

GST SESSION

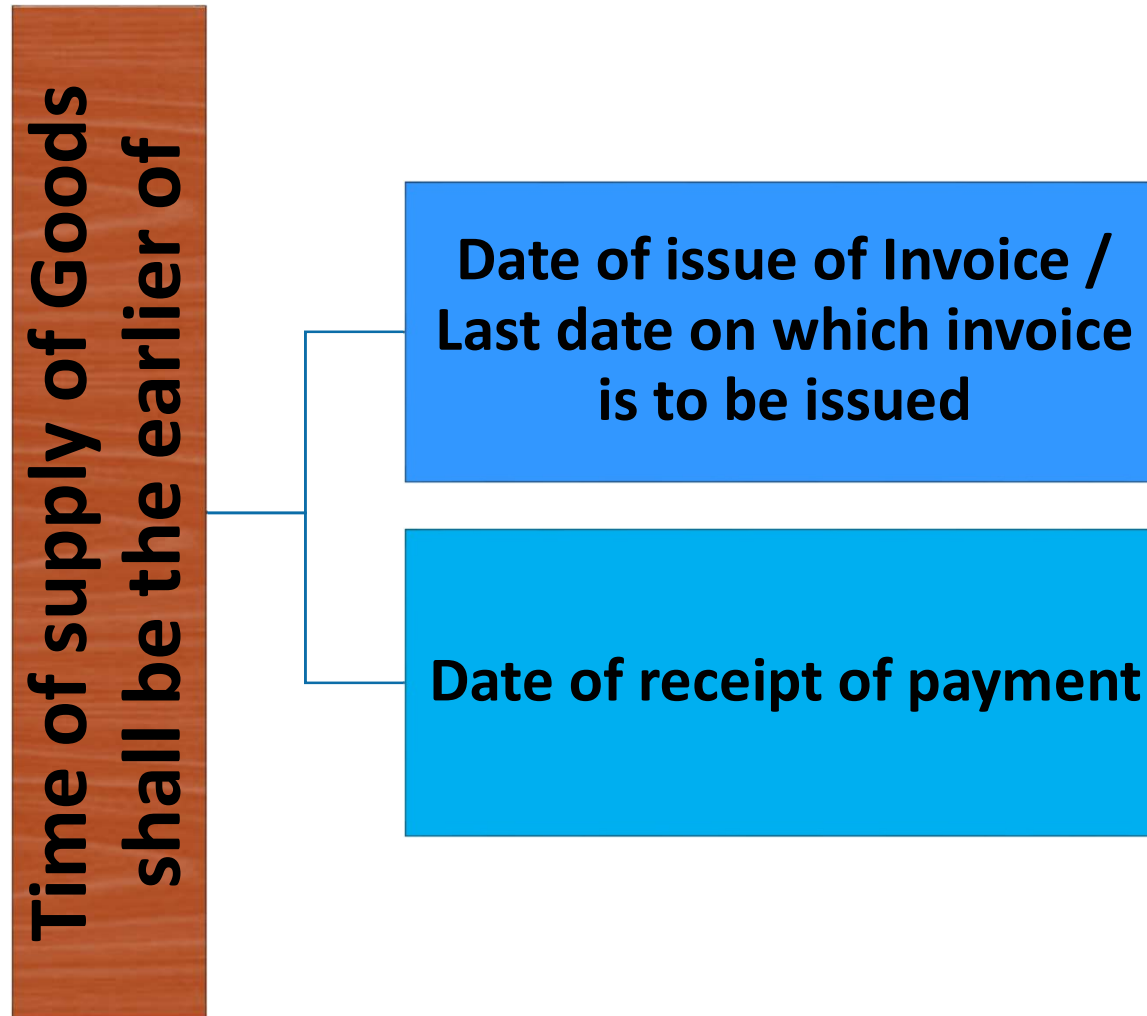
CMA ASHOK B NAWAL

B.Com (Hons.), FCMA

Chairman - Taxation Committee of Institute of Cost Accountants of India
Central Council Member of Institute of Cost Accountants of India
National Council Member of ASSOCHAM - Direct & Indirect Taxes including GST
Vice Chairman - Bizsolindia Services Pvt. Ltd.
President – All India Exporter’s Forum
Advisor - Confederation of Export units, New Delhi.
Trainer - Central Excise Officers of Various Commissionerate
Advisor - Laghu Udyog Bharati

**Time of Supply of Goods/Services, Value of Taxable
Supply, Valuation Rules**

**“TIME OF SUPPLY OF
GOODS”
(SECTION 12 OF CGST
BILL 2017)**



Time of supply for addition in the value of supply by way of interest, late fee or penalty for delayed payment of any consideration shall be the date on which the supplier receives such addition in value.

Supply shall be the earliest of..

Date of
Receipt of
Goods

Date on which
Payment has
been made

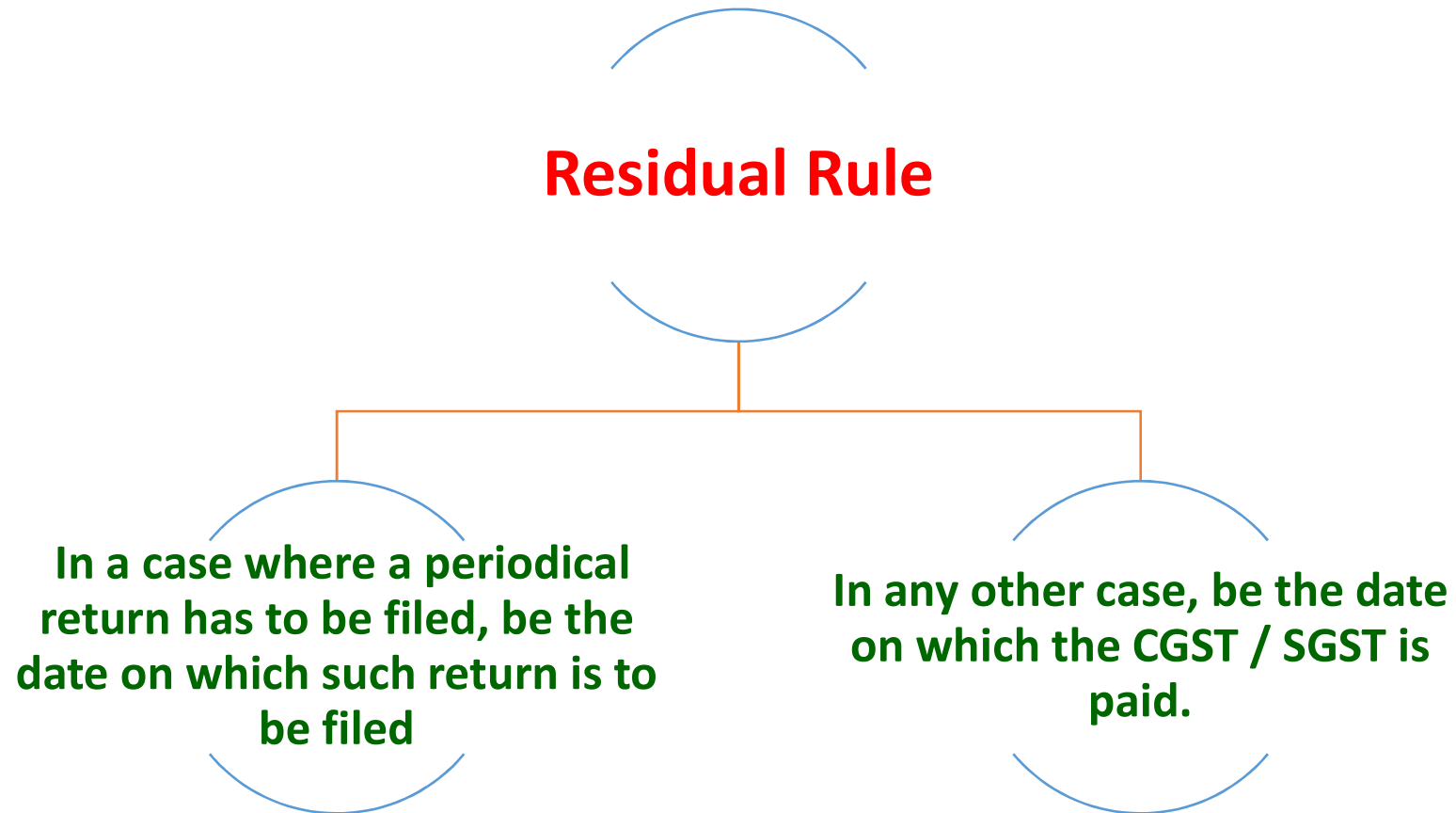
Date
immediately
following 30 days
from the date of
issue of
invoice/documen
ts by the supplier

