisions relating to tax paid as a result of evasion of taxes, or upon detention of goods or conveyances in transit, or towards redemption of confiscated goods/conveyances.)

## Blocked Credits u/s 17(5): Serial No.13



## Blocked Credits u/s 17(5): Serial No.6

Concept of Input Tax Credit in Real Estate Industry:



## Blocked Credits u/s 17(5): Serial No.6 & 9

This concept further elucidated in the following table:

Nature of service	ITC	Remarks
Cement is used for construction of administration building	Not allowed	Building is not plant and machinery.
Cement is used for foundation of pillars supporting a boiler	Allowed	As such structural support for plant and machinery is included in definition of plant and machinery.
Works contract services is provided by sub-contractor to a contractor	Allowed	Works contracts service is excluded except when used for providing work contract service
Steel and other structural supports are used for Land, building or any other civil structures; or setting up a telecommunication tower; or pipelines laid outside the factory premises	Not allowed	These are specifically excluded from the term plant and machinery. Note: Credit of tax paid on goods and services used for construction of immovable property including work contract service has been allowed only if such immovable property is in the nature of "plant and machinery".
GST paid on parts of telecommunication towers or parts of pipelines.	Not Allowed	GST paid on any inputs or capital goods used for construction of telecommunication towers, pipeline laid outside the factory, will not be available as input tax credit.

## Sequential Filing of GSTR-1 and GSTR-3B :

This restriction is already in place on GST portal, now legalized under the GST Act

- ❖ GSTR 1 cannot be furnished if GSTR 1 for earlier period is not furnished {Section 37(4)}
- ❖ GSTR 1 cannot be furnished if GSTR – 3B for earlier period is not furnished
- ❖ GSTR-1 mandatory before filing of return in Form GSTR-3B. {Section 39(10)}.
- ❖ Way Bill can't be generated if GSTR-3B return pending for last 2 months
- ❖ If Way Bill Portal Blocked then file GSTR-3B returns up to date and “**Un-Block E-Way Bill**” by Self
- ❖ Way Bill can be cancelled within 24 hours of the Generation

## Lets have Q&A

1. M/s Reliance Industries Ltd purchased Audi Car for Rs 1 Cr and Tax paid on such car is Rs 28,00,000 for official use of its director Mr. Mukesh Ambani
2. ITC on cars purchased by a car dealer for sale to customers
3. ITC on cars purchased by a company engaged in renting out cars for transportation of passengers
4. Mr. K is a Cost Accountant and registered dealer in GST, purchase KIA Sonet Car, can he eligible to claim ITC on car ?
5. ITC on cars purchased by a car driving school
6. M/s ABC Ltd purchased Swaraz Mazda Mini Bus where the seating capacity is 18 members including driver for transportation of its employees from their residence to office and back
7. ITC on trucks purchased by a company for transportation of its finished goods
8. ITC on aircraft purchased by a manufacturing company for official use of its CEO
9. ITC on aircraft purchased by an Aviation School providing training on flying aircrafts
10. ITC on general insurance taken on a car used by employees of a manufacturing company for official

## Lets have Q&A

1. ITC on general insurance taken on a car used by employees of a manufacturing company for official purpose
2. ABC Ltd orders snacks for the employees who works in evening shift, can ITC eligible to claim on such food items ?
3. M/s. XYZ Ltd purchases Vessels for imparting the navigation on vessels to the prospective staff, can they eligible to claim ITC
4. Mr. X undergoes plastic surgery for his face to look more beautiful, can he eligible to claim ITC on payment made to specialist on surgery ?
5. Mr. K is CA incurred repairs and maintenance on motor car for Rs 50,000 and paid GST 18% i.e., Rs 9,000 can he eligible to claim ITC on such charges ?
6. M/s. Handpicked stores is a Composition dealer engaged in the business of supply of gift articles and fashion design items, during the month of May-2022 they purchased 10 Lakhs stock for GST paid @ 12% what is eligible ITC?
7. Mr. Y purchased one laptop and uses for his personal purpose, can he eligible to claim ITC ?
8. ABC Ltd launched new product called as product X, for a quantity of 1,000 articles, in order to grab the market they started giving free samples to the public to the tune of 100 articles. In order to manufacturer they incurred Inputs and Input services and paid taxes on that is Rs 1,00,000

## Lets have Q&A

1. ITC on maintenance & repair services availed by a company for a truck used for transporting of Goods?
2. AB & Co., a caterer of Amritsar, has been awarded a contract for catering in a marriage to be held at Ludhiana. The firm has given the sub-contract for supply of snacks, to be served in the marriage, to CD & Sons, a local caterer of Ludhiana. Can ITC eligible to AB & Co.,?
3. ITC on outdoor catering services availed by a company, for its Annual day event organized for its employees and family members?
4. ITC on outdoor catering service availed by a company to run a canteen in its factory. The Factories Act, 1948 requires the company to set up a canteen in its factory. ITC on such outdoor catering is ?
5. M/s Jay Ltd. being a manufacturer purchased machinery worth Rs 10,00,000 on which GST Rs 1,80,000 is paid. What are the options manufacturer ?
6. Repairs and maintenance expenses incurred for motor car by a elite motor driving school, can they claim ITC on such repairs?
7. Do we need to disclose Blocked credit / Ineligible ITC in GSTR-3B return & how ?
8. How to show reversal of ITC in GSTR-3B (or) how to disclose credit notes in GSTR-3B Return ?



*{Arise, awake and stop not until the goal is reached}  
- Swami Vivekananda*

**Thank You**



By

**CA CMA Kedarnath**

**Mobile # 9985162155**

**[kedarnath.potnuru@gmail.com](mailto:kedarnath.potnuru@gmail.com)**