



**Recent Amendments in GST...
53rd Council Meeting and
Finance Budget 2024.
GST and Customs**

**Organized by,
Nagpur Branch of WIRC of ICAI....
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01.

Notification No. **12/2024** – Central Tax
Date: **July 10, 2024**
Ministry of Finance (Department of Revenue)
Central Board of Indirect Taxes and Customs

Subject : Amendment to Central Goods and Services Tax Rules In accordance with Section 164 of the Central Goods and Services Tax Act, 2017, and following recommendations from the Council, the Central Government has introduced new rules to amend the Central Goods and Services Tax Rules, 2017.



1. Title and Commencement

1. Title : These rules will be known as the Central Goods and Services Tax (Amendment) Rules, 2024.
2. Commencement : Except as specified otherwise, these rules will take effect from the date they are published in the Official Gazette.

2. Update to GST Rule 8 (4A) Adhar Authentication “”

- In the Central Goods and Services Tax Rules, 2017, rule 8, sub-rule (4A) will be updated to require applicants (excluding those under section 25(6D) who haven't opted for Aadhaar authentication) to submit a photograph and verify original documents at designated Facilitation Centres. The application will only be considered complete after this verification.

3. Amendments to GST Rule 21

- Summary of GST Rule Amendment : In rule 21 of the GST rules, clause (f) will include references to amendments in FORM GSTR-1A, and a new clause (ga) will address violations of specific provisions in rule 23.

4. Updates to GST Rule 21A

- Rule 21A, sub-rule (2A), clause (a) will be updated to :
- Include references to amendments in FORM GSTR-1A.
- Add provisions for FORM GSTR-1A of the previous tax period.

5. Changes to GST Rule 28 Effective October 26, 2023

- From October 26, 2023, Rule 28 will be updated to :
- Specify that related persons must be located in India .
- Include "per annum" after the guarantee amount .
- Add a proviso stating that if the recipient is eligible for full Input Tax Credit, the invoice value will be considered the value of the supply of services.

6. Amendments to GST Rules 36 and 37A

- Rule 36, sub-rule (4), clause (a) will now include references to amendments in FORM GSTR-1A.
- Rule 37A will also include references to amendments in FORM GSTR-1A.



6. Comprehensive Update to GST Rule 39

- Effective from a date to be notified, Rule 39 will undergo significant revisions :
 1. Sub-rule (1) Revisions :
 - **Distribution of Credit** : Specifies that Input Service Distributors must distribute input tax credit within the same month and document it in FORM GSTR-6.
 - **Credit Distribution Rules**: Sets detailed conditions on credit distribution, including limits, recipient-specific allocations, and calculations.
 - **Invoice and Credit Note Requirements** : Mandates issuing invoices and credit notes for credit distribution and adjustments
 2. New Sub-rule (1A) :
 - Allows registered persons with the same PAN and State code as an Input Service Distributor to transfer credit of common input services to the distributor.

Replaces references to outdated clauses and adds an explanation defining relevant terms like "**relevant period**" and "**recipient of credit.**"

7. Updates to GST Rules 40, 48, and 59



1. **Rule 40** : Adds references to FORM GSTR-1A alongside FORM GSTR-1 in sub-rule (1), clause (e).
2. **Rule 48** : Includes FORM GSTR-1A alongside FORM GSTR-1 in sub-rule (3).
3. **Rule 59** :

- **New Proviso** : Allows for optional amendments or additional details in FORM GSTR-1A before filing FORM GSTR-3B.
- **Sub-rule (4) Update** : Reduces the threshold for from ₹2.5 lakh to ₹1 lakh, effective August 1, 2024.
- **New Sub-rule (4A)** : Details additional requirements for FORM GSTR-1A, including invoice-wise and consolidated details of supplies, and adjustments for debit and credit notes.

Advisory Issued for GSTR 1A

Advisory for FORM GSTR-1A

Jul 26th, 2024

FORM GSTR-1A

1. The Government vide notification No. 12/2024 – Central Tax dated 10.07.2024, has introduced FORM GSTR-1A which facility. This has been provided to the taxpayers to **add or amend particulars** of a supply of the current tax period, which was wrongly reported in FORM GSTR-1 of the said tax period, before filing of the GSTR-3B return of the said tax period.

2. FORM GSTR-1A would be available to all the taxpayer from August 2024, through which details furnished in FORM GSTR-1 of July 24 can be amended. The salient features of FORM GSTR-1A are -

1. FORM GSTR-1A is an optional facility. This can be filed only once for a particular tax period.
2. The corresponding effect of the changes made through FORM GSTR-1A on the liability of the taxpayer shall be reflected for the same tax period.
3. At the recipient end, the ITC for the supplies declared or amended by the suppliers through FORM GSTR-1A will be reflected in recipient in FORM GSTR-2B generated for the next tax period.
4. For the taxpayers filing FORM GSTR-1 on monthly basis:
 - a. FORM GSTR-1A will be available on the portal every month from the due date of filing of FORM GSTR-1 or the due date of FORM GSTR-1, whichever is later, and will be available till the actual filing of corresponding FORM GSTR-3B of the current tax period. It is pertinent to re-iterate that the taxpayer can't file FORM GSTR-1 for a month until he files FORM GSTR-3B for the previous month.
 - b. From the liability perspective, the net impact of particulars declared or amended through FORM GSTR-1A, shall be auto-populated in FORM GSTR-3B for the same tax period as that of FORM GSTR-1.
5. For the QRMP taxpayers, who files FORM GSTR-1 on Quarterly basis:
 - a. FORM GSTR-1A shall be available quarterly after actual filing of FORM GSTR-1 (Quarterly) or the due date of (Quarterly), whichever is later, and will be available till the actual filing of FORM GSTR-3B of the same tax period.
 - b. The supplies reported in the FORM GSTR-1 of the current tax period (including those declared in IFF, for 1st and 2nd months, M2 of a quarter, if any) can be amended through corresponding Quarterly GSTR-1A.
 - c. From the liability perspective, the net impact of the particulars declared in GSTR 1A (Quarterly), along with FORM GSTR-1 (Quarterly) (or through IFF of Month M1 and M2, if filed), shall be auto-populated in FORM GSTR-3B (Quarterly) for the same tax period.

8. Key Amendments to GST Rules

1. Rule 60 Adjustments :

- **Sub-rule (1)** : Insert "or FORM GSTR-1A" after "FORM GSTR-1".
- **Sub-rule (7)** : Add clause "(iia)" for details or amendments in FORM GSTR-1A filed between the due date of FORM GSTR-1 for the previous tax period and the due date of FORM GSTR-1 for the current tax period.

2. Rule 62 Update :

- Sub-rule (1) : For financial years from FY 2024-25 onwards, FORM GSTR-4 must be filed by June 30 following the end of the financial year.

3. Rule 78 Revision :

- Insert ", as amended in FORM GSTR-1A if any," after "FORM GSTR-1".

4. Rule 88B Clarification : Effective ?????

- Sub-rule (1) : If an amount credited to the Electronic Cash Ledger before the return's due date is debited for tax payment after the due date, this amount will not affect the interest calculation if it remained in the ledger from the due date to the debit date.

5. Rule 88C Addition :

- Sub-rule (1): Insert ", as amended in FORM GSTR-1A if any," after "FORM GSTR-1".

4. Rule 89 Refund Process :

- Sub-rule (1B): Introduces a provision for refund claims of additional integrated tax paid due to price revisions post-export, to be filed electronically in FORM GST RFD-01 within two years from the relevant date or within two years from the rule's enforcement if the relevant date is prior.
- Sub-rule (2): Adds requirements for refund claims including export invoices, shipping bills, Bank Realisation Certificates, supplementary invoices or debit notes, proof of additional tax payment, and a certificate from a practicing chartered accountant or cost accountant.

These updates ensure clarity in filing and processing GST returns and refunds, improving compliance and accuracy in the tax system.