**Time of supply shall be the date of entry in the books of account of the recipient of supply if
the above is not feasible**

Supply of Vouchers

Date of issue of voucher if the supply is identifiable at that point

Date of redemption of voucher, in all other cases



**“TIME OF SUPPLY OF
SERVICES”**

(SECTION 13 OF CGST BILL 2017)

Supply of Services shall be the earliest

If the invoice is issued within the prescribed period

If the invoice is not issued within the prescribed period

Residual Rule

Date of Invoice

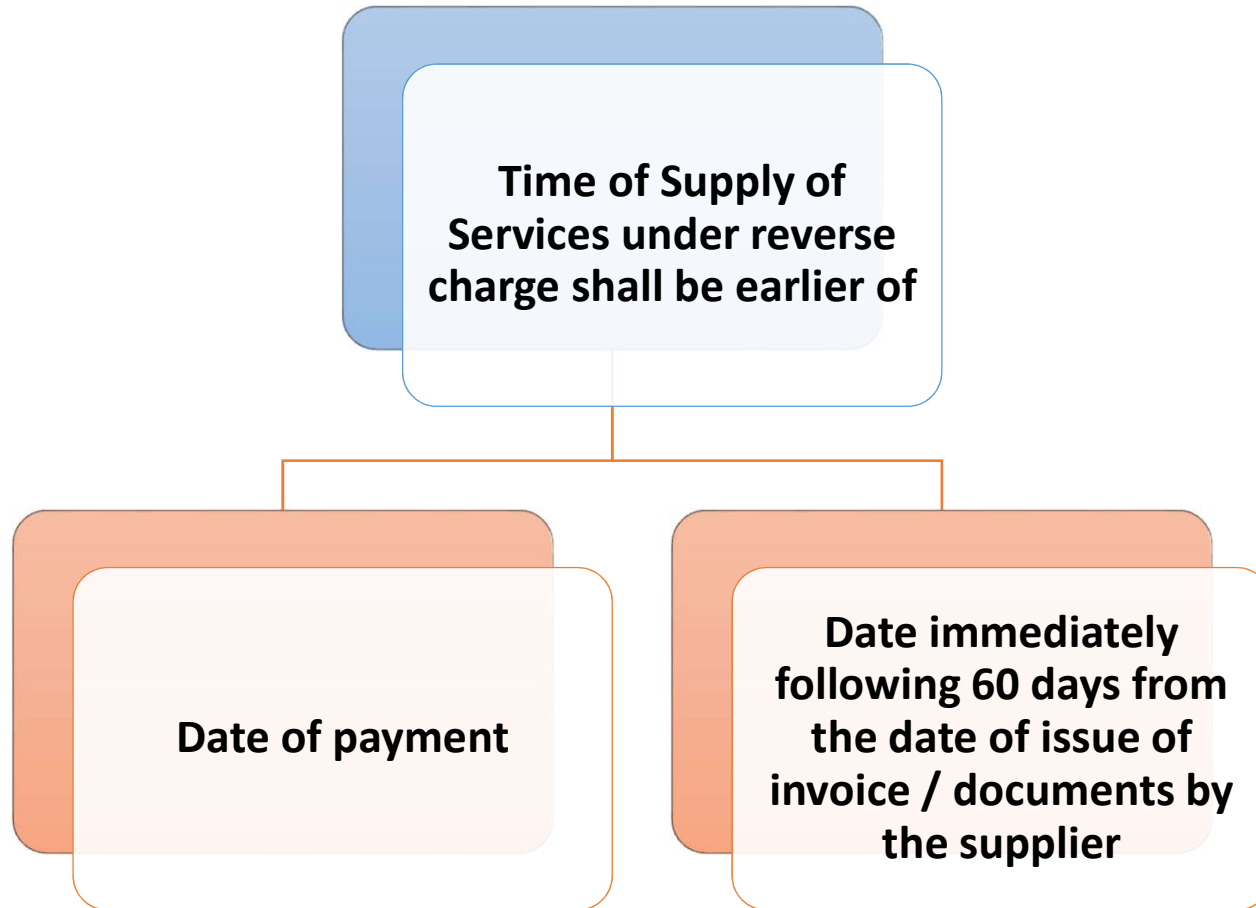
Date of receipt of payment

The date of provision of service

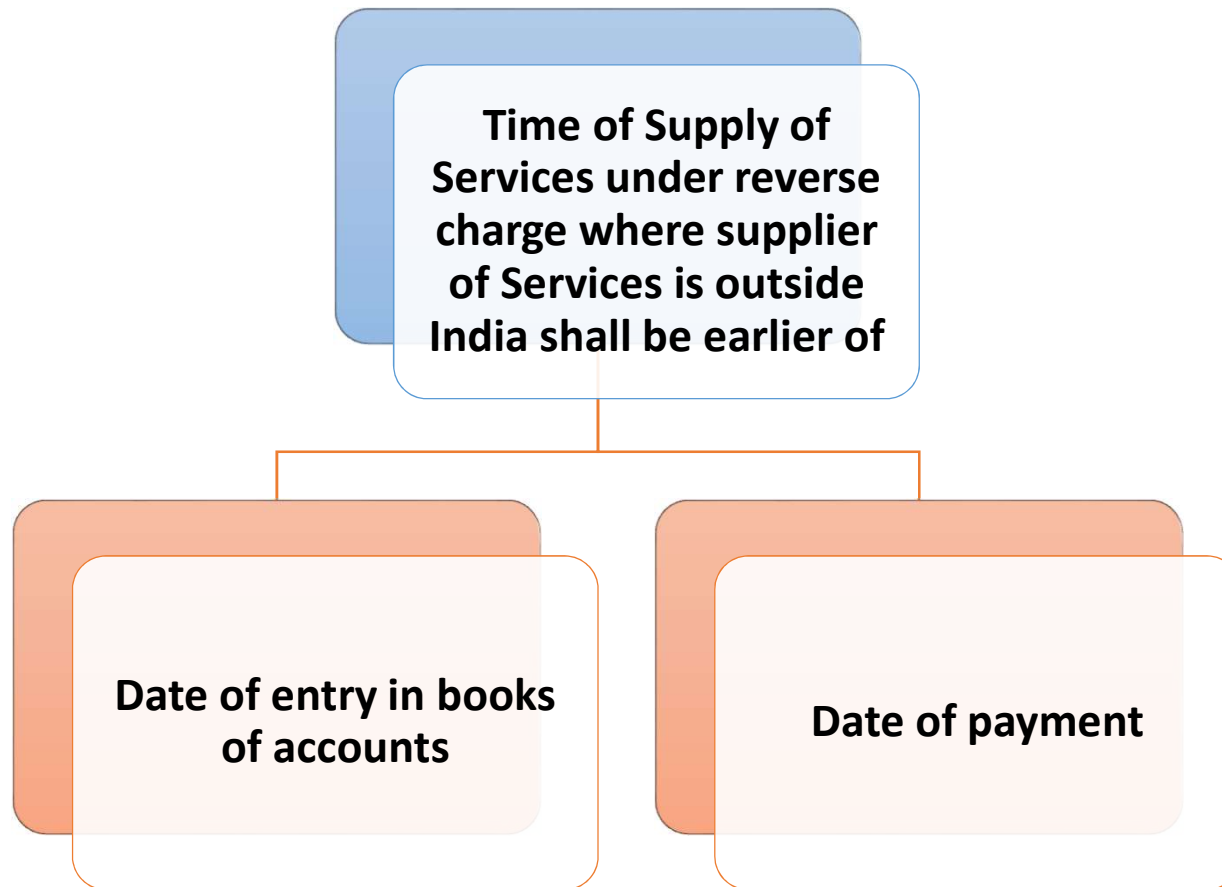
The date of receipt of payment

Date on which Invoice is booked in the books of accounts of recipient of service

Time of supply for addition in the value of supply by way of interest, late fee or penalty for delayed payment of any consideration shall be the date on which the supplier receives such addition in value.



Time of supply shall be the date of entry in the books of account of the recipient of supply if the above is not feasible



Supply of Vouchers

Date of issue of voucher if the supply is identifiable at that point

Date of redemption of voucher, in all other cases

Residual Rule

in a case where a periodical return has to be filed, be the date on which such return is to be filed,
or

in any other case, be the date on which the CGST / SGST is paid.

“CHANGE IN RATE OF TAX”

(SECTION 14 OF CGST BILL 2017)

Change in Rate of Tax – Goods / Services

Sr. No.	Good / Service Supplied	Invoice w.r.t. rate of tax	Receipt of Payment	Effective Rate
1.	Before rate change	After	After	Whichever is earlier
2.	-do-	Before	After	Date of issue of invoice
3.	-do-	After	Before	Date of Receipt of payment
4.	After rate change	Before	After	Date of Receipt of payment
5.	-do-	Before	Before	Whichever is earlier
6.	-do-	After	Before	Date of issue of invoice

**“VALUATION”
(SECTION 15 OF CGST BILL 2017)**

“Related Person” :

- Persons shall be deemed to be ‘related persons’ only if:
 - they are officers or directors of one another’s businesses,
 - they are legally recognized partners in business,
 - they are employer and employee,
 - any person directly or indirectly owns, controls or holds **twenty five** per cent or more of the outstanding voting stock or shares of both of them,
 - one of them directly or indirectly controls the other,
 - both of them are directly or indirectly controlled by a third person,
 - together they directly or indirectly control a third person,
 - they are members of the same family.
- ‘Person’ also includes legal persons;
- Persons shall be deemed to be related where they are associated in the business of one another in that one is the sole agent or sole distributor or sole concessionaire

- Valuation shall be transaction value where supplier and recipient of the supply are not related and the price is the sole consideration for the supply, which **shall include:**
 - any taxes, duties, cesses, fees and charges levied under any statute
 - any amount that the supplier is liable to pay in relation to such supply but which has been incurred by the recipient of the supply and not included in the price actually paid or payable for the goods and / or services
 - incidental expenses, such as, commission and packing, charged by the supplier to the recipient of a supply, including any amount charged for anything done by the supplier in respect of the supply of goods and / or services at the time of, or before delivery of the goods or supply of the services
 - interest or late fee or penalty for delayed payment of any consideration for any supply
 - subsidies directly linked to the price excluding subsidies provided by the Central and State governments;

- **Exclusion from transaction value:**

