

GOODS & SERVICE TAX



GST
(Goods and Services Tax)
EXPLAINED

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WHAT IS GST ?

MEANING

GST Stands for Goods and Service Tax. A Tax on Supply of Goods & Services instead of Sale of Goods & Provision of service.

A **Destination Based** rather than Origin Based

CONCEPTS

DUAL
CONCEPT

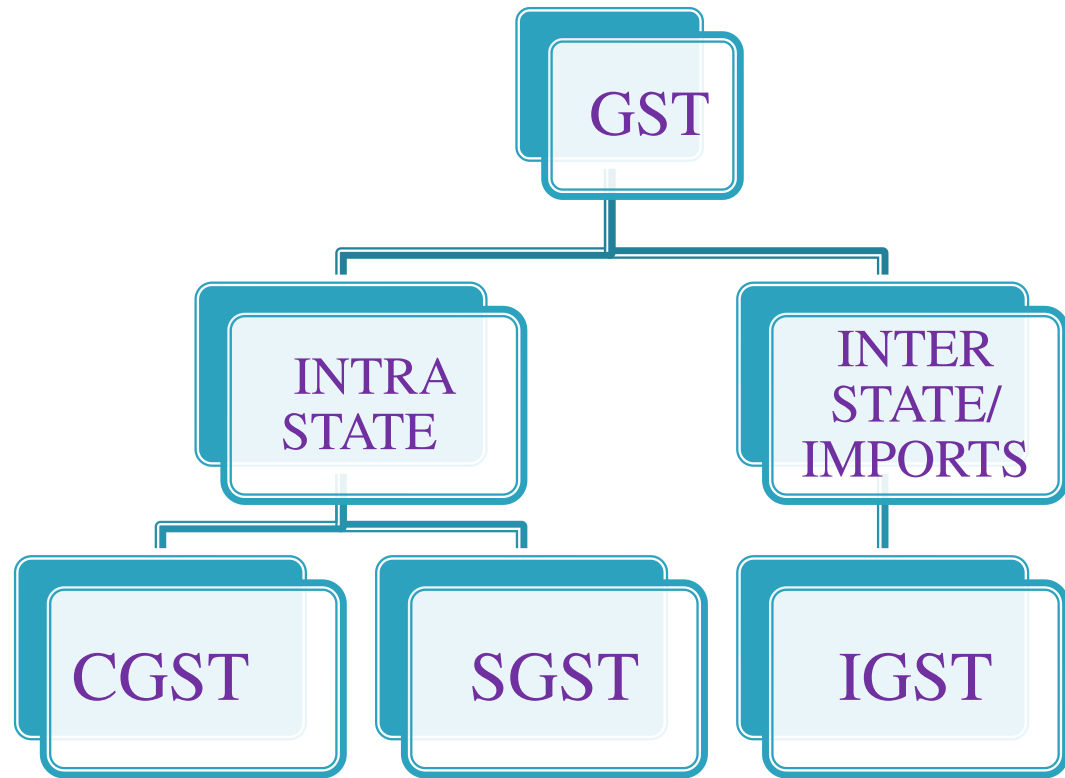
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CGST
FOR
CENTER

+

SGST
FOR
STATE

GST MODEL



COVERAGE

GST covers all goods **EXCEPT**

Petroleum Products/Alcohol for Human consumption

A SNAPSHOT

Particulars	Current Indirect Tax System	Dual GST System
Nature of Tax	Origination Based	Consumption based destination tax
Taxable Event	Manufacture/Sale/Completion of provision of Services	Supply of Goods/Services (would include stock transfers as well)
Taxes to be subsumed (Central)	<ul style="list-style-type: none"> ✓ Central Excise ✓ Additional duty of customs ✓ Service Tax 	<ul style="list-style-type: none"> ✓ Central GST
Taxes to be subsumed (State)	<ul style="list-style-type: none"> ✓ VAT ✓ Purchase tax, Entertainment tax, Luxury tax, Lottery taxes, State cesses and surcharges, Entry tax not in lieu of Octroi 	<ul style="list-style-type: none"> ✓ State GST

Particulars	Current Indirect Tax System	Dual GST System
Taxes to apply on Import of Goods	<ul style="list-style-type: none"> ✓ Basic Customs Duty ✓ Additional duty of customs ✓ Special Additional Duty of Customs ✓ Cesses 	<ul style="list-style-type: none"> ✓ Basic Customs Duty ✓ IGST
Intra-State Supply of Goods/Services	<ul style="list-style-type: none"> ✓ Excise Duty (on Manufacture) ✓ State VAT on Sale ✓ Service Tax (on Supply of Services) 	<ul style="list-style-type: none"> ✓ Central GST ✓ State GST
Inter-State Supply of Goods/Services	<ul style="list-style-type: none"> ✓ Excise Duty (on Manufacture) ✓ Central Sales Tax on Sale ✓ Service Tax (on Supply of Services) 	<ul style="list-style-type: none"> ✓ Integrated GST
Inter-State Stock Transfer of Goods	<ul style="list-style-type: none"> ✓ Excise Duty (on Manufacture) ✓ No State VAT/CST on Stock transfers 	<ul style="list-style-type: none"> ✓ Integrated GST