2. Changes in other important sections

1. New Rule 95B : Refund for Canteen Stores Department

- **Refund Eligibility** : Canteen Stores Departments under the Ministry of Defence can claim a refund of 50% of the central tax paid on inward supplies of goods used for subsequent supply to Unit Run Canteens or authorized customers.
- **Application Process** : Refund must be filed quarterly in FORM GST RFD-10A.
Conditions : Goods must be received from a registered person, with details in FORM GSTR-1 and the supplier's return in FORM GSTR-3B. The applicant's name and GSTIN must be on the tax invoice. Goods should be for supply to Unit Run Canteens or authorized customers.

2. Rule 96 Updates :

- Sub-rule (1) : Insert ", as amended in FORM GSTR-1A if any," after "FORM GSTR-1" in the proviso to clause (b).
- Add a proviso allowing exporters to claim a refund for additional integrated tax paid due to price revisions post-export, if the initial integrated tax refund was already processed.
- Sub-rule (2) : Insert", as amended in FORM GSTR-1A ," after "FORM GSTR-1".

2. Rule 96A Revisions :

- Sub-rule (1) : Update clause (b) to allow a refund claim up to fifteen days after one year or the period allowed under the Foreign Exchange Management Act, 1999, or as permitted by the Reserve Bank of India, if payment is not received in convertible foreign exchange or Indian rupees.
- Sub-rule (2): Insert ", as amended in FORM GSTR-1A if any," after "FORM GSTR-1".

These amendments streamline the refund process for specific departments and exporters, ensuring accurate and timely tax refunds in line with updated regulations.

Further Changes

Key Updates to GST Rules

1. Rule 110: Appeals to the Appellate Tribunal

- **Filing Appeals:** Appeals must be filed electronically in FORM GST APL-01. Filing is allowed only if permitted by the Registrar under specific conditions.
- **Cross-Objections:** Filed electronically in FORM GST APL-02 under special conditions.
- **Acknowledgement:** A provisional acknowledgment is issued upon filing. A final acknowledgment (FORM GST APL-02) will be issued after the appeal is considered the filing date.
- **Fees:** Appeals are subject to fees based on the tax amount. The maximum fee is ₹25,000 and the minimum is ₹5,000. Appeals for rectification are subject to a fee of ₹5,000.
- **No Fee:** Applications for rectification of errors have no associated fee.

2. Rule 111: Applications to the Appellate Tribunal

- **Filing Applications:** Applications must be filed electronically in FORM GST APL-03.

for appeals.

- **Definitions:** The term 'Registrar' includes various designated officers.

3. Rule 113A: Withdrawal of Appeals or Applications

- **Withdrawal Process:** Appeals or applications can be withdrawn by filing FORM GST APL-05/07W. If the final acknowledgment is issued, withdrawal requires Appellate Tribunal approval.
- **Fresh Filing:** Any new appeal or application post-withdrawal must be filed within the prescribed filing deadlines.

4. Rule 138: E-Way Bills for Unregistered Persons

- **E-Way Bill Generation:** Unregistered persons required or optional to generate E-way bills must submit details electronically in FORM GST ENR-03 to the Registrar.

5. Rule 142: Payment Acknowledgment and Adjustments

- **Payment Acknowledgment:** Acknowledgment of payments to suppliers must be available electronically on the common portal.
- **Adjustments:** Payments made via FORM GST DRC-03 can be used for adjustments.

03.

Central Notification: [F. No.CBIC-20006/21/2024-GST]



Annual Return Exemption : A Quick Guide

- **Announcement Date** : July 10, 2024
- **Issued By** : Central Board of Indirect Taxes and Customs
- **Legislation** : Section 44 of the Central Goods and Services Tax Act, 2017

Key Points:

- **Who's Affected** : Registered taxpayers with an aggregate turnover up to ₹2 crore for the financial year 2023-24.

09.

Navigating the Future :
Key Impacts of the
Finance Bill, 2024 on
India's Economy



Chapter I : Preliminary

1. Short Title and Commencement

- Title (1) This Act may be called the Finance (No. 2) Act, 2024.

2. Commencement

- Save as otherwise provided in this Act :
- (a) Sections 2 to 87 shall be deemed to have come into force on the 1st day of April, 2024.
- (b) Sections 110 to 153 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Chapter V : Indirect Taxes

Central Goods and Services Tax

1. Amendment of Section 9

- In the Central Goods and Services Tax Act, 2017 (12 of 2017) (hereinafter referred to as the "Central Goods and Services Tax Act"), in section 9, in sub-section (1), after the words "alcoholic liquor for human consumption", the words "and undenatured extra neutral alcohol or rectified spirit used for manufacture of alcoholic liquor for human consumption" shall be inserted.

2. Amendment of Section 10

- In section 10 of the Central Goods and Services Tax Act, in sub-section (5), after the words and figures "section 73 or section 74", the words, figures, and letter "or section 74A" shall be inserted.

3. Insertion of New Section 11A (*May be big relief to Tax Payers...*)

After section 11 of the Central Goods and Services Tax Act, the following section shall be inserted, namely :

Power Not to Recover Goods and Services Tax Not Levied or Short-Levied as a Result of General Practice

“11A. Notwithstanding anything contained in this Act, if the Government is satisfied that —

- (a) a practice was, or is, generally prevalent regarding levy of central tax (including non-levy thereof) on any supply of goods or services or both; and
- (b) such supplies were, or are, liable to —
 - (i) central tax, in cases where according to the said practice, central tax was not, or is not being, levied, or
 - (ii) a higher amount of central tax than what was, or is, being levied, in accordance with the said practice,

the Government may, on the recommendation of the Council, by notification in the Official Gazette, direct that the whole of the central tax payable on such supplies, or, as the case may be, the central tax in excess of that payable on such supplies, but for the said practice, shall not be required to be paid in respect of the supplies on which the central tax was not, or is not being levied, or was, or is being, short-levied, in accordance with the said practice.”.

4. Amendment of Section 13 (*Self invoicing time Limit of RCM*)

In section 13 of the Central Goods and Services Tax Act, in sub-section (3)—

- i. in clause (b), for the words “by the supplier:”, the words “by the supplier, in cases where invoice is required to be issued by the supplier; or” shall be substituted;
- ii. after clause (b), the following clause shall be inserted, namely :

“(c) the date of issue of invoice by the recipient, in cases where invoice is to be issued by the recipient:”;

- iii. in the first proviso, after the words, brackets, and letter “or clause (b)”, the words, brackets, and letter “or clause (c)” shall be inserted.

5. Amendment of Section 16

- In section 16 of the Central Goods and Services Tax Act, with effect from the 1st day of July, 2017, after sub-section (4), the following sub-sections shall be inserted, namely :
- “(5) Notwithstanding anything contained in sub-section (4), in respect of an invoice or debit note for supply of goods or services or both pertaining to the Financial Years 2017-18, 2018-19, 2019-20, and 2020-21, the registered person shall be entitled to take input tax credit in any return under section 39 which is filed up to the thirtieth day of November, 2021.
- (6) Where registration of a registered person is cancelled under section 29 and subsequently the cancellation of registration is revoked by any order, either under section 30 or pursuant to any order made by the Appellate Authority or the Appellate Tribunal or court and where availment of input tax credit in respect of an invoice or debit note was not restricted under sub-section (4) on the date of order of cancellation of registration, the said person shall be entitled to take the input tax credit in respect of such invoice or debit note for supply of goods or services or both, in a return under section 39—

- (i) filed up to the thirtieth day of November following the financial year to which such invoice or debit note pertains or furnishing of the relevant annual return, whichever is earlier; or
- (ii) for the period from the date of cancellation of registration or the effective date of cancellation of registration, as the case may be, till the date of order of revocation of cancellation of registration, where such return is filed within thirty days from the date of order of revocation of cancellation of registration, whichever is later.”