- Levies under the {SGST Act / UTGST Act & CGST Act } and the Goods and Services Tax (Compensation to the States for Loss of Revenue) Act, 2016, if charged separately by the supplier to the recipient
- Any discount before or at the time of the supply provided such discount has been duly recorded in the invoice issued in respect of such supply
- Any discount after the supply has been effected provided:
 - such discount is established in terms of an agreement entered into at or before the time of such supply and specifically linked to relevant invoices
 - input tax credit has been reversed by the recipient of the supply as is attributable to the discount on the basis of document issued by the supplier.

- **Situations under which value cannot be determined as above, to be determined in manner prescribed**

- Value of such supplies as may be notified by the Central or a State Government on the recommendation of the Council, shall be determined in such manner as may be prescribed

“VALUATION”

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Determination of Value of Supply

- **“open market value”** of a supply of goods or services or both means the full value in money, excluding the integrated tax, central tax, State tax, Union territory tax and the cess payable by a person in a transaction, where the supplier and the recipient of the supply are not related and price is the sole consideration, to obtain such supply at the same time when the supply being valued is made
- **“supply of goods or services or both of like kind and quality”** means any other supply of goods or services or both made under similar circumstances that, in respect of the characteristics, quality, quantity, functional components, materials, and reputation of the goods or services or both first mentioned, is the same as, or closely or substantially resembles, that supply of goods or services or both

“pure agent” means a person who -

- enters into a contractual agreement with the recipient of supply to act as his pure agent to incur expenditure or costs in the course of supply of goods or services or both
- neither intends to hold nor holds any title to the goods or services or both so procured or provided as pure agent of the recipient of supply
- does not use for his own interest such goods or services so procured; and
- receives only the actual amount incurred to procure such goods or services

Rule 1 - Value of supply of goods or services where the consideration is not wholly in money

Order Sequence

- Open market value of such supply
- Sum total of consideration in money + money equivalent of consideration in other form if such amount is known at the time of supply
- Value of supply of goods or services or both of like kind and quality
- Sum total of consideration in money + money equivalent as determined by application of rule 4 or rule 5 in that order

Rule 2 - Value of supply of goods or services or both between distinct or related persons, other than through an agent

Order Sequence

- Open market value of such supply
- Value of supply of goods or services of like kind and quality
- Value as determined by application of rule 4 or rule 5, in that order

Value declared in the invoice shall be deemed to be the open market value of goods or services if the recipient is eligible for full input tax credit

Rule 3 - Value of supply of goods made or received through an agent

Order Sequence

➤ Open market value of the goods being supplied

or

90% of the price charged by the recipient to his unrelated customer, where the goods are intended for further supply by the said recipient

➤ Value as determined by application of rule 4 or rule 5 in that order

Rule 4 - Value of supply of goods or services or both based on cost

Value shall be (if value cannot be determined under previous rules)