**Goods &
Services Tax**

**Transaction
Type**

**Applicable
Tax
Component**

**Credit
Available**



CREDIT UTILISATION

TAX RETURNS UNDER GST

Form	Applicability	Nature of Return	Periodicity	Due Date
GSTR 1	Normal supplier of goods and services	Outward supplies	Monthly	10 th Day Of Next Month
GSTR 2		Inward supplies	Monthly	15 th Day of next month (provision suspended for the time being)
GSTR 3		Monthly return	Monthly	20 th Day of next month (provision suspended for the time being)
GSTR-3B	Normal supplier of goods and services	Summary Return	Monthly (for July, 2017-March18)	20 th Day of next month
GSTR 4	Compounding taxpayer	Periodic return	Quarterly	18 th Day Of The Month Following The Quarter
GSTR 5	Non-resident foreign tax payer	Periodic return	Monthly	20 th Day Of Next Month; Within 7 Days From Expiry Of Registration For Last Month

Form	Applicability	Nature of Return	Periodicity	Due Date
GSTR 6	Input Service Distributor	Periodic Return	Monthly	15 th day of next month
GSTR 7	Tax Deductor	Periodic Return	Monthly	10 th day of next month
GSTR 8	E commerce operator	Periodic Return	Monthly	10 th day of next month
GSTR 9	Registered Person other than ISD/ Casual taxable person and Non-resident taxable person / person paying tax u/s. 51/ 52	Annual return	Annual	31st December following the end of the relevant FY
GSTR 9A	Composition Dealer	Annual Return	Annual	31st December following the end of the relevant FY

INVOICE OF INTER-STATE & INTRA STATE SUPPLY IN GST MODEL

INTER
STATE

INTRA
STATE

VALUE 100
CGST NIL
SGST NIL
IGST 18%

VALUE 100
CGST 9%
SGST 9%
IGST NIL

MEANING

CGST Act, 2017 – S. 2(53)

“Government” means the Central Government.

RGST Act, 2017 – S. 2(53)

“Government” means the Government of Rajasthan.

MEANING

General Clauses Act, 1897 – S. 3 clause (23)

“**Government**” includes both the Central and State Government” .

S. 3 Clause (8) - the ‘**Central Government**’, in relation to anything done or to be done after the commencement of the Constitution, means the President.

The Executive powers of the union are vested in the President by virtue of Article 53 of the Constitution. In terms of Article 77 all the executive actions are expressed to be taken in the name of the President.

S. 3 Clause (66) - the ‘**State Government**’, as respects anything done after the commencement of the Constitution, shall be in a State the Governor, and in an Union Territory the Central Government.

As per Article 154, the executive power of the State shall be vested in the Governor. Further, as per Article 166 of the Constitution, all executive actions of the Government of State shall be expressed to be taken in the name of Governor

Therefore, the Central Government / State Government means the President / Governor and the officers subordinate to him while exercising the executive powers of the Union / State vested in the President / Governor and in the name of the President / Governor.

LOCAL AUTHORITY

S. 2(69) of CGST Act and RGST Act, 2017

Local authority includes the following:

- a “Panchayat” as defined in clause (d) of article 243 of the Constitution;
- a “Municipality” as defined in clause (e) of article 243P of the Constitution;
- a Municipal Committee, a Zilla Parishad, a District Board, and any other authority legally entitled to, or entrusted by the Central Government or any State Government with the control or management of a municipal or local fund;
- a Cantonment Board as defined in section 3 of the Cantonments Act, 2006;
- a Regional Council or a District Council constituted under the Sixth Schedule to the Constitution;
- a Development Board constituted under article 371 of the Constitution; or
- a Regional Council constituted under article 371A of the Constitution;

BUSINESS

The term “business” defined u/s. 2(17) of CGST Act, 2017 & RGST Act, 2017 includes activities undertaken by Central Government, State Government or local authority where they are engaged as Public Authorities.

REGISTRATION

- Government Departments required to obtain Registration only when they are making taxable Supply of goods and/or services or both.
- Registration can be obtained through PAN No.
- Bank Account is not mandatory.
- In case if it is not making taxable Supply then are required to register as DEDUCTOR OF TAX AT SOURCE (TDS) on the basis of TAN/PAN.
- A unique identification number (ID) would be given to Government authorities / PSUs not making outwards supplies of GST goods but are making inter-state purchases.