6. Amendment of Section 17

- In section 17 of the Central Goods and Services Tax Act, in sub-section (5), in clause (i), for the words and figures “sections 74, 129 and 130”, the words and figures “section 74 in respect of any period up to Financial Year 2023-24” shall be substituted.

7. Amendment of Section 21 Excess Credit Distributed

- In section 21 of the Central Goods and Services Tax Act, after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

8. Amendment of Section 30 Revocation of Cancellation Certain Conditions

- In section 30 of the Central Goods and Services Tax Act, in sub-section (2), after the proviso, the following proviso shall be inserted, namely :
- “Provided further that such revocation of cancellation of registration shall be subject to such conditions and restrictions, as may be prescribed.”.

9. Amendment of Section 31

- **In section 31 of the Central Goods and Services Tax Act— Self invoicing**
 - (a) in sub-section (3), in clause (f), after the words and figure “of section 9 shall”, the words “within the period as may be prescribed,” shall be inserted;
 - (b) after clause (g), the following Explanation shall be inserted, namely

“Explanation.— For the purposes of clause (f), the expression “supplier who is not registered” shall include the supplier who is registered solely for the purpose of deduction of tax under section 51.”.

10. Amendment of Section 35 (*Not accounted Transactions*)

- In section 35 of the Central Goods and Services Tax Act, in sub-section (6), after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

11. Amendment of Section 39 *TDS Return Filer’s*

- In section 39 of the Central Goods and Services Tax Act, for sub-section (3), the following sub-section shall be substituted, namely :
- “(3) Every registered person required to deduct tax at source under section 51 shall electronically furnish a return for every calendar month of the deductions made during the month in such form and manner and within such time as may be prescribed :
- Provided that the said registered person shall furnish a return for every calendar month whether or not any deductions have been made during the said month.”

12. Amendment of Section 49 *Payment of Taxes*

- In section 49 of the Central Goods and Services Tax Act, in sub-section (8), in clause (c), after the words and figures “section 73 or section 74”, the words, figures, and letter “or **section 74A**” shall be inserted.

13. Amendment of Section 50 *Interest on Late Payments*

- In section 50 of the Central Goods and Services Tax Act, in sub-section (1), in the proviso, after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

14. Amendment of Section 51 *TDS Payment Default*

- In section 51 of the Central Goods and Services Tax Act, in **sub-section (7)**, after the **words and figures “section 73 or section 74”**, the words, figures, and letter “or section 74A” shall be inserted.

15. Amendment of Section 54 *Export Duty Vs With Payment Tax Refunds*

- In section 54 of the Central Goods and Services Tax Act— (a) in sub-section (3), the second proviso shall be omitted; (b) after sub-section (14) and before the Explanation, the following sub-section shall be inserted, namely:“(15) **Notwithstanding anything contained in this section, no refund of unutilised input tax credit on account of zero-rated supply of goods or of integrated tax paid on account of zero-rated supply of goods shall be allowed where such zero-rated supply of goods is subjected to export duty.**”.

16. Amendment of Section 61 (*Scrutiny of Returns*)

- In section 61 of the Central Goods and Services Tax Act, in sub-section (3), after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

17. Amendment of Section 62 (*Assessment of Non Filers ASMT 12*)

- In section 62 of the Central Goods and Services Tax Act, in sub-section (1), after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

16. Amendment of Section 63 Assessment *of Un Registered Tax Payers*

- In section 63 of the Central Goods and Services Tax Act, after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

17. Amendment of Section 64 *Summery Assessments in certain cases*

- In section 64 of the Central Goods and Services Tax Act, in sub-section (2), after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

18. Amendment of Section 65 *Audit by Authorities*

- In section 65 of the Central Goods and Services Tax Act, in sub-section (7), after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

19. Amendment of Section 66 *Special Audit*

- In section 66 of the Central Goods and Services Tax Act, in sub-section (6), after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

20. Amendment of Section 70 (*Enquiry Summon*)

- In section 70 of the Central Goods and Services Tax Act, after sub-section (1), the following sub-section shall be inserted, namely :
- “(1A) **All persons summoned under sub-section (1) shall be bound to attend, either in person or by an authorised representative, as such officer may direct, and the person so appearing shall state the truth during examination or make statements or produce such documents and other things as may be required.**”.

21. Amendment of Section 73

- In **section 73** of the Central Goods and Services Tax Act—
- (i) in the marginal heading, after the words “**Determination of tax**”, the words and figures “**pertaining to the period up to Financial Year 2023-24**” shall be inserted;
- (ii) after sub-section (11), the following sub-section shall be inserted, namely : “**(12) The provisions of this section shall be applicable for determination of tax pertaining to the period up to Financial Year 2023-24.**”.

22. Amendment of Section 74

- In section 74 of the Central Goods and Services Tax Act—
- (i) in the **marginal heading**, after the words “**Determination of tax**”, the words and figures “**pertaining to the period up to Financial Year 2023-24**” shall be inserted;
- (ii) after sub-section (11) and before Explanation 1, the following sub-section shall be inserted, namely :
 - “**(12) The provisions of this section shall be applicable for determination of tax pertaining to the period up to Financial Year 2023-24.**”;
- (iii) the Explanation 2 shall be omitted.

23. Insertion of New Section 74A

- After section 74 of the Central Goods and Services Tax Act, the following section shall be inserted, namely :
 - “74A. Determination of tax not paid or short paid or erroneously refunded or input tax credit wrongly availed or utilised for any reason pertaining to Financial Year 2024-25 onwards.
1. Where it appears to the proper officer that any tax has not been paid or short paid or erroneously refunded, or where input tax credit has been wrongly availed or utilised, he shall serve notice on the person chargeable with tax which has not been so paid or which has been so short paid or to whom the refund has erroneously been made, or who has wrongly availed or utilised input tax credit, requiring him to show cause as to why he should not pay the amount specified in the notice along with interest payable thereon under section 50 and a penalty leviable under the provisions of this Act or the rules made thereunder :

Provided that no notice shall be issued if the tax which has not been paid or short paid or erroneously refunded or where input tax credit has been wrongly availed or utilised in a financial year is less than one thousand rupees.

2. The proper officer shall issue the notice under sub-section (1) within forty-two months from the due date for furnishing of annual return for the financial year to which the tax not paid or short paid or input tax credit wrongly availed or utilised relates to or within forty-two months from the date of erroneous refund.
3. Where a notice has been issued for any period under sub-section (1), the proper officer may serve a statement, containing the details of tax not paid or short paid or erroneously refunded or input tax credit wrongly availed or utilised for such periods other than those covered under sub-section (1), on the person chargeable with tax.
4. The service of such statement shall be deemed to be service of notice on such person under sub-section (1), subject to the condition that the grounds relied upon for such tax periods other than those covered under sub-section (1) are the same as are mentioned in the earlier notice.
5. The penalty in case where any tax which has not been paid or short paid or erroneously refunded, or where input tax credit has been wrongly availed or utilised—
 - (i) for any reason, other than the reason of fraud or any wilful misstatement or suppression of facts to evade tax, shall be equivalent to ten per cent. of tax due from such person or ten thousand rupees, whichever is higher;
 - (ii) for the reason of fraud or any wilful misstatement or suppression of facts to evade tax shall be equivalent to the tax due from such person.