➤ 110% of cost of production or manufacture

or

➤ 110% of cost of acquisition

Rule 5 - Residual method for determination of value of supply of goods or services or both

- If value cannot be determined under rules 1 to 4 - using reasonable means consistent with the principles and general provisions of section 15 and these rules
- Supplier of services can opt for this rule, disregarding rule 4

Rule 6 : Determination of value in respect of certain supplies

- Supply of services in relation to purchase or sale of foreign currency, including money changing
 - For a currency exchanged with INR
 - ✓ Buying rate or Selling rate Less RBI reference rate * Total units of currency:
 - ✓ If RBI reference rate is not available - 1% of the gross amount of Indian Rupees provided or received
 - For Currency not involving INR - 1% of the lesser of the two amounts the person changing the money would have received by converting any of the two currencies into INR on that day at the reference rate provided by RBI
 - Option can be exercised for a financial year which cannot be withdrawn during the remaining part of that financial year:

Gross amount of currency exchanged	Value
up to Rs.1 lac	1% subject to a minimum Rs.250
> Rs.1 lac <=Rs.10 lacs	Rs.1000 + 0.5%
> Rs.10 lacs	Rs.50000 + 1/10 th %, subject to maximum amount of Rs.60000

Rule 6

- Supply of services in relation to booking of tickets for travel by air provided by an air travel agent
 - 5% of the basic fare for domestic bookings
 - 10% of the basic fare for international bookings of passage for travel by air.

“basic fare” means that part of the air fare on which commission is normally paid to the air travel agent by the airline.
- Supply of services in relation to life insurance business
 - Gross premium charged Less amount allocated for investment or savings (if such amount is intimated to the policy holder at the time of supply of service)
 - Single premium annuity policies – 10% of single premium
 - Other cases – 25% of the premium charged in the first year and 12.5% of the premium charged in subsequent years:
 - The above will not apply if entire premium paid is only towards the risk cover in life insurance

Rule 6

- Supply w.r.t. buying and selling of second hand goods i.e. used with minor processing which does not change the nature of the goods – Difference between the selling price and purchase price where no input tax credit has been availed on purchase of such goods. If value of such supply is negative it shall be ignored
- Value of a redeemable token, or a voucher, or a coupon, or a stamp (other than postage stamp) - money value of the goods or services or both redeemable against such token, voucher, coupon, or stamp
- Value of taxable services provided by such class of service providers as may be notified by the Government on the recommendations of the Council as referred to in Entry 2 of Schedule I between distinct persons, other than those where input tax credit is not available under sub-section (5) of section 17 - NIL

Rule 7 - Value of supply of services in case of pure agent

Expenditure or costs incurred by the supplier as a pure agent shall be excluded:

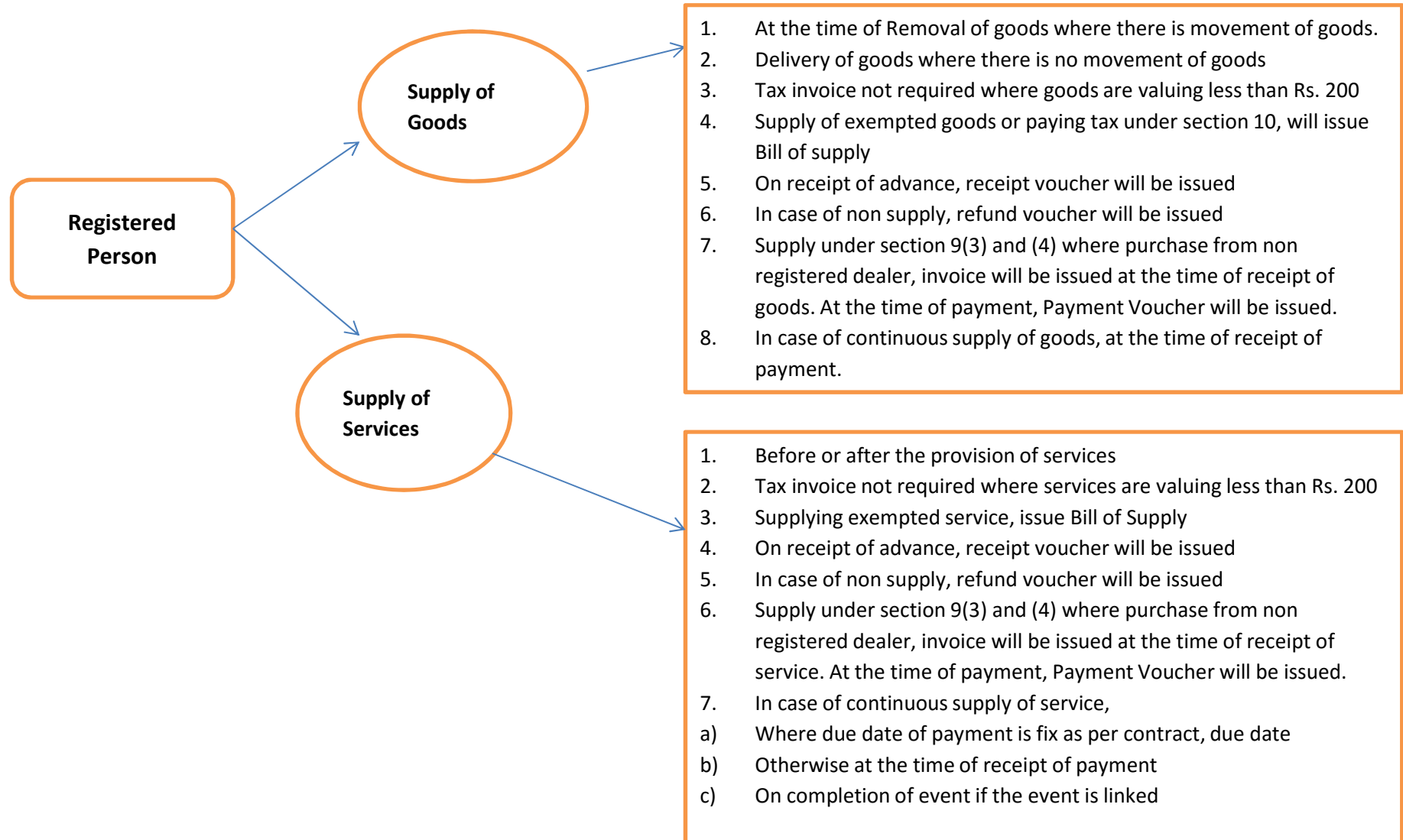
- Supplier acts as a pure agent of the recipient of the supply, when he makes payment to the third party for the services procured as the contract for supply made by third party is between third party and the recipient of supply
- recipient of supply uses the services so procured by the supplier service provider in his capacity as pure agent of the recipient of supply
- the recipient of supply is liable to make payment to the third party
- recipient of supply authorises the supplier to make payment on his behalf
- recipient of supply knows that the services for which payment has been made by the supplier shall be provided by the third party
- payment made by the supplier on behalf of the recipient of supply has been separately indicated in the invoice issued by the supplier to the recipient of service
- supplier recovers from the recipient of supply only such amount as has been paid by him to the third party
- services procured by the supplier from the third party as a pure agent of the recipient of supply are in addition to the supply he provides on his own account

Rule 8 - Rate of exchange of currency, other than Indian rupees, for determination of value