REVERSE CHARGE

Services provided by Government or local authorities to any person whose turnover exceeds Rs.20 lakhs (Rs.10 lakhs for Special Category States)

BUT EXCLUDES

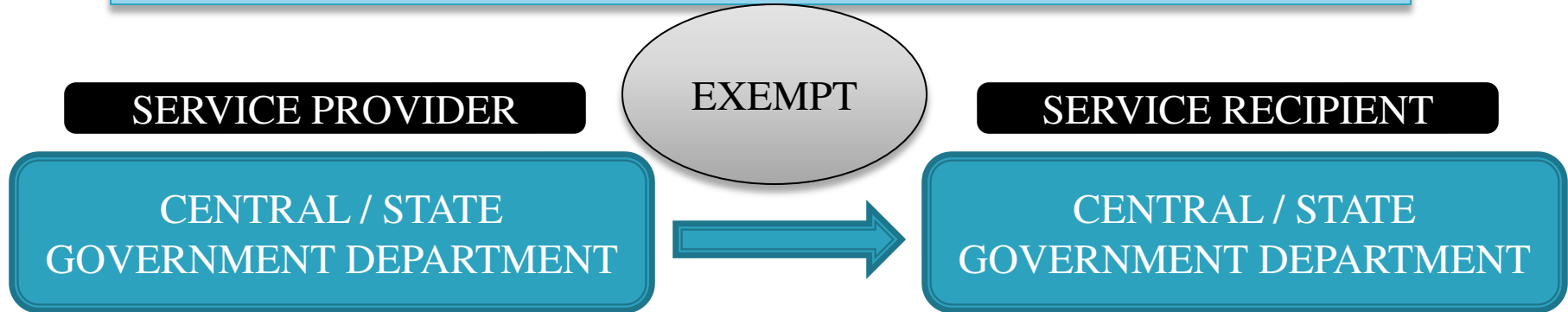
Renting of
immovable
property

Transport of
goods or
passengers

Services in
relation to an
aircraft or a vessel,
inside or outside
the precincts of an
airport or a port

Services by
Department of Posts
by way of speed post,
express parcel post,
life insurance, and
agency services
provided to a person
other than Government

SERVICES BY GOVT. TO GOVT.



Ref. Notification No. 12/2017- Central Tax (Rate) dt. 28.06.2017

Exemption NOT applicable to

Services by
Department of Posts
by way of speed post,
express parcel post,
life insurance, and
agency services to a
person other than the
CG, SG and UT

Services in relation to
a vessel or an aircraft
inside or outside the
precincts of a port or
an airport

Services of transport
of goods and/or
passengers

TDS (S. 51)

- Government, local authority, Government Agencies and notified persons to deduct tax at the rate of **one percent** from the payments made to suppliers of notified goods/services where total value of such supply under a contract exceeds Rs. 2.5lakhs subject to conditions.

NOTE: Rate of tax to be deducted is 1%(CGST) + 1%(SGST) / 2% (IGST)

- Certificate to be issued by the deductor within prescribed time. In case of failure late fee to be levied. (**one hundred rupees** per day from the day after the expiry of such five days period until the failure is rectified, subject to a maximum amount of **five thousand rupees**)
- Deductee can claim credit of TDS in his electronic cash ledger.
- **RETURNS:** Taxpayer need to deposit TDS before 10th of succeeding month
- In case of failure to pay amount deducted, Interest u/s. 50(1) is also leviable

APPLICABILITY OF PROVISION

Notification No. 33/2017-Central Tax dt. 15.09.2017

The provisions of Section 51(1) will come into force for the persons specified under Section 51(1) (a) & (b) and the following persons, namely:

- An authority or a board or any other body, -
 - Set up by an Act of Parliament or a State Legislature; or
 - Established by any Government,
- With fifty-one percent or more participation by way of equity or control, to carry out any function;
- Society established by the Central Government or the State Government or a Local Authority under the Societies Registration Act, 1860 (21 of 1860);
- Public sector undertakings

NOTE: Notfn. only with respect to Registration as TDS deductor. Tax deduction to be done with effect from a date yet to be notified. In case Tax wrongly deducted, Refund to be taken in accordance with S. 51(8).

RIGHT TO USE NATURAL RESOURCES

**GST APPLICABLE ON ROYALTY PAID TO GOVERNMENT
FOR RIGHT TO USE NATURAL RESOURCES UNDER RCM.**



INPUT TAX CREDIT

- TDS is not Input Tax Credit. But the amount deducted will be credited to Electronic Credit Ledger of the Deductee (After acceptance in GSTR-2A). He Can utilize the same to pay Output Tax.
- Tax paid under RCM for services received from the Government can be claimed as ITC by the Supplier of Services. (Ref. Chapter V of CGST Act, 2017 & RGST Act, 2017 r.w. CGST Rules, 2017 & RGST Rules, 2017)