6. The proper officer shall, after considering the representation, if any, made by the person chargeable with tax, determine the amount of tax, interest and penalty due from such person and issue an order.
7. The proper officer shall issue the order under sub-section (6) within twelve months from the date of issuance of notice specified in sub-section (2):
Provided that where the proper officer is not able to issue the order within the specified period, the Commissioner, or an officer authorised by the Commissioner senior in rank to the proper officer but not below the rank of Joint Commissioner of Central Tax, may, having regard to the reasons for delay in issuance of the order under sub-section (6), to be recorded in writing, before the expiry of the specified period, extend the said period further by a maximum of six months.
8. The person chargeable with tax where any tax has not been paid or short paid or erroneously refunded, or where input tax credit has been wrongly availed or utilised for any reason, **other than the reason of fraud or any wilful misstatement or suppression of facts to evade tax**, may—

- (i) before service of notice under sub-section (1), pay the amount of tax along with interest payable under section 50 of such tax on the basis of his own ascertainment of such tax or the tax as ascertained by the proper officer and inform the proper officer in writing of such payment, and the proper officer, on receipt of such information, shall not serve any notice under sub-section (1) or the statement under sub-section (3), as the case may be, in respect of the tax so paid or any penalty payable under the provisions of this Act or the rules made thereunder;
 - (ii) pay the said tax along with interest payable under section 50 within sixty days of issue of show cause notice, and on doing so, no penalty shall be payable and all proceedings in respect of the said notice shall be deemed to be concluded.
9. The person chargeable with tax, where any tax has not been paid or short paid or erroneously refunded or where input tax credit has been wrongly availed or utilised by reason of fraud, or any wilful misstatement or suppression of facts to evade tax, may—

- (i) before service of notice under sub-section (1), pay the amount of tax along with interest payable under section 50 and **a penalty equivalent to fifteen per cent.** of such tax on the basis of his own ascertainment of such tax or the tax as ascertained by the proper officer and inform the proper officer in writing of such payment, and the proper officer, on receipt of such information, shall not serve any notice under sub-section (1), in respect of the tax so paid or any penalty payable under the provisions of this Act or the rules made thereunder;
 - (ii) pay the said tax along with interest payable under section 50 and a penalty equivalent to twenty-five per cent. **of such tax within sixty days of issue of the notice**, and on doing so, all proceedings in respect of the said notice shall be deemed to be concluded;
 - (iii) pay the tax along with interest payable thereon under section 50 and a penalty equivalent to **fifty per cent. of such tax within sixty days of communication of the order**, and on doing so, all proceedings in respect of the said notice shall be deemed to be concluded.
10. Where the proper officer is of the opinion that the amount paid under clause (i) of sub-section (8) or clause (i) of sub-section (9) falls short of the amount actually payable, he shall proceed to issue the notice as provided for in sub-section (1) in respect of **such amount which falls short of the amount actually payable.**

11. Notwithstanding anything contained in clause (i) or clause (ii) of sub-section (8), penalty under clause (i) of sub-section (5) shall be payable where any amount of self-assessed tax or any amount collected as tax has not been paid within a period of thirty days from the due date of payment of such tax.
12. The provisions of this section shall be applicable for determination of tax pertaining to the Financial Year 2024-25 onwards :

Explanation 1.— For the purposes of this section—

- (i) the expression “all proceedings in respect of the said notice” shall not include proceedings under section 132;
- (ii) where the notice under the same proceedings is issued to the main person liable to pay tax and some other persons, and such proceedings against the main person have been concluded under this section, the proceedings against all the persons liable to pay penalty under sections 122 and 125 are deemed to be concluded.

24. Amendment of Section 75

- In section 75 of the Central Goods and Services Tax Act—
 - (a) in sub-section (1), after the words and figures “section 74”, the words, brackets, figures, and letter “or sub-sections (2) and (7) of section 74A” shall be inserted;
 - (b) after sub-section (2), the following sub-section shall be inserted, namely : “(2A) Where any Appellate Authority or Appellate Tribunal or court concludes that the penalty under clause (ii) of sub-section (5) of section 74A is not sustainable for the reason that the charges of fraud or any wilful misstatement or suppression of facts to evade tax have not been established against the person to whom the notice was issued, the penalty shall be payable by such person under clause (i) of sub-section (5) of section 74A.”;
 - (c) for sub-section (10), the following sub-section shall be substituted, namely : “(10) The adjudication proceedings shall be deemed to be concluded if the order is not issued within the period specified in sub-section (10) of section 73 or in sub-section (10) of section 74 or in sub-section (7) of section 74A.”;
 - (d) in sub-section (11), after the words and figures “section 74”, the words, brackets, figures, and letter “or sub-section (7) of section 74A” shall be inserted;
 - (e) in sub-section (12), after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted;
 - (f) in sub-section (13), after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

25. Amendment of Section 104 *Advance Ruling to be void*

- In section 104 of the Central Goods and Services Tax Act, in sub-section (1), in the Explanation, after the words and figures “section 74”, the words, brackets, figures, and letter “or sub-sections (2) and (7) of section 74A” shall be inserted.

26. Amendment of Section 107 (*25 Cr to 20 CR*)

- In section 107 of the Central Goods and Services Tax Act—
- (a) in sub-section (6), in clause (b), for the word “twenty-five”, the word “twenty” shall be substituted;
- (b) in sub-section (11), in the second proviso, after the words and figures “section 73 or section 74”, the words, figures, and letter “or section 74A” shall be inserted.

27. Amendment of Section 109 Constitution of (*Appellate Tribunal and Benches.*)

- In section 109 of the Central Goods and Services Tax Act—

- (a) in sub-section (1), after the words “**Revisional Authority**”, the words “, or for conducting an examination or adjudicating the cases referred to in sub-section (2) of section 171, if so notified under the said section” shall be inserted;
- (b) in sub-section (5), after the proviso, the following provisos shall be inserted, namely :
“Provided further that the matters referred to in sub-section (2) of section 171 shall be examined or adjudicated only by the Principal Bench;
Provided also that the Government may, on the recommendations of the Council, notify other cases or class of cases which shall be heard only by the Principal Bench.”;
- (c) in sub-section (6), for the words “**The President**”, the words, brackets, and figure “**Subject to the provisions of sub-section (5), the President**” shall be substituted.

28. Amendment of Section 112 Appeal to Appellate Tribunal

- In section 112 of the Central Goods and Services Tax Act—
 - A. with effect from the 1st day of August, 2024, in sub-section (1), after the words “from the date on which the order sought to be appealed against is communicated to the person preferring the appeal”, the words “; or the date, as may be notified by the Government, on the recommendations of the Council, for filing appeal before the Appellate Tribunal under this Act, whichever is later” shall be inserted;

- B. with effect from the 1st day of August, 2024, in sub-section (3), after the words “from the date on which the said order has been passed”, the words “; or the date, as may be notified by the Government, on the recommendations of the Council, for the purpose of filing application before the Appellate Tribunal under this Act, whichever is later” shall be inserted;
- C. in sub-section (6), after the words, brackets, and figure “after the expiry of the period referred to in sub-section (1)”, the words, brackets, and figure “or permit the filing of an application within three months after the expiry of the period referred to in sub-section (3)” shall be inserted;
- D. in sub-section (8), in clause (b)—(i) for the words “twenty per cent.”, the words “ten per cent.” shall be substituted; (ii) for the words “fifty crore rupees”, the words “twenty crore rupees” shall be substituted.

29. Amendment of Section 122

- In section 122 of the Central Goods and Services Tax Act, with effect from the 1st day of October, 2023, in sub-section (1B), for the words “Any electronic commerce operator who”, the words and figures “Any electronic commerce operator, who is liable to collect tax at source under section 52” shall be substituted.

30. Amendment of Section 127 (*Something Danger*)

- In section 127 of the Central Goods and Services Tax Act, after the words and figures “section 73 or section 74”, the words, figures, and letter “or **section 74A**” shall be inserted.