Rate of exchange for determination of value of taxable goods or services or both - Applicable RBI reference rate as per time of supply

Provisions Related to Invoice and E-way bill

Supplier	Type of document
Supplier of goods and / or services	Tax invoice
Banking company & or a financial institution & non-banking financial	Tax invoice or any other document
A goods transport agency	Tax invoice or any other document
Input Service Distributor	ISD Tax invoice
Non-taxable goods	Bill of supply
Composition levy	Bill of supply
Passenger transportation service	Ticket



Information Required to be Inserted in Tax Invoice/ Bill of Supply/ Revised Invoice/ Supplementary Invoice/Debit or Credit Notes/ receipt Voucher

Sr. No.	Requirement Tax	Tax Invoice	Bill of Supply	Supplementary/ Revised Invoice Debit & Credit Note	Receipt Voucher
1	Name ,Address and GSTIN of supplier	Y	Y	Y	Y
2	Serial Number	Y	Y	Y	Y
3	Date of issue	Y	Y	Y	Y
4	Name ,Address and GSTIN or UIN of recipient if register	Y	Y	Y	Y
5	Name ,Address of recipient & address of delivery with name and code of state if recipient is unregistered where the value of taxable supply is Rs.50000 or more.	Y	N	Y	Y
6	HSN Code or SAC	Y	Y	N	N
7	Description of Goods and Services	Y	Y	N	Y
8	Quantity in case of goods & unit or unique Quantity code	Y	N	N	N
9	Total value of Goods or Services or both	Y	Y	N	N
10	Taxable value of Goods or services after discount	Y	N	Y	Y
11	Rate of tax	Y	N	N	Y
12	Amount of tax	Y	N	N	Y
13	Place of supply with name of State in case of Inter state supply	Y	N	N	Y
14	Address of delivery if the same is different from place of supply	Y	N	N	N
15	Whether the tax is payable on reverse charge basis	Y	N	N	Y
16	Signature or Digital Signature	Y	Y	Y	Y

☐ Details to be mentioned on Tax invoice

- Name, address of the supplier
- GSTIN
- Invoice number in specific format
- Date of issue
- For Registered recipient
 - Name, address and GSTIN / Unique ID Number of the recipient
 - the address of delivery
- For Un-registered recipient
 - name of State and its code, only where the taxable value of supply is fifty thousand rupees or more
- HSN code of goods or Accounting Code of services
- Description / Quantity of goods or services
- Place of delivery where it is different from the place of supply
- Whether the tax is payable on reverse charge

□ Details to be mentioned on Tax invoice

- For Revised / supplementary Invoice
 - the word “Revised Invoice” or “Supplementary Invoice”, to be, indicated prominently,
 - the date and invoice number of the original invoice
- Signature or digital signature of the supplier or his authorized representative
- Quantity in case of goods and unit or Unique Quantity Code thereof
- Taxable value of goods or services taking into account discount or abatement, if any
- Rate of tax (CGST, SGST, UTGST or IGST)
- Amount of tax charged in respect of taxable goods or services (CGST, SGST, UTGST or IGST)
- Place of supply along with the name of State, in case of a supply in the course of inter-State trade or commerce
- For exports, an endorsement “SUPPLY MEANT FOR EXPORT ON PAYMENT OF IGST” or “SUPPLY MEANT FOR EXPORT UNDER BOND WITHOUT PAYMENT OF IGST”

❑ Details to be mentioned on ISD invoice

- Name, Address And GSTIN Of The Input Service Distributor
- Serial Number Containing Only Alphabets And / Or Numerals, Unique For A Financial Year
- Date Of Its Issue
- Name, Address And GSTIN Of The Supplier Of Services
- The Credit As Passed On By Supplier
- Serial Number And Date Of Invoice Issued By Such Supplier
- Name, Address And GSTIN Of The Recipient To Whom The Credit Is Distributed
- Amount Of The Credit Distributed
- Signature Or Digital Signature Of The Supplier Or His Authorized Representative

Details to be mentioned Goods transport agency

- Gross weight of the consignment
- Name of the consignor and the consignee
- Registration number of goods carriage in which the goods are transported
- Details of goods transported
- Details of place of origin and destination
- GSTIN of the person liable for paying tax whether as consignor, consignee or goods transport agency
- Other information as prescribed for tax invoice

☐ Manner of issue of Tax invoice

- Invoice shall be issued in triplicate for supply of goods and duplicate for supply of services
- Serial number of invoices issued during a tax period shall be furnished electronically through the Common Portal.
- Supplementary tax invoice can be issued containing consecutive serial number
- Number of digits of HSN code for goods or the Accounting Code for services – specified class of taxable persons not required to mention the HSN code & Accounting Code for services
- Registered taxable person who has been granted registration with effect from a date earlier than the date of issuance of certificate of registration to him, may issue revised tax invoices in respect of taxable supplies effected during the period starting from the effective date of registration till the date of issuance of certificate of registration
- Supplies by registered person if value of the goods or services or both supplied is less than two hundred rupees - consolidated tax invoice for the entire day for covering all such types of supplies

❑ Manner of issue of Tax invoice

- Issue of Credit Note / Debit note in relation to a supply of goods and / or services is required for any excess / short observed w.r.t. taxable value / taxes but not later than September following the end of the year in which such supply was made
- Bill of supply for supply for exempted goods or composition dealer - No bill of supply will be required in case the value of supply is below ₹ 200
- Receipt voucher containing prescribed details needs to be issued for advance payment received
- Revised Tax Invoice and Credit or Debit Note to contain
 - the word “Revised Invoice”, wherever applicable, indicated prominently
 - name, address and GSTIN of the supplier
 - nature of the document
 - a consecutive serial number containing alphabets or numerals or special characters -hyphen or dash and slash symbolised as “-” and “/”respectively,, and any combination thereof, unique for a financial year
 - date of issue of the document
 - name, address and GSTIN or UIN, if registered, of the recipient
 - name and address of the recipient and the address of delivery, along with the name of State and its code, if such recipient is un-registered
 - serial number and date of the corresponding tax invoice or, as the case may be, bill of supply
 - value of taxable supply of goods or services, rate of tax and the amount of the tax credited or, as the case may be, debited to the recipient
 - signature or digital signature of the supplier or his authorized representative

❑ Manner of issue of Tax invoice

- Revised Tax Invoice may be issued for the supplies made by registered person during the period starting from the effective date of registration till the date of issuance of certificate of registration
- Consolidated revised invoice may be issued for:
 - Taxable supplies made to a non-registered person during such period
 - Inter-state supplies taxable supplies to a non registered person made during such period if value of a supply does not exceed Rs.250000
- Serially numbered invoice / document, address of the recipient of taxable service not required if supplier of taxable service is an insurer or a banking company or a financial institution or in case of passenger transport ticket issued
- For transportation of goods in CKD and SKD condition, complete invoice needs to be issued before dispatch of first consignment and each subsequent consignment to be sent on a delivery challan & duly certified copy of the invoice and the original invoice shall be sent with the last consignment
- Supplies of following goods will be on basis of serially numbered challans prepared in triplicate
 - Transportation of Liquid Gas
 - Transportation of goods to job worker
 - Transportation of goods which are not covered as supply
 - Any other notified supplies