GST RATES

PARTICULARS	RATE
Pure services (excluding works contract service or other composite supplies involving supply of any goods) provided to the Central Government, State Government or Union territory or local authority or a Governmental authority by way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution.	NIL
Services by Central Government, State Government, Union territory, local authority or governmental authority by way of any activity in relation to any function entrusted to a municipality under article 243 W of the Constitution	NIL
Services by a governmental authority by way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution.	NIL
Services by the Central Government, State Government, Union territory or local authority excluding the following services— (a) services by the Department of Posts by way of speed post, express parcel post, life insurance, and agency services provided to a person other than the Central Government, State Government, Union territory; (b) services in relation to an aircraft or a vessel , inside or outside the precincts of a port or an airport; (c) transport of goods or passengers ; or (d) any service, other than services covered under entries (a) to (c) above, provided to business entities	NIL

GST RATES

PARTICULARS	RATE
Services provided by the Central Government, State Government, Union territory or local authority to a business entity with an aggregate turnover of up to twenty lakh rupees (ten lakh rupees in case of a special category state) in the preceding financial year. Explanation.- For the purposes of this entry, it is hereby clarified that the provisions of this entry shall not be applicable to(a) services(i) by the Department of Posts by way of speed post, express parcel post, life insurance, and agency services provided to a person other than the Central Government, State Government, Union territory; (ii) in relation to an aircraft or a vessel , inside or outside the precincts of a port or an airport; (iii) of transport of goods or passengers ; and (b) services by way of renting of immovable property .	NIL
Services provided by the Central Government , State Government, Union territory or local authority to another Central Government , State Government, Union territory or local authority: Provided that nothing contained in this entry shall apply to services (i) by the Department of Posts by way of speed post, express parcel post, life insurance, and agency services provided to a person other than the Central Government, State Government, Union territory; (ii) in relation to an aircraft or a vessel , inside or outside the precincts of a port or an airport; (iii) of transport of goods or passengers .	NIL

GST RATES

PARTICULARS	RATE
Services provided by Central Government, State Government, Union territory or a local authority where the consideration for such services does not exceed five thousand rupees : Provided that nothing contained in this entry shall apply to - (i) services by the Department of Posts by way of speed post, express parcel post, life insurance, and agency services provided to a person other than the Central Government, State Government, Union territory; (ii) services in relation to an aircraft or a vessel , inside or outside the precincts of a port or an airport; (iii) transport of goods or passengers: Provided further that in case where continuous supply of service , as defined in sub-section (33) of section 2 of the Central Goods and Services Tax Act, 2017, is provided by the Central Government, State Government, Union territory or a local authority, the exemption shall apply only where the consideration charged for such service does not exceed five thousand rupees in a financial year .	NIL
Services of life insurance business provided or agreed to be provided by the Army, Naval and Air Force Group Insurance Funds to members of the Army, Navy and Air Force , respectively, under the Group Insurance Schemes of the Central Government.	NIL

GST RATES

PARTICULARS	RATE
Services received from a provider of service located in a non- taxable territory by – (a) the Central Government, State Government, Union territory, a local authority, a governmental authority or an individual in relation to any purpose other than commerce, industry or any other business or profession; (b) an entity registered under section 12AA of the Income-tax Act, 1961 (43 of 1961) for the purposes of providing charitable activities; or (c) a person located in a non-taxable territory: Provided that the exemption shall not apply to – (i) online information and database access or retrieval services received by persons specified in entry (a) or entry (b); or (ii) services by way of transportation of goods by a vessel from a place outside India up to the customs station of clearance in India received by persons specified in the entry	NIL
Services provided to the Central Government, by way of transport of passengers with or without accompanied belongings, by air, embarking from or terminating at a regional connectivity scheme airport, against consideration in the form of viability gap funding: Provided that nothing contained in this entry shall apply on or after the expiry of a period of one year from the date of commencement of operations of the regional connectivity scheme airport as notified by the Ministry of Civil Aviation.	NIL

GST RATES

PARTICULARS	RATE
Services provided to the Central Government, State Government, Union territory under any insurance scheme for which total premium is paid by the Central Government, State Government, Union territory	NIL
Services provided by the Central Government, State Government, Union territory or local authority by way of allowing a business entity to operate as a telecom service provider or use radio frequency spectrum during the period prior to the 1st April, 2016, on payment of licence fee or spectrum user charges, as the case may be.	NIL
Services provided by the Central Government, State Government, Union territory or local authority by way of- (a) registration required under any law for the time being in force; (b) testing, calibration, safety check or certification relating to protection or safety of workers, consumers or public at large, including fire license , required under any law for the time being in force.	NIL

GST RATES

PARTICULARS	RATE
Services by a specified organization in respect of a religious pilgrimage facilitated by the Ministry of External Affairs, the Government of India, under bilateral arrangement.	NIL
Services provided by the Central Government, State Government, Union territory or local authority by way of issuance of passport, visa, driving licence, birth certificate or death certificate.	NIL
Services provided by the Central Government, State Government, Union territory or local authority by way of tolerating non-performance of a contract for which consideration in the form of fines or liquidated damages is payable to the Central Government, State Government, Union territory or local authority under such contract.	NIL
Services provided by the Central Government, State Government, Union territory or local authority by way of assignment of right to use natural resources to an individual farmer for cultivation of plants and rearing of all life forms of animals, except the rearing of horses, for food, fibre, fuel, raw material or other similar products.	NIL