31. Insertion of New Section 128A (*Amnesty in Act it self*)

- After section 128 of the Central Goods and Services Tax Act, the following section shall be inserted, namely :
- **“128A. Waiver of interest or penalty or both relating to demands raised under section 73, for certain tax periods**
 1. Notwithstanding anything to the contrary contained in this Act, where any amount of tax is payable by a person chargeable with tax in accordance with—
 - A. a notice issued under sub-section (1) of section 73 or a statement issued under sub-section (3) of section 73, and where no order under sub-section (9) of section 73 has been issued; or

- B. an order passed under sub-section (9) of section 73, and where no order under sub-section (11) of section 107 or sub-section (1) of section 108 has been passed; or
- C. an order passed under sub-section (11) of section 107 or sub-section (1) of section 108, and where no order under sub-section (1) of section 113 has been passed,

pertaining to the period from **1st July, 2017 to 31st March, 2020**, or a part thereof, and the said person pays the full amount of tax payable as per the notice or statement or the order referred to in clause (a), clause (b) or clause (c), as the case may be, **on or before the date, as may be notified by the Government on the recommendations of the Council, no interest under section 50 and penalty under this Act, shall be payable and all the proceedings in respect of the said notice or order or statement, as the case may be, shall be deemed to be concluded, subject to such conditions as may be prescribed :**

Provided that where a notice has been issued under sub-section (1) of section 74, and an order is passed or required to be passed by the proper officer in pursuance of the direction of the Appellate Authority or Appellate Tribunal or a court in accordance with the provisions of **sub-section (2) of section 75**, the said notice or order shall be considered to be a notice or order, as the case may be, referred to in clause (a) or clause (b) of this sub-section;

Provided further that the conclusion of the proceedings under this sub-section, in cases where an application is filed under sub-section (3) of section 107 or under sub-section (3) of section 112 or an appeal is filed by an officer of central tax under sub-section (1) of section 117 or under sub-section (1) of section 118 or where any proceedings are initiated under sub-section (1) of section 108, against an order referred to in clause (b) or clause (c) or against the directions of the Appellate Authority or the Appellate Tribunal or the court referred to in the first proviso, shall be subject to the condition that the said person pays the additional amount of tax payable, if any, in accordance with the order of the **Appellate Authority or the Appellate Tribunal or the court or the Revisional Authority, as the case may be, within three months from the date of the said order;**

Provided also that where such interest and penalty has already been paid, no refund of the same shall be available.

2. Nothing contained in sub-section (1) shall be applicable in respect of any amount payable by the person on account of **erroneous refund.**
3. Nothing contained in sub-section (1) **shall be applicable in respect of cases where an appeal or writ petition filed by the said person is pending before Appellate Authority or Appellate Tribunal or a court, as the case may be, and has not been withdrawn by the said person on or before the date notified under sub-section (1).**
4. Notwithstanding anything contained in this Act, where any amount specified under sub-section (1) has been paid and the proceedings are deemed to be concluded under the said sub-section, **no appeal under sub-section (1) of section 107 or sub-section (1) of section 112 shall lie against an order referred to in clause (b) or clause (c) of sub-section (1), as the case may be.”.**

32. Amendment of Section 140 *Transitional Provisions*

- In section 140 of the Central Goods and Services Tax Act, with effect from the 1st day of July, 2017, in sub-section (7), for the words “even if the invoices relating to such services are received on or after the appointed day”, the words “whether the invoices relating to such services are received prior to, on or after, the appointed day” shall be substituted.

33. Amendment of Section 171 *Sunset Provisions*

- In section 171 of the Central Goods and Services Tax Act—
 - A. in sub-section (2), the following proviso and Explanation shall be inserted, namely:

Provided that the Government may by notification, on the recommendations of the Council, specify the date from which the said Authority **shall not accept any request for examination** as to whether input tax credits availed by any registered person or the reduction in the tax rate have actually resulted in a commensurate reduction in the price of the goods or services or both supplied by him.

Explanation.—For the purposes of this sub-section, “request for examination” shall mean the written application filed by an applicant requesting for examination as to whether input tax credits availed by any registered person or the reduction in the tax rate have actually resulted in a commensurate reduction in the price of the goods or services or both supplied by him.

- B. the Explanation shall be renumbered as Explanation 1 thereof, and after Explanation 1 as so renumbered, the following Explanation shall be inserted, namely : “Explanation 2.—For the purposes of this section, the expression “Authority” shall include the “Appellate Tribunal.”.

34. Amendment of Schedule III

- In Schedule III to the Central Goods and Services Tax Act, after paragraph 8 and before Explanation 1, the following paragraphs shall be inserted, namely :
“9. **Activity of apportionment of co-insurance premium by the lead insurer to the co-insurer for the insurance services jointly supplied by the lead insurer and the co-insurer to the insured in co-insurance agreements, subject to the condition that the lead insurer pays the central tax, the State tax, the Union territory tax and the integrated tax on the entire amount of premium paid by the insured.**”

35. No Refund of Tax Paid or Input Tax Credit Reversed (Forget what you paid????)

- No refund shall be made of all the tax paid or the input tax credit reversed, which would not have been so paid, or not reversed, had section 114 been in force at all material times.

Flood of 23 New Circulars in this Rainy season of June - July 2024



1	229/23/202 4-CGST	15-07-2024	Rate of Tax (Goods)	168	Clarification regarding GST rates & classification (goods) based on the recommendations of the GST Council in its 53rd meeting held on 22nd June, 2024, at New Delhi.
2	228/22/202 4-CGST	15-07-2024	Rate of Tax (Service)	168	Clarifications regarding applicability of GST on certain services.
3	227/21/202 4-CGST	11-07-2024	Refund	168	Processing of refund applications filed by Canteen Stores Department (CSD)
4	226/20/202 4-CGST	11-07-2024	Refund	168	Mechanism for refund of additional Integrated Tax (IGST) paid on account of upward revision in price of the goods subsequent to exports
5	225/19/202 4-CGST	11-07-2024	Clarification	168	Clarification on various issues pertaining to taxability and valuation of supply of services of providing corporate guarantee between related persons
6	224/18/202 4-CGST	11-07-2024	Recovery under GST	112	Guidelines for recovery of outstanding dues, in cases wherein first appeal has been disposed of, till Appellate Tribunal comes into operation
7	223/17/202 4-CGST	10-07-2024	Proper officer	27	Amendment in circular no. 1/1/2017 in respect of Proper officer for provisions relating to Registration and Composition levy under the Central Goods and Services Tax Act, 2017 or the rules made thereunder
8	222/16/202 4-CGST	26-06-2024	Time of Supply	168	Clarification on time of supply of services of spectrum usage and other similar services under GST
9	221/15/202 4-CGST	26-06-2024	Time of Supply	168	Clarification on time of supply in respect of supply of services of construction of road and maintenance thereof of National Highway Projects of National Highways Authority of India (NHAI) in Hybrid Annuity Mode (HAM) model

10	220/14/202 4-CGST	26-06-2024	Place of supply	168	Clarification on place of supply applicable for custodial services provided by banks to Foreign Portfolio Investors
11	219/13/202 4-CGST	26-06-2024	Input Tax Credit	168	Clarification on availability of input tax credit on ducts and manholes used in network of optical fiber cables (OFCs) in terms of Section 17(5) of the CGST Act, 2017
12	218/12/202 4-CGST	26-06-2024	Clarification	168	Clarification regarding taxability of the transaction of providing loan by an overseas affiliate to its Indian affiliate or by a person to a related person
13	217/11/202 4-CGST	26-06-2024	Input Tax Credit	168	Entitlement of ITC by the insurance companies on the expenses incurred for repair of motor vehicles in case of reimbursement mode of insurance claim settlement
14	216/10/202 4-CGST	26-06-2024	Clarification	168	Clarification in respect of GST liability and input tax credit (ITC) availability in cases involving Warranty/ Extended Warranty, in furtherance to Circular No. 195/07/2023-GST dated 17.07.2023
15	215/09/202 4-CGST	26-06-2024	Insurance claim	168	Clarification on taxability of salvage/ wreck value earmarked in the claim assessment of the damage caused to the motor vehicle
16	214/08/202 4-CGST	26-06-2024	Reversal of ITC	168	Clarification on the requirement of reversal of input tax credit in respect of the portion of the premium for life insurance policies which is not included in taxable value
17	213/07/202 4-CGST	26-06-2024	ESOP/ESPP/RSU	168	Clarification on the taxability of ESOP/ESPP/RSU provided by a company to its employees through its overseas holding company
18	212/06/202 4-CGST	26-06-2024	Discount	15	Mechanism for providing evidence of compliance of conditions of Section 15(3)(b)(ii) of the CGST Act, 2017 by the suppliers