☐ Time limit for issue of Tax invoice

Supply of Goods Before or at the time of
(a) removal of goods for supply to the recipient, where the supply involves movement of goods
(b) delivery of goods or making available thereof to the recipient, in any other case

Supply of goods sent or taken on approval or sale or return or similar terms Before or at the time when it becomes known that the supply has taken place or
6 months from the date of removal, whichever is earlier

Supply of service Before or after the provision of service but within a period of 30 days from the date of supply of service

Invoice or document to be issued within 45 days from the date of supply of service if the supplier of services is an insurer or a banking company or a financial institution, including a non-banking financial company

Invoice may be issued before or at the time such supplier records the same in their books of account or before the expiry of the quarter during which the supply was made for the following types of supply of services to the distinct person:

- insurer or
 - a banking company or
 - a financial institution, including a non-banking financial company, or
 - a telecom operator, or
 - any other class of supplier of services as may be notified by the Government making taxable supplies of services between distinct persons as specified in section 25 as referred to in Entry 2 of Schedule I
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□ Time limit for issue of Tax invoice

- Continuous supply of services**
- (a) due date of payment is ascertainable from the contract - before or after the payment is liable to be made by the recipient but within a period prescribed in this behalf whether or not any payment has been received by the supplier of the service
 - (b) been received by the supplier of the service from the contract - before or after each such time when the supplier of service receives the payment but within a period prescribed in this behalf
 - (c) payment is linked to the completion of an event - before or after the time of completion of that event but within a period prescribed in this behalf
 - (d) supply of services ceases under a contract before the completion of the supply - at the time when the supply ceases and such invoice shall be issued to the extent of the supply effected before such cessation

Continuous supply of goods (where successive statements of accounts or successive payments are involved)	Before or at the time each such statement is issued or, as the case may be, each such payment is received
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□ When to be generated

- Movement of goods by registered person (including inward supply from unregistered person) having value exceeding Rs.50,000/- to be updated electronically in Part A of FORM GST INS-01 on common portal and generation of e-way bill before movement of goods.
- Details furnished in Part A of FORM GST INS-01 will be available for furnishing details in GSTR-1
- E-way bill can be generated and carried even if value of the consignment is less than Rs.50,000/- (optional)
- New E-way bill needs to be generated if goods are transferred from one conveyance to another in the course of transit by the transporter
- Consolidated e-way bill in **FORM GST INS-02** to be generated by the Transporter when multiple consignments are intended to be transported in one conveyance
- SMS facility will be available for generation and cancellation of e-way bill
- Recipient of goods to confirm his acceptance / rejection on common portal within 72 hours, failing which it will be assumed to be accepted
- Cancellation of e-way bill is possible within 24 hours of generation, except when been verified in transit

❑ Manner of issue of E-way Bill

- E-way will be generated in FORM GST INS-1 with a unique e-way bill number (EBN) as under:

Particulars	Information to be furnished in	E-way bill to be generated by
Goods are transported by registered person as a consignor (whether in his own conveyance or a hired one)	Part B of FORM GST INS-01	Registered person as a consignor
Goods are handed over to a transporter	Part B of FORM GST INS-01	Transporter
Movement is caused by an unregistered to a registered recipient who is known at the time of commencement of movement of goods (in his own conveyance or a hired one or through a transporter)		Recipient of supply as the consignee
Movement is caused by an unregistered person – other case (in his own conveyance or a hired one or through a transporter)		Unregistered person or Transporter

□ Validity of E-way Bill

- Validity shall be as under from the date of generation, subject to extension allowed by the Commissioner:

Sr. no.	Distance	Validity period (days)
(1)	(2)	(3)
1.	Less than 100 km	1
2.	100 km or more but less than 300km	3
3.	300 km or more but less than 500km	5
4.	500 km or more but less than 1000km	10
5.	1000 km or more	15

- Documents to be carried by the person-in-charge of conveyance:
 - ✓ invoice or bill of supply or delivery challan
 - ✓ copy of the e-way bill or the e-way bill number - physically or mapped to a Radio Frequency Identification Device (RFID) embedded on to the conveyance
- Commissioner to specify situations in which the person-in-charge of conveyance will carry the following documents instead of the e-way bill:
 - ✓ tax invoice or bill of supply or bill of entry; or
 - ✓ a delivery challan, where the goods are transported other than by way of supply
- Invoice Reference Number to be generated from the common portal against tax invoice uploaded in FORM GST INV-1 which will be valid for a period of 30 days
- Information in FORM GST INS-01 shall be auto populated based on FORM GST INV-1
- Transporters, as specified, to obtain a unique RFID and get the said device embedded on to the conveyance and map the e-way bill to the RFID prior to the movement of goods
- RFID readers will be installed at places where verification of movement of goods is required to be carried out

- Officers may be authorised by Commissioner to stop the conveyance to verify the e-way bill / number for inter-state / intra-state movements
- If a vehicle is stopped / detained for a period exceeding 30 minutes, the transporter will upload the information in **FORM GST INS-04**.
- Physical verification of conveyances in case where information is received for evasion of tax and too once during transit unless specific information is received which warrants another verification
- Details of inspection and verification to be furnished online in **Part A of FORM GST INS – 03** within 24 hours of inspection and final report in Part B of FORM GST INS – 03 to be recorded within 3 days of inspection

Transitional Provisions

- Existing taxpayers will be migrated to GST
- Every person registered under any of the existing laws shall be issued a certificate of registration on a provisional basis
- Certificate of registration issued on provisional basis shall be valid for 6 months from date of its issue
- Registered person should furnish specified information within 6 months
- On furnishing of above information and verification of the same, registration will be issued on final basis
- If information is not furnished within the prescribed period, registration will be cancelled
- A person eligible to pay tax under compounded levy scheme may opt to do so within time and manner specified

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Cenvat / VAT Balance on Inputs (carried forward in return)	140 (1)	-	18	<ul style="list-style-type: none"> • Credit should be admissible under the GST Act • Credit should not relate to goods manufactured and cleared under notified exemption notifications • All the returns for 6 months immediately preceding the appointed date should have been filed • Disclosed in return relating to the period ending with the day immediately preceding the appointed day

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Unavailed Cenvat credit on CG	140 (2)	-	-	<ul style="list-style-type: none"> • Credit should be admissible as cenvat credit under the existing law and CGST Act. • Detail of tax / duty availed earlier and to be availed shall be provided for each item of capital goods in the application

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Unavailed cenvat credit / VAT w.r.t. stock of input and input contents in 1. WIP & finished goods which are exempted 2. exempted services 3. services under abatement 4. first stage dealer 5. second stage dealer 6. registered importer or 7. depot of a manufacturer	140 (3)	-	18	<ul style="list-style-type: none"> • Such inputs &/or goods to be used for taxable supplies under CGST Act. • Credit should be eligible credit under the existing law and CGST Act. • Proper duty paying documents not dated earlier to 12 months preceding the appointed day. • Supplier of services is not eligible for any abatement under this Act • Registered taxable person, other than manufacturer or a supplier of services who is not in possession of the duty paying documents shall pass on the benefit of such credit by way of reduced prices to the recipient. • Registered taxable person, other than manufacturer or supplier of service who is not is possession of the duty paying documents will be allowed to take credit at the rate and in the manner prescribed in absence of duty paying documents