GST RATES

PARTICULARS	RATE
Services provided by the Central Government, State Government, Union territory or local authority by way of assignment of right to use any natural resource where such right to use was assigned by the Central Government, State Government, Union territory or local authority before the 1st April, 2016: Provided that the exemption shall apply only to tax payable on one time charge payable , in full upfront or in installments, for assignment of right to use such natural resource.	NIL
Services provided by the Central Government, State Government, Union territory by way of deputing officers after office hours or on holidays for inspection or container stuffing or such other duties in relation to import export cargo on payment of Merchant Overtime charges.	NIL
Services provided - (a) by an educational institution to its students, faculty and staff; (b) to an educational institution, by way of,- (i) transportation of students, faculty and staff; (ii) catering, including any mid-day meals scheme sponsored by the Central Government, State Government or Union territory; (iii) (iv) Provided that nothing contained in entry (b) shall apply to an educational institution other than an institution providing services by way of pre-school education and education up to higher secondary school or equivalent.	NIL

GST RATES

PARTICULARS	RATE
Any services provided by, (a) the National Skill Development Corporation set up by the Government of India ; (b) a Sector Skill Council approved by the National Skill Development Corporation; (c) an assessment agency approved by the Sector Skill Council or the National Skill Development Corporation; (d) a training partner approved by the National Skill Development Corporation or the Sector Skill Council, in relation to (i) the National Skill Development Programme implemented by the National Skill Development Corporation; or (ii) a vocational skill development course under the National Skill Certification and Monetary Reward Scheme; or (iii) any other Scheme implemented by the National Skill Development Corporation.	NIL
Services provided by training providers (Project implementation agencies) under Deen Dayal Upadhyaya Grameen Kaushalya Yojana implemented by the Ministry of Rural Development, Government of India by way of offering skill or vocational training courses certified by the National Council for Vocational Training.	NIL
Services provided to the Central Government, State Government, Union territory administration under any training programme for which total expenditure is borne by the Central Government, State Government, Union territory administration.	NIL
Services by the Central Government or State Government or any local authority by way of any activity in relation to a function entrusted to a Panchayat under article 243G of the Constitution is neither a supply of goods nor a supply of service	NIL

GST RATES

PARTICULARS	RATE	CONDITION
(iii) Composite supply of works contract as defined in clause (119) of section 2 of the Central Goods and Services Tax Act, 2017, supplied to the {Central Government, State Government, Union territory, a local authority, a Governmental Authority or a Government Entity} 1 by way of construction, erection, commissioning, installation, completion, fitting out, repair, maintenance, renovation, or alteration of, - (a) a historical monument, archaeological site or remains of national importance, archaeological excavation, or antiquity specified under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958); (b) canal, dam or other irrigation works; (c) pipeline, conduit or plant for (i) water supply (ii) water treatment, or (iii) sewerage treatment or disposal.	6	[Provided that where the services are supplied to a Government Entity, they should have been procured by the said entity in relation to a work entrusted to it by the Central Government, State Government, Union territory or local authority, as the case may be;]

GST RATES

PARTICULARS	RATE	CONDITION
(v) Composite supply of works contract as defined in clause (119) of section 2 of the Central Goods and Services Tax Act, 2017, supplied by way of construction, erection, commissioning, or installation of original works pertaining to,- (a) railways , excluding monorail and metro; (b) a single residential unit otherwise than as a part of a residential complex; (c) low-cost houses up to a carpet area of 60 square metres per house in a housing project approved by competent authority empowered under the 'Scheme of Affordable Housing in Partnership' framed by the Ministry of Housing and Urban Poverty Alleviation, Government of India; (d) low cost houses up to a carpet area of 60 square metres per house in a housing project approved by the competent authority under- (1) the “Affordable Housing in Partnership” component of the Housing for All (Urban) Mission/Pradhan Mantri Awas Yojana; (2) any housing scheme of a State Government; (e) post-harvest storage infrastructure for agricultural produce including a cold storage for such purposes; or (f) mechanised food grain handling system, machinery or equipment for units processing agricultural produce as food stuff excluding alcoholic beverages.	6	-

GST RATES

PARTICULARS	RATE	PARTICULARS
Composite supply of works contract as defined in clause (119) of section 2 of the Central Goods and Services Tax Act, 2017, provided] 6 to the Central Government, State Government, Union Territory, [a local authority, a Governmental Authority or a Government Entity] ⁷ by way of construction, erection, commissioning, installation, completion, fitting out, repair, maintenance, renovation, or alteration of – (a) a civil structure or any other original works meant predominantly for use other than for commerce, industry, or any other business or profession; (b) a structure meant predominantly for use as (i) an educational, (ii) a clinical, or(iii) an art or cultural establishment; or (c) a residential complex predominantly meant for self-use or the use of their employees or other persons specified in paragraph 3 of the Schedule III of the Central Goods and Services Tax Act, 2017.	6	{Provided that where the services are supplied to a Government Entity, they should have been procured by the said entity in relation to a work entrusted to it by the Central Government, State Government, Union territory or local authority, as the case may be}