19	211/05/202 4-CGST	26-06-2024	Reverse Charge	16	Clarification on time limit under section 16 (4) of CGST Act, 2017 in respect of RCM supplies received from unregistered persons
20	210/04/202 4-CGST	26-06-2024	Value of supply	168	Clarification on valuation of supply of import of services by a related person where recipient is eligible to full input tax credit
21	209/03/202 4-CGST	26-06-2024	Place of supply	168	Clarification on the provisions of clause (ca) of Section 10 (1) of the Integrated Goods and Service Tax Act, 2017 relating to place of supply of goods to unregistered persons
22	208/02/202 4-CGST	26-06-2024	Special Procedure	168	Clarifications on various issues pertaining to special procedure for the manufacturers of the specified commodities as per Notification No. 04/2024 - Central Tax dated 05.01.2024
23	207/01/202 4-CGST	26-06-2024	Appeal	120	Reduction of Government Litigation – fixing monetary limits for filing appeals or applications by the Department before GSTAT, High Courts and Supreme Court

CIRCULAR NO. 209

Clarification on the *provisions of clause (ca) of Section 10(1) of the Integrated Goods and Service Tax Act, 2017 relating to place of supply*

- A notification dated September 29, 2023, brought into effect provisions from the Integrated Goods and Services Tax (Amendment) Act, 2023, starting October 1, 2023.
- It introduced Section 10(1)(ca) into the IGST Act, **specifying that for goods supplied to unregistered persons, the place of supply is determined by the address recorded on the invoice. If this address is not recorded, the supplier's location is considered.**
- An explanation **clarifies that stating the State name on the invoice equates to recording the address.** This clarification addresses queries from the trade regarding the difference between the billing and delivery addresses, particularly in the context of e-commerce transactions.
- It aims to ensure uniform implementation of the law nationwide, with a request for suitable trade notices to publicize these guidelines.

CIRCULAR NO. 210

Clarification on valuation of supply of import of services by a related person where recipient is eligible to full input tax credit.

1. Import of Services Definition: According to Schedule I of the CGST Act, import of services by a person from a related person or from any of their establishments outside India, in the course or furtherance of business, is treated as a taxable supply even without consideration.
2. Issue Raised: Concerns were raised by trade and industry about demands raised by tax authorities on reverse charge basis for activities performed by related foreign entities for Indian entities, despite no consideration and the activities not being considered supplies in India.
3. Clarification Provided:
 - Rule 28 of CGST Rules: Specifies valuation rules for supplies between distinct or related persons. The open market value applies unless otherwise specified.
 - Circular No. 199/11/2023-GST: Clarifies that for services provided by a head office to branch offices within India, the declared value in the invoice by the head office is deemed as the open market value if the recipient branch office is eligible for full input tax credit.

CIRCULAR NO. 214

Clarification on time limit under Section 16(4) of CGST Act, 2017 in respect of RCM supplies received from unregistered persons.

- The Central Goods and Services Tax Act, 2017 (CGST Act) includes provisions regarding the time limit for claiming Input Tax Credit (ITC) by recipients under the reverse charge mechanism (RCM) for supplies received from unregistered persons. There has been ambiguity on whether the time limit under section 16(4) of the CGST Act should be based on the year the supply was received or the year the recipient issues an invoice and pays tax under RCM.
- After examination, it has been clarified that for supplies from unregistered suppliers where tax is paid under RCM and an invoice is issued by the recipient as per section 31(3)(f) of the CGST Act, the relevant financial year for availing ITC under section 16(4) will be the year in which the recipient issues such invoice. This clarification aims to ensure uniform implementation across different tax jurisdictions and to prevent potential litigation.

- It's also emphasized that recipients who issue invoices after the supply period and pay tax accordingly may be liable for interest on delayed tax payments and could face penalties under Section 122 of the CGST Act.
- Trade notices are recommended to disseminate this clarification widely, and any implementation challenges should be reported to the Board.



CIRCULAR NO. 212

Clarification on mechanism for providing evidence of compliance of conditions of Section 15(3)(b)(ii) of the CGST Act, 2017 by the suppliers (*Credit Note Reversals and ITC their off*)

- The document clarifies the conditions under which discounts given by suppliers through tax credit notes can be excluded from the taxable value under the Central Goods and Services Tax Act, 2017 (CGST Act). Specifically, discounts must meet certain criteria, including being agreed upon before or at the time of supply, being linked to specific invoices, and importantly, having the input tax credit (ITC) attributable to them reversed by the recipient.
- The issue highlighted is that currently, there's no system on the common portal for suppliers or tax officers to verify whether the recipient has indeed reversed the ITC related to such discounts. **To address this, until such a system is implemented, suppliers are advised to obtain certificates from recipients, issued by Chartered Accountants (CA) or Cost Accountants (CMA). These certificates should confirm that the recipient has reversed the necessary ITC. The certificates must include details of the credit notes, relevant invoices, amount of ITC reversal, and details of the forms used for reversal.**

- For cases where the total tax involved in discounts for a financial year does not exceed Rs 5,00,000, suppliers may alternatively procure an undertaking or certificate directly from the recipient instead of a CA/CMA certificate.
- These certificates or undertakings will serve as evidence to demonstrate compliance with the conditions for excluding discounts from taxable value under Section 15(3)(b)(ii) of the CGST Act. They should be produced before tax authorities during scrutiny, audits, or other proceedings. For past periods, suppliers may provide these certificates to investigating or adjudicating authorities as evidence of compliance.
- In summary, the document provides interim measures for suppliers to substantiate that recipients have reversed the ITC related to discounts given through tax credit notes until an automated verification system is established on the GST portal.



Circular No. 223/17/2024-GST

- Date: 10th July 2024
- Reference: F. No. 20016/19/2024-GST
- Issued by: Government of India, Ministry of Finance, Department of Revenue, Central Board of Indirect Taxes and Customs

Subject : Amendment to Circular No. 1/1/2017-CT Regarding Proper Officer Designations for Registration and Composition Levy under CGST Act

This circular addresses changes to Circular No. 1/1/2017-CT, which assigned functions of proper officers for Registration and Composition Levy under the Central Goods and Services Tax Act, 2017 (CGST Act).

1. Change in Officer Designation :

- Following the transition of GST back office operations from ACES-GST to GSTN BO, the role of proper officer for certain functions has been reassigned.
- Effective immediately, the following functions will now be managed by the Superintendent of Central Tax :
- Section 30 of the CGST Act
- Proviso to sub-section (1) of Section 27 of the CGST Act
- Rule 6, Rule 23, and Rule 25 of the CGST Rules, 2017

Circular No. 224/18/2024-GST

224

- Date: 11th July 2024
- Reference: CBIC-20001/4/2024-GST
- Issued by: Government of India, Ministry of Finance, Department of Revenue, Central Board of Indirect Taxes and Customs

Subject : Guidelines for Recovery of Outstanding Dues Post First Appeal Until Appellate Tribunal is Operational

This circular provides clarification on the recovery of outstanding dues when the first appellate authority has confirmed the demand, and the Appellate Tribunal is not yet operational.

1. Current Situation :

- If the first appellate authority's order is confirmed and the Appellate Tribunal is not yet functioning, taxpayers are unable to file appeals under Section 112 of the Central Goods and Services Tax Act, 2017 (CGST Act).
- Taxpayers may have inadvertently paid amounts intended for demand through FORM GST DRC-03.

2. Pre-Deposit and Stay of Recovery :

- Taxpayers can make a payment equal to the pre-deposit required for filing an appeal by navigating to **Services >> Ledgers >> Payment towards demand on their dashboard. This payment will be adjusted against the pre-deposit for filing an appeal once the Tribunal is operational.**
- To benefit from a stay on recovery, taxpayers must file an undertaking with the jurisdictional officer that they will file an appeal once the Tribunal is operational.