PARTICULARS	Section			REMARKS
	CG ST	IGS T	UTG ST	
Credit w.r.t. input and input contents in WIP & finished goods where manufacturer is manufacturing both non-exempted & exempted goods or providing taxable / exempted services	140 (4)	-	18	Amount of Cenvat credit as carried forward in return Plus Amount of Cenvat credit of eligible duties in respect of inputs held in stock and inputs contained in semi-finished or finished goods held in stock relating to exempted goods or services will be allowed

PARTICULARS	Section			REMARKS
	CGS T	IGS T	UTGS T	
Credit of eligible duties and taxes in respect of inputs or input services received on or after the appointed day but the duty or tax in respect of which has been paid under existing law	140 (5)	-	18	<ul style="list-style-type: none"> Duty or tax has been paid before the appointed day Invoice or any other duty / tax paying document of the same should be recorded in the books of accounts within a period of 30 days from the appointed day or extended period upto 30 days. A statement of such transit credit needs to be furnished

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Unavailed Credit of eligible duties and taxes on inputs held in stock and input contents in WIP & finished goods upon switching over from composition scheme (fixed rate / fixed amount)	140 (6)	-	18	<ul style="list-style-type: none"> Such inputs and / or goods to be used for taxable supplies under GST Act. Tax is not paid under composition scheme Credit should be eligible credit under the existing law and GST Act. Proper duty paying documents not dated earlier to 12 months preceding the appointed day

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Credit distribution by ISD of input tax credit on account of any services received prior to the appointed day	140 (7)	-	20	Eligible for distribution as credit under this Act even if the invoice(s) relating to such services is received on or after the appointed day

PARTICULARS	Section			REMARKS
	CGS T	IGS T	UTG ST	
Transfer of unutilized Cenvat Credit by taxable person having centralized registration under the existing law	140 (8)	-	20	<ul style="list-style-type: none"> • Credit of the amount of cenvat credit carried forward in a return shall be allowed to be taken • If the taxable person files his return for the period ending with the day immediately preceding the appointed day within 3 months of the appointed day such credit shall be allowed subject to the condition that the said return is either an original return or a revised return where the credit has been reduced from that claimed earlier • Credit should be admissible under this Act • Such credit may be transferred to any of the registered taxable persons having the same PAN for which the centralized registration was obtained under the existing law

PARTICULARS	Section			REMARKS
	CGS T	IGS T	UTG ST	
Input service tax credit reversed due to payment not done in 3 months	140 (9)	-	-	<ul style="list-style-type: none"> Credit can be claimed subject to payment is done to the supplier within 3 months from the appointed day

PARTICULARS	Section			REMARKS
	CGS T	IGST	UTG ST	
Input as such / Partially processed inputs sent for jobwork, testing, repairing, reconditioning, etc. before appointed day and returned on or after the appointed day	141 (1)	-	19	<ul style="list-style-type: none"> • No taxes are payable if returned within 6 months. • Period may be extended for 2 months. • If received beyond prescribed period, input tax credit shall be recovered as an arrear of tax under this Act • Person dispatching the goods and jobworker need to declare the stock as on the appointed day

PARTICULARS	Section			REMARKS
	CGS T	IGST	UTGS T	
Semi-finished goods sent for jobwork, testing, repairing, reconditioning, etc. before appointed day and returned on or after the appointed day	141 (2)	-	19	<ul style="list-style-type: none"> • No taxes are payable if the goods after processing are returned within 6 months. • Period may be extended for 2 months. • If received beyond prescribed period and goods are taxable, input tax credit shall be recovered as an arrear of tax under this Act • Manufacturer and jobworker need to declare the stock as on the appointed day • Transfer of the said goods to the premises of any registered taxable person for the purpose of supplying therefrom on payment of tax in India or without payment of tax for exports within 6 months or extended period is allowed.

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Finished goods removed without payment of duty for carrying out tests or any other process not amounting to manufacture before appointed day and returned on or after the appointed day	141 (3)	-	19	<ul style="list-style-type: none"> • No taxes are payable if returned within 6 months. • Period may be extended for 2 months. • If received beyond prescribed period, input tax credit shall be recovered as an arrear of tax under this Act • Transfer of the said goods to the premises of any registered taxable person for the purpose of supplying therefrom on payment of tax in India or without payment of tax for exports within 6 months or extended period is allowed.

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGS T	
Duty paid goods sent before appointed day and returned on or after the appointed day	142 (1)	-	18	<ul style="list-style-type: none"> • Refund of duty paid under the existing law will be allowed to the registered taxable person if goods are sent not more than 6 months before the appointed day and are returned within 6 months of the appointed day by a non-registered person. • If the said goods are returned by a registered taxable person the return of the goods shall be deemed to be a supply

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
<p>Upward price revision in respect of contract for goods / services entered into prior to appointed day and goods / services provided prior to appointed day</p>	142 (2a)	-	20	<ul style="list-style-type: none"> • Supplementary invoice or debit note needs to be issued within 30 days of the price revision. • Tax is payable as if an outward supply

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
<p>Downward price revision in respect of contract for goods / services entered into prior to appointed day and goods / services provided prior to appointed day</p>	<p>142 (2b)</p>	-	20	<ul style="list-style-type: none"> • Supplementary invoice or credit note needs to be issued within 30 days of the price revision • Tax liability can be reduced as if this downward revision is towards outward supply provided the recipient of the invoice or credit note has reduced his input tax credit corresponding to such reduction of tax liability

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Pending Refunds of any amount of cenvat credit, duty, tax or interest paid / amount of input tax credit, tax and interest paid under existing law filed before or after the appointed day	142 (3)	-	20	<ul style="list-style-type: none"> • Will be disposed of in accordance with the provisions of existing law and amount shall be paid in cash • If any claim for refund is fully or partially rejected, the amount so rejected shall lapse • No refund claim shall be allowed of any amount of Cenvat credit / Input Tax credit where the balance of the said amount as on the appointed day has been carried forward under this Act

PARTICULARS	Section			REMARKS
	CGST	IGS T	UTGS T	
Refund claims of any duty or tax paid under existing law filed after the appointed day for goods or services exported before or after the appointed day	142 (4)	-	20	<ul style="list-style-type: none"> • Shall be disposed of in accordance with the provisions of existing law • Where any claim for refund of Cenvat credit is fully or partially rejected, the amount so rejected shall lapse • No refund claim shall be allowed of any amount of Cenvat credit where the balance of the said amount as on the appointed day has been carried forward under this Act

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Refund claims of tax paid under the existing law in respect of services not provided	142 (5)	-	20	<ul style="list-style-type: none">• Shall be disposed of in accordance with the provisions of existing law and any amount eventually accruing to him shall be paid in cash

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Proceeding of appeal, revision, review or reference relating to a claim for CENVAT credit initiated before, on or after the appointed day under the existing law	142 (6a)	-	20	<ul style="list-style-type: none"> Amount of credit found to be admissible shall be paid in cash No refund claim shall be allowed of any amount of Cenvat credit where the balance of the said amount as on the appointed day has been carried forward under this Act

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Proceeding of appeal, revision, review or reference relating to a recovery of CENVAT credit initiated before, on or after the appointed day under the existing law	142 (6b)	-	20	<ul style="list-style-type: none"> Recovery of CENVAT shall be disposed of in accordance with the provisions of existing law if any amount of credit becomes recoverable as a result of appeal, revision, review or reference, amount shall be recovered as an arrear of tax under this Act and the amount so recovered shall not be admissible as input tax credit under this Act

PARTICULARS	Section			REMARKS
	CGS T	IGST	UTG ST	
Proceeding of appeal, revision, review or reference relating to output duty / tax initiated before the appointed day, or after the appointed day	142 (7a)	-	20	<ul style="list-style-type: none"> Disposal in accordance with earlier provisions of law. Amount shall be recovered as an arrear of tax under this Act and the amount so recovered shall not be admissible as input tax credit under this Act

PARTICULARS	Section			REMARKS
	CGS T	IGST	UTG ST	
Proceeding of appeal, revision, review or reference relating to output liability initiated before the appointed day, on or after the appointed day	142 (7b)	-	20	<ul style="list-style-type: none"> • Disposal in accordance with earlier provisions of law. • Amount refundable shall be paid in cash • Amount rejected, if any, shall not be admissible as input tax credit under this Act.