GST RATES

PARTICULARS	RATE	PARTICULARS
Composite supply of works contract as defined in clause (119) of section 2 of the Central Goods and Services Tax Act, 2017, involving predominantly earth work (that is, constituting more than 75per cent. of the value of the works contract) provided to the Central Government, State Government, Union territory, local authority, a Governmental Authority or a Government Entity	2.5	Provided that where the services are supplied to a Government Entity, they should have been procured by the said entity in relation to a work entrusted to it by the Central Government, State Government, Union territory or local authority, as the case may be]

Notwithstanding anything contained in sub-section (1),—
(a) activities or transactions specified in Schedule III; or
(b) activities or transactions undertaken by the CG, a SG or any local authority in which they are engaged as public authorities, *as may be notified by the Government on the recommendations of the Council*

CG / SG May, upon recommendation of the council, specify, by the notification what is supply

Sub sec. (2)

Sub sec. (3)

**SEC. 7, SUPPLY
INCLUDES**

Sub sec. (1)

All forms of supply of goods or services or both such as sale, transfer, barter, exchange, licence, rental, lease or disposal made or agreed to be made for a consideration by a person in the course or furtherance of business

import of services for a consideration whether or not in the course or furtherance of business

Supply specified in Schedule-1 without consideration

The activities to be treated as supply of goods or supply of services as referred to in Schedule II

COMPOSITE & MIXED SUPPLY (SEC. 8)

TERM	MEANING	TAX LIABILITY
Composite Supply 2(30)	Supply by a taxable person consisting of two or more taxable supply which are naturally bundled one of which is a Principal supply.	principal supply shall be treated as supply
Mixed Supply 2(74)	Two or more supply for a single price where such supply does not constitute a composite supply.	supply which attract highest rate of tax
Principal Supply 2(90)	The supply which constitutes the predominant element of a composite supply and to which any other supply forming part of that composite supply is ancillary.	NA



COMPOSITION SCHEME SEC. 10

TURNOVER < 75LAKHS

Y

1. ENGAGED IN SUPPLY OF SERVICES EXCEPT OF FOOD FOR HUMAN CONSUMPTION
2. SUPPLY OF GOODS
3. ENGAGED IN INTER-STATE OUTWARD SUPPLY
4. E COMMERCE OPERATOR LIABLE FOR TCS U/S 52
5. MANUFACTURER OF NOTIFIED GOODS

NO

NO

NOT ELIGIBLE
FOR
COMPOSITION
LEVY

Y

PARTICULAR	CGST	SGST
MANUFACTURERS	1 %	1 %
SUPPLY OF FOODS FOR HUMAN CONSUMPTION	2.5%	2.5%
OTHER	0.5%	0.5%

No composition unless all person having same PAN

SUPPLY OF GOODS V/S. SUPPLY OF SERVICES

Supply of Goods	Supply of Services
<ul style="list-style-type: none">• Transfer in title of goods.	<ul style="list-style-type: none">• Transfer of goods without transfer of title.
<ul style="list-style-type: none">• Transfer of title in goods under an agreement which stipulates that property in goods will pass at a future date upon payment of full consideration as agreed, is a supply of goods.	<ul style="list-style-type: none">• Lease, tenancy, easement, etc.
<ul style="list-style-type: none">• Transfer of business assets except transfer made for the private use with or without consideration	<ul style="list-style-type: none">• Treatment or process applied to other person's goods.
	<ul style="list-style-type: none">• Transfer of business assets made for the private use with or without consideration

Declared list of supply of goods and supply of services (Refer Schedule II)

TIME OF SUPPLY OF GOODS	TIME OF SUPPLY OF GOODS (RCM)	TIME OF SUPPLY OF GOODS (VOUCHERS)
<ul style="list-style-type: none"> • Date of issue of invoice or the last date on which he is required u/s. 31(1) to issue the invoice. • Date of receipt of payment. Whichever is EARLIER 	<ul style="list-style-type: none"> • Date of receipt of goods. • Date on which payment is made. • the date immediately after 30 days from the date of issue of invoice by the supplier (60 days for services) • If it is not possible to determine the time of supply under (a), (b) or (c), then date of entry in books of accounts. Whichever is EARLIER 	<p>a)The date of issue of voucher, if the supply can be identified at that point , or</p> <p>b) The date of redemption of voucher, in all other cases</p>