3. Payment Adjustments :

- If taxpayers have already made payments through **FORM GST DRC-03, they should submit an application in FORM GST DRC-03A once available**, to adjust these payments as pre-deposits. Until FORM GST DRC-03A is operational, taxpayers should inform the proper officer to avoid recovery actions.

4. If Appeal is Not Filed :

- If taxpayers do not file an appeal within the prescribed timelines or fail to make the necessary pre-deposit, **recovery proceedings will continue as per the law.**

5. Notification of Adjustments :

- Reference is made to Notification No. **12/2024-CT dated 10th July 2024, which provides a mechanism for adjusting payments made inadvertently through FORM GST DRC-03.**

Circular No. 225/19/2024-GST

- Date: 11th July 2024
- Reference: CBIC-20001/4/2024-GST
- Issued by: Government of India, Ministry of Finance, Department of Revenue, Central Board of Indirect Taxes and Customs, GST Policy Wing

Subject: Clarification on Taxability and Valuation of Corporate Guarantee Services Between Related Persons

This circular provides clarification on the taxability and valuation of services related to providing corporate guarantees between related persons, following recent changes and recommendations.

1. Regulatory Updates :

- Notification No. 52/2023-Central Tax dated 26th October 2023 introduced sub-rule (2) in Rule 28 of the Central Goods and Services Tax Rules, 2017 (CGST Rules), addressing the valuation of corporate guarantee services provided to banking companies or financial institutions by entities on behalf of related persons.
- Circular No. 204/16/2023-GST issued on 27th October 2023 provided clarity on this rule.
- Notification No. 12/2024 dated 10th July 2024 amended sub-rule (2) retrospectively, effective from 26th October 2023.

Circular No. 226/20/2024-GST

- Date: 11th July 2024
- Reference: CBIC-20001/4/2024-GST
- Issued by: Government of India, Ministry of Finance, Department of Revenue, Central Board of Indirect Taxes and Customs, GST Policy Wing

Subject : Mechanism for Refund of Additional Integrated Tax (IGST) Paid Due to Upward Revision in Price of Goods Subsequent to Export

This circular addresses the procedure for claiming refunds of additional Integrated Tax (IGST) paid due to upward revisions in the price of goods after their export.

Trade and industry have requested a mechanism for claiming refunds of additional IGST paid when the price of exported goods is revised upward after the export. Currently, no specific process exists for such refunds. Procedure for Refund Claim

1. Filing Refund Application :

- Exporters can file for a refund of additional IGST paid through FORM GST RFD-01 on the common portal. This application will be processed by the jurisdictional GST officer.
- The CGST Rules have been amended (Notification No. 12/2024-CT dated 10.07.2024) to allow such refund applications.

04.

Central Notification: [F. No.CBIC-20006/21/2024-GST]



Adjustment Alert : GST Tax Rate Update

- **Announcement Date** : July 10, 2024
- **Issued By** : Central Board of Indirect Taxes and Customs
- **Legislation** : Section 52 of the Central Goods and Services Tax Act, 2017

Key Points:

- **Change in Tax Rate** : Reduction from “0.5%” to “0.25%” in the specified notification.
- **Effective Date** : Upon publication in the official gazette.
- **Affected Notification** : Government of India Notification No. 52/2018-Central Tax, dated September 20, 2018.

- **State Correspondence** :
 - Gujarat: July 24, 2024
 - Rajasthan: July 19, 2024
 - Tamil Nadu: July 19, 2024

05.

GST Rate Shake-Up : Key Changes Unveiled

G.No.933 [No.02/2024-Central Tax (Rate)] Dated: 12th July, 2024

Ministry of Finance
(Department of Revenue)

G.S.R. 396(E).—In exercise of the powers conferred by sub-section (1) of [section 9](#) and sub-section (5) of [section 15](#) of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, Ministry of Finance (Department of Revenue), No. [1/2017](#)-Central Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 673(E), dated the 28th June, 2017, namely:-

In the said notification, -

(A) in [Schedule II](#) – 6%, -

(i) after serial number 121 and the entries relating thereto, the following serial number and entries shall be inserted, namely:-

"121A	4819 10, 4819 20	Cartons, boxes and cases of, – (a) corrugated paper or paper board; or (b) non-corrugated paper or paper board";
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(ii) after serial number 180 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -

"180A	7310, 7323, 7612, or 7615	Milk cans made of Iron, Steel, or Aluminium";
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(iii) after serial number 183 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -

"183A	7321 or 8516	Solar cookers";
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(iv) against serial number 199, in column (3), after the word "brooders", the words and symbol "; parts thereof" shall be inserted;

(B) in [Schedule III](#) – 9%, -

(i) for serial number 153A and the entries relating thereto, the following serial number and entries shall be substituted, namely:

"153A	4819 (except 4819 10, 4819 20)	All Goods (other than Cartons, boxes and cases of, – (a) corrugated paper or paper board;or (b) non-corrugated paper or paper board)";
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(ii) against serial number 224, after the word "equipment", the words and symbols "; other than Milk cans made of Iron, or Steel " shall be inserted;

(iii) against serial number 235, in column (3), at the end, for the words, "and wood burning stoves of iron or steel", the words, " ,wood burning stoves of iron or steel, and solar cookers" shall be substituted;

(iv) against serial number 273, after the words "boxes, etc.", the words and symbols "; other than Milk cans made of Aluminium" shall be inserted;

(v) against serial number 275A, after the words "Utensils", the words and symbol "; Milk cans made of Aluminium" shall be inserted;

(vi) against serial number 378A, in column (3), for the words and symbol "domestic purposes;" , the words, symbol and brackets "domestic purposes [other than solar cookers];" shall be substituted;

(C) after the [Schedule VII](#), in the Explanation, in clause (ii), after the entries relating thereto, the following proviso shall be inserted, namely:-

"Provided that notwithstanding anything contained in the [Legal Metrology Act, 2009](#) (1 of 2010) and the rules made thereunder, as amended from time to time, the supply of agricultural farm produce in package(s) of commodities containing quantity of more than 25 kilogram or 25 litre shall not be considered as a supply made within the scope of expression `pre-packaged and labelled` .".

2. This notification shall come into force on the 15th day of July, 2024.

[F. No. 190354/94/2024-TRU]

Corresponding Number of State Notification :-

07.

GST Rate Overhaul : New Exemptions and Adjustments

S.No.935 [No.04/2024-Central Tax (Rate)] Dated: 12th July, 2024

Ministry of Finance
(Department of Revenue)

G.S.R. 388(E).—In exercise of the powers conferred by sub-section (3) and sub-section (4) of [section 9](#), sub-section (1) of [section 11](#), sub-section (5) of [section 15](#) and [section 148](#) of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, hereby makes the following amendment further to amend the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No.12/2017-Central Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 691(E), dated the 28th June, 2017, namely:—

In the said notification, in the Table, -

(A) after serial number 9D and the entries relating thereto, the following serial numbers and entries shall be inserted, namely: -

(1)	(2)	(3)	(4)	(5)
"9E	Chapter 99	Services provided by Ministry of Railways (Indian Railways) to individuals by way of – (a) sale of platform tickets; (b) facility of retiring rooms/waiting rooms; (c) cloak room services; (d) battery operated car services.	Nil	Nil
9F	Chapter 99	Services provided by one zone/division under Ministry of Railways (Indian Railways) to another zone(s)/division(s) under Ministry of Railways (Indian Railways).	Nil	Nil
9G	Chapter 99	Services provided by Special Purpose Vehicles (SPVs) to Ministry of Railways (Indian Railways) by way of allowing Ministry of Railways (Indian Railways) to use the infrastructure built and owned by them during the concession period against consideration and services of maintenance supplied by Ministry of Railways (Indian	Nil	Nil";

		Railways) to SPVs in relation to the said infrastructure built and owned by the SPVs during the concession period against consideration.		
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(B) in serial number 12, -

(i) in column (2), the words and figures "Heading 9963 or" shall be omitted;

(ii) in column (3), the Explanation shall be numbered as Explanation 1 thereof, and after Explanation 1 so renumbered, the following Explanation shall be inserted, namely: -

"Explanation 2.- Nothing contained in this entry shall apply to-

(a) accommodation services for students in student residences;

(b) accommodation services provided by Hostels, Camps, Paying Guest accommodations and the like.";

(C) after serial number 12 and the entries relating thereto, the following serial number and entries shall be inserted, namely: -

(1)	(2)	(3)	(4)	(5)
"12A	Heading 9963	Supply of accommodation services having value of supply less than or equal to twenty thousand rupees per person per month provided that the accommodation service is supplied for a minimum continuous period of ninety days.	Nil	Nil".