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Treatment of the amount recovered in pursuance of assessment or adjudication proceedings instituted, whether before, on or after the appointed day, under the existing law	142 (8a)	-	20	If amount of tax, interest, fine or penalty becomes recoverable, the same shall be recovered as an arrear of tax under this Act and the amount so recovered shall not be admissible as input tax credit under this Act

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Treatment of the amount refundable in pursuance of assessment or adjudication proceedings instituted, whether before, on or after the appointed day, under the existing law	142 (8b)	-	20	Any amount found to be admissible to the claimant shall be refunded to him in cash, and the amount rejected, if any, shall not be admissible as input tax credit under this Act

PARTICULARS	Section			REMARKS
	CGS T	IGST	UTG ST	
Treatment of the amount recovered in pursuance of revision of returns	142 (9a)	-	20	If return furnished under existing law is revised after the appointed day and if any amount becomes recoverable or any amount of cenvat credit is found to be inadmissible, the same shall be recovered as an arrear of tax under this Act and the amount so recovered shall not be admissible as input tax credit under this Act

PARTICULARS	Section			REMARKS
	CGS T	IGST	UTG ST	
Treatment of the amount refundable in pursuance of revision of returns	142 (9b)	-	20	If return furnished under existing law is revised after the appointed day and if any amount becomes refundable, the same should be paid in cash

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Treatment of long term construction / works contracts	142 (10)	-	20	The goods and / or services supplied on or after the appointed day in pursuance of a contract entered into prior to the appointed day shall be liable to tax under the provisions of this Act

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Goods sent on approval basis not earlier than six months before the appointed day and returned on or after the appointed day	142 (12)	-	20	<ul style="list-style-type: none"> No tax shall be payable if such goods are returned within six months from the appointed day. Period may be extended for 2 months. If received beyond prescribed period and goods are taxable, Tax is payable by returning person. Tax shall be payable by the person sending goods on approval basis if such goods are taxable under this Act, and are not returned within prescribed period. Details of goods sent on approval basis under existing law shall be provided in GST TRAN-1

PARTICULARS	SECTION			REMARKS
	CGST	IGST	UTGST	
Deduction of tax at source in respect of sale of goods on which tax was required to be deducted at source under the existing law and invoice has also been issued for the same before the appointed day	142 (13)	-	20	No deduction of tax at source even if payment to the supplier is made on or after the appointed day

PARTICULARS	SECTION			REMARKS
	CGST	IGST	UTGST	
Import of services made on or after the appointed day		21		<ul style="list-style-type: none"> • Liable to tax under the provisions of this Act regardless of whether the transactions for such import of services or inter-state supply had been initiated before the appointed day • If the tax on such import or inter-State supply had been paid in full under the existing law, no tax shall be payable on such import or inter-state supply under this Act • If the tax on such import of services had been paid in part under the existing law, balance amount of tax shall be payable on such import or inter-state supply under this Act • Transaction shall be deemed to have been initiated before the appointed day if either the invoice relating to such supply or payment, either in full or in part, has been received or made before the appointed Day

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Progressive or periodic supply of goods or services made on or after the appointed day and the consideration, whether in full or part, for the said supply has been received prior to the appointed day	142	-	20	No tax shall be payable if the duty or tax payable thereon has already been paid under the existing law

PARTICULARS	Section			REMARKS
	CGST	IGST	UTGST	
Input tax credit reversed prior to the appointed day w.r.t. Branch Transfers				No credit of input tax under GST Act

PARTICULARS	SECTION			REMARKS
	CGST	IGST	UTGST	
Reversal of cenvat credit / input credit w.r.t. stock of input and input contents in WIP & finished goods at time of moving over to composition scheme				No corresponding section - After payment of such amount, the balance of input tax credit, if any lying, shall lapse

PARTICULARS	SECTION			REMARKS
	CGST	IGST	UTGST	
Retention payments received on or after the appointed day w.r.t. supply of goods and / or services made before the appointed day				No corresponding section - No tax shall be payable if the full duty or tax payable on such supply has already been paid under the existing law.

PARTICULARS	SECTION			REMARKS
	CGST	IGST	UTGST	
Cenvat Balance on Input Service / Input Service Distributor	142	-	20	No specific provision – should be allowed to be carried forward

PARTICULARS	SECTION			REMARKS
	CGST	IGST	UTGST	
Cenvat Balance of KKC / SBC	142	-	20	No specific provision - The balance of Krishi Kalyan Cess and Swacch Bharat Cess will lapse

- Application for availment of credit of existing duties / taxes under GST to be made electronically in form GST TRAN-1 within 60 days
- Credit on purchases from EOUs / EHTP allowed to the extent of credit equivalent to CVD and SAD (if any)
- Application should specify the serial number and value of pending Forms C, F, H, E, I under CST Act
- Input tax credit is allowed @ 40% of SGST payable on supply of goods on which VAT was paid at first point of sale on MRP basis in the States like Orissa, Chandigarh, Jharkhand etc.
- Amount of credit of existing taxes / duties specified in GST TRAN-1 shall be credited in GST PMT-2 on GSTN

- Registered person (other than manufacturer or supplier of services) not in possession of an invoice or duty paying document for inputs held in stock and inputs contained in SFG and FG shall be allowed to take credit @ 40% of CGST payable on supply of such goods upto 6 months after appointed day, subject to condition that:
 - such goods were not wholly exempted or nil rated
 - document evidencing purchases is available
 - statement of supply of such goods has been submitted
 - stock of goods should be stored separately
 - option is available for a period of 6 months from the appointed date.
 - stock on which credit is availed needs to be identified separately
 - Credit will be given only after payment of tax on outward supplies in GST regime
 - Credit availed will be verified and wrong credit availed will be recovered

Department wise To Do List



Microsoft Excel
Worksheet

- Scrips in hand and endorsements required, if any
- Review of contracts with Suppliers / Customers / Job-workers / Consignment agents / Commission Agents / Contractors and determine revised terms
- Define Accounting changes and Revised Chart of accounts
- ERP updates / changes to accommodate the transitional transactions and transactions in GST scenario without impacting existing transactions - Compliance w.r.t. GST Requirements, Customised Reports required for uploading to GSTN, Return requirements, Auditing requirements
- Define GST Implementation and Coordination Team
- Training of team across the functions of the company w.r.t. new responsibilities, systems, processes, ERP changes, controls, reporting requirements
- Define SOPs for each transaction

Thank
you



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