TIME OF SUPPLY OF GOODS	TIME OF SUPPLY OF GOODS (RCM)	TIME OF SUPPLY OF GOODS (VOUCHERS)
<ul style="list-style-type: none"> If receipt of excess amount up to Rs.1000, the time of supply of for such excess amount shall, be the date of issue of invoice. The date of receipt of payment shall be earlier of <ol style="list-style-type: none"> Date of entry in his books, or Date on which the payment is credited in bank 	<ul style="list-style-type: none"> Date of payment shall be earlier of- <ol style="list-style-type: none"> The date on which the recipient entered payment in his books , OR The date on which the payment is debited from his bank a/c If not possible to determine time as per above provisions supply shall be the date of entry in the books of account of the recipient. 	<ul style="list-style-type: none"> If not possible to determine the time of supply by the above provisions, then it will be- <ol style="list-style-type: none"> The date on which a periodical return has to be filed, or The date on which the CGST/ SGST is paid, in any other case.

TIME OF SUPPLY OF SERVICES	TIME OF SUPPLY OF SERVICES (RCM)	TIME OF SUPPLY OF SERVICES (VOUCHERS)
<ul style="list-style-type: none"> • Invoice within time Earliest of Date of issue of invoice or receipt of payment • Invoice not within time Earlier of Date of completion of service or receipt of payment • Other cases Date of receipt in books of accounts of recipient. 	<ul style="list-style-type: none"> • Earliest of - <ul style="list-style-type: none"> a) The date of payment, OR b) Date immediately after 60 days from the date of issue of invoice • If it is not possible to determine the time of supply under (a), (b) or (c), the time of supply shall be the date of entry in the books of account of the receiver of service. 	<ul style="list-style-type: none"> • Time of supply is <ul style="list-style-type: none"> (a) The date of issue of voucher, if the supply can be identified at that point, OR (b) The date of redemption of voucher, in all other cases

TIME OF SUPPLY OF SERVICES

TIME OF SUPPLY OF SERVICES (RCM)

- If receipt of excess amount up to Rs.1000, the time of supply of for such excess amount shall, be the date of issue of invoice.
- The date of receipt of payment shall be earlier of
 1. Date of entry in his books, or
 2. Date on which the payment is credited in bank

- **The date of payment shall be earlier of-**
 1. The date on which the recipient entered the payment in his books, OR
 2. The date on which the payment is debited from his bank account
- When supplier is located outside India In case of associated enterprises, where the supplier of service is located outside India, the time of supply shall be-
 - a) The date of entry in the books of account of the receiver , OR
 - b) The date of payment **whichever is earlier**

PLACE OF SUPPLY OF GOODS

Movement of Goods	The place at which movement of goods terminate
Supply on direction of Agent	Location of such agent.
Supply without movement	Location of goods at the time of delivery to recipient.
Goods assembled/ installed at site	Place of installation assembly.
Supply on board conveyance	Location at which goods are taken onboard.
Other cases	As per law made by Parliament based on council's recommendation.

PLACE OF SUPPLY OF GOODS IMPORT IN TO **AND EXPORT FROM INDIA**

- Place of supply of goods imported in to India shall be the location of importer.
- Place of supply of goods exported from India shall be the location outside India.

PLACE OF SUPPLY OF SERVICES (INDIA)

PARTICULARS	PLACE OF SUPPLY
General Provision	supply to registered person : location of such person supply to unregistered person : Location of recipient of services where the address exists. In other cases Location of supplier .
Immovable property	Location of immovable property, boat or vessel If immovable property, boat or vessel is located outside India then location of recipient Services provided in more than one state – proportion of service provided in each state
Restaurant, catering services, Grooming, etc.	Where services are actually performed.
Training and performance appraisal	Location of registered person For unregistered person – Location where services are performed

PARTICULARS`	PLACE OF SUPPLY
Admission to cultural, artistic, sporting, etc events or amusement park or other place and Ancillary to above services	Where event is actually held
Organizing of a cultural, artistic, sporting event including supply of services to exhibition, conference, fair, celebration, etc.	<ul style="list-style-type: none"> • To Registered person – location of such person • Others – Place of event where it is actually held. • If event outside India – location of recipient • If services in more than one state – proportion of service provided in each state.
Transportation of good including by mail or courier	<ul style="list-style-type: none"> • Registered person – Location of such person • Others – Location where the goods are handed over
Transportation of passenger	<ul style="list-style-type: none"> • Registered person – Location of such person • Others – Place where person embarks on conveyance for continuous journey • Return journey to be treated as separate journey

PARTICULARS`	PLACE OF SUPPLY
Telecommunication Services, including Data transfer, broadcasting, DTH	Location where the telecommunication line, leased circuit or cable connection or dish antenna is installed For mobile connection for telecommunication and internet services; Post-paid basis – Location of billing address of the recipient Pre-paid basis through a voucher – Location where such pre-payment is received / voucher is sold
case other than above	<ul style="list-style-type: none"> • Address of recipient as per the record of supplier • Where address not known – location of supplier • If prepaid service or recharge on internet banking – Address of recipient
Banking and other financial services including stock broking	Location of recipient of service, if not known, then location of supplier
Insurance Services	Registered person – Location of such person Others – Location of recipient of services
Advertisement service to Government or statutory body, etc	Proportion to amount attributable to service provided by way of dissemination in the respective State as per the contract