2. This notification shall come into force with effect from the 15th day of July, 2024.

[F. No. CBIC-190354/94/2024-TO(TRU-II)-CBEC]

Corresponding Number of State Notification :-

Bihar [\[Noti. No. - 04/2024-State Tax Rate, Dated - 15/07/2024\]](#)

GOA [\[Noti. No. - 04/2024-State Tax Rate, Dated - 15/07/2024\]](#)

Gujarat [\[Noti. No. - 28/2024-State Tax, Dated - 15/07/2024\]](#)

Haryana [\[Noti. No. - 18/2024-State Tax, Dated - 15/07/2024\]](#)

Karnataka [\[Noti. No. - 04/2024-State Tax, Dated - 15/07/2024\]](#)

Rajasthan [\[Noti. No. - \[F.12\(1\)FD/Tax/2024-87\], Dated - 13/07/2024\]](#)

Custom Related Rate Changes at Glance...

Sector specific customs duty proposals

Medicines and Medical Equipment

Three cancer drugs namely TrastuzumabDeruxtecan, Osimertinib and Durvalumab fully exempted from custom duty.

Changes in **basic** Customs Duty (BCD) on x-ray tubes & flat panel detectors for use in medical x- ray machines under the Phased Manufacturing Programme.

Mobile Phone and Related Parts

BCD on mobile phone, mobile Printed Circuit Board Assembly (PCBA) and mobile charger reduced to 15 per cent.

Precious Metals

Customs duties on gold and silver reduced to 6 per cent and that on platinum to 6.4 per cent.

Other Metals

BCD removed on ferro nickel and **blister** copper.

BCD removed on ferrous scrap and nickel cathode.

Concessional BCD of 2.5 per cent on copper scrap.

Electronics

BCD removed, subject to conditions, on oxygen free copper for manufacture of resistors.

Chemicals and Petrochemicals

BCD on ammonium nitrate increased from 7.5 to 10 per cent.

Plastics

BCD on PVC flex banners increased from 10 to 25 per cent.

Telecommunication Equipment

BCD increased from 10 to 15 per cent on PCBA of specified telecom equipment.

Trade facilitation

For promotion of domestic aviation and boat & ship MRO, time period for export of goods imported for repairs extended from six months to one year.

Time-limit for re-import of goods for repairs under warranty extended from three to five years.

Critical Minerals

25 critical minerals fully exempted from customs duties. BCD on two critical minerals reduced.

Solar Energy

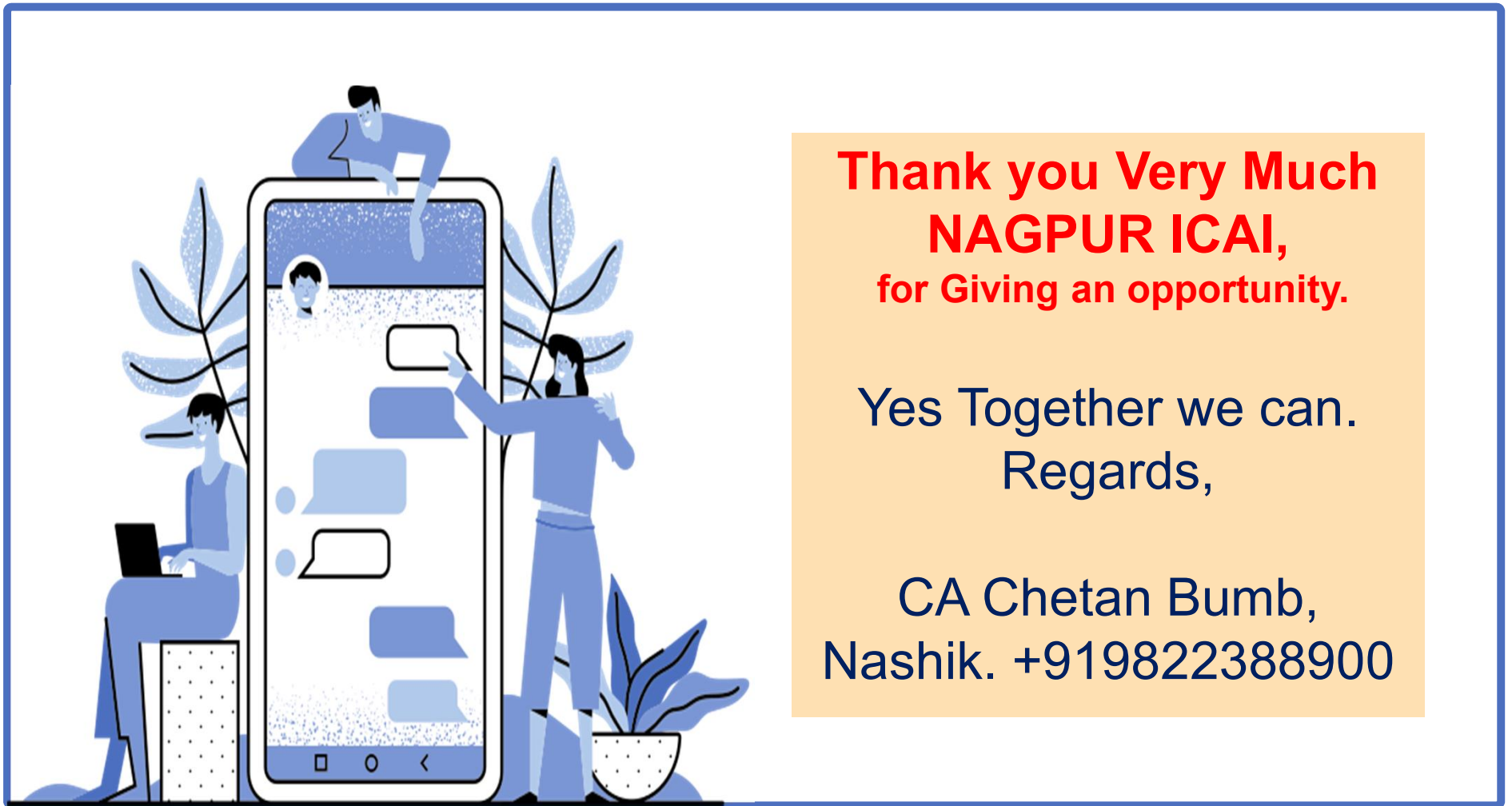
Capital goods for use in manufacture of solar cells and panels exempted from customs duty.

Marine products

BCD on certain broodstock, polychaete worms, shrimp and fish feed reduced to 5 per cent.
Various inputs for manufacture of shrimp and fish feed exempted from customs duty.

Leather and Textile

BCD reduced on real down filling material from duck or goose.
BCD reduced, subject to conditions, on methylene diphenyl diisocyanate (MDI) for manufacture of spandex yarn from 7.5 to 5 per cent



**Thank you Very Much
NAGPUR ICAI,
for Giving an opportunity.**

Yes Together we can.
Regards,

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