PLACE OF SUPPLY OF SERVICES (OUTSIDE INDIA)

PARTICULARS	PLACE OF SUPPLY
Except services mentioned below	Location of recipient where the address exists Other cases – location of supplier
A] Goods required to be made physically available for providing services to the supplier of services	Location where services are performed
Where services are provided from remote location by way of electronic means	Location where the goods are situated <i>(this clause shall not if goods are exported after repair without being put to use in India)</i>
B]service supplied to individual, either as a recipient of service or person acting on behalf of recipient which requires physical presence of receiver	Location where services are performed

PARTICULARS

PLACE OF SUPPLY

Service in relation to immovable property including services by expert in this regard and estate agent, hotel accommodation, guest house, etc.

Location of immovable property

Admission to **or** organizing a cultural, artistic, sporting, exhibition, conference, fair, etc

Where event is actually held

Where services are supplied at more than one location, including in taxable territory

Location shall be taxable territory

Where services in 2, 3, 4 and 5 is supplied at more than one state

Proportionate amount attributable to service provided by way of dissemination in the respective state as per the contract

PARTICULARS	PLACE OF SUPPLY
<p>A] Service by banking company or financial institution or non-banking finance company</p> <p>B] Intermediary services</p> <p>C] Hiring of means of transport up to one month other than aircraft and vessel (except yacht)</p>	Location of supplier
Transportation of goods including by mail or courier	Place of destination
Transportation of passenger	Where the passenger embark on conveyance for continuous journey
Services on board a conveyance during course of passenger transport operation, including services intended to be consumed while on board	First schedule departure point of conveyance
service of “online information and database access or retrieval”	Location of recipient of services

PARTICULARS	PLACE OF SUPPLY
<p>Person receiving online services shall be deemed to be located in taxable territory, if any two of the following conditions are satisfied:-</p> <ul style="list-style-type: none"> (i) location of address presented by the recipient via internet (ii) Card by which payment settled by recipient is issued in taxable territory (iii) billing address of recipient of service is in taxable territory (iv) internet address protocol of the device used by recipient is in taxable territory (v) bank of recipient is in taxable territory (vi) country code of SIM card used by recipient of service is in taxable territory (vii) location of fixed land line used by recipient is in taxable territory 	<p>Location of recipient of services</p>



CONDITIONS FOR ENTITLEMENT OF ITC

POSSESSION OF
TAX INVOICE /
SUPPLEMENTAR
Y INVOICE/
DEBIT NOTE/BILL
OF ENTRY

Goods
received in
lots/
installments
- ITC
available
upon receipt
of last lot or
installment

GOODS AND/
OR SERVICES
RECEIVED

TAX
CHARGED
HAS
ACTUALLY
BEEN PAID

unutilized
credit in case
of sale/
merger/
amalgamatio
n etc. can be
transferred.

RETURN U/S
39 HAS
ALREADY
BEEN
FURNISHED

SECTION 15 OF CGST- VALUE OF SUPPLY

- 1) The value of supply shall be the transaction value, which is the price actually paid or payable where the supplier and the recipient are not related and the price is the sole consideration.
- 2) The value of supply shall include
 - a) Any taxes, duties, cess, fees and charges levied under any law for the time being in force other than this Act, SGST, the Union Territory GST Act and the Goods and Services Tax (Compensation to States) Act, if charged separately by the supplier
 - b) Any amount that the supplier is liable to pay but which has been incurred by the recipient and not included in the price actually paid or payable.
 - c) Incidental expenses, including commission and packing, and any amount charged for anything done by the supplier at the time of, or before supply
 - d) Interest or late fee or penalty for delayed payment.
 - e) Subsidies directly linked to the price excluding subsidies provided by the CG / SG.

Explanation – The amount of subsidy shall be included in the value of supply of the supplier who receives the subsidy.

SECTION 15 OF CGST- VALUE OF SUPPLY

- (3) The value of the supply shall **Not include** any discount which is given -
- a) before or at the time of the supply if such discount has been duly recorded in the invoice
 - b) after the supply has been effected, if -
 - (i) 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
 - (ii) ITC as is attributable to the discount on the basis of document issued by the supplier has been reversed by the recipient of the supply.
- (4) Where the value of the supply can not be determined under sub-sec. (1), the same shall be determined in such manner as may be prescribed.
- (5) Notwithstanding anything contained in sub-sec. (1) or sub-sec (4), the value of such supplies as may be notified by the Government on the recommendations of the Council shall be determined in such manner as may be prescribed.



THANK YOU

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