

AMENDMENT BOOKLET **IDT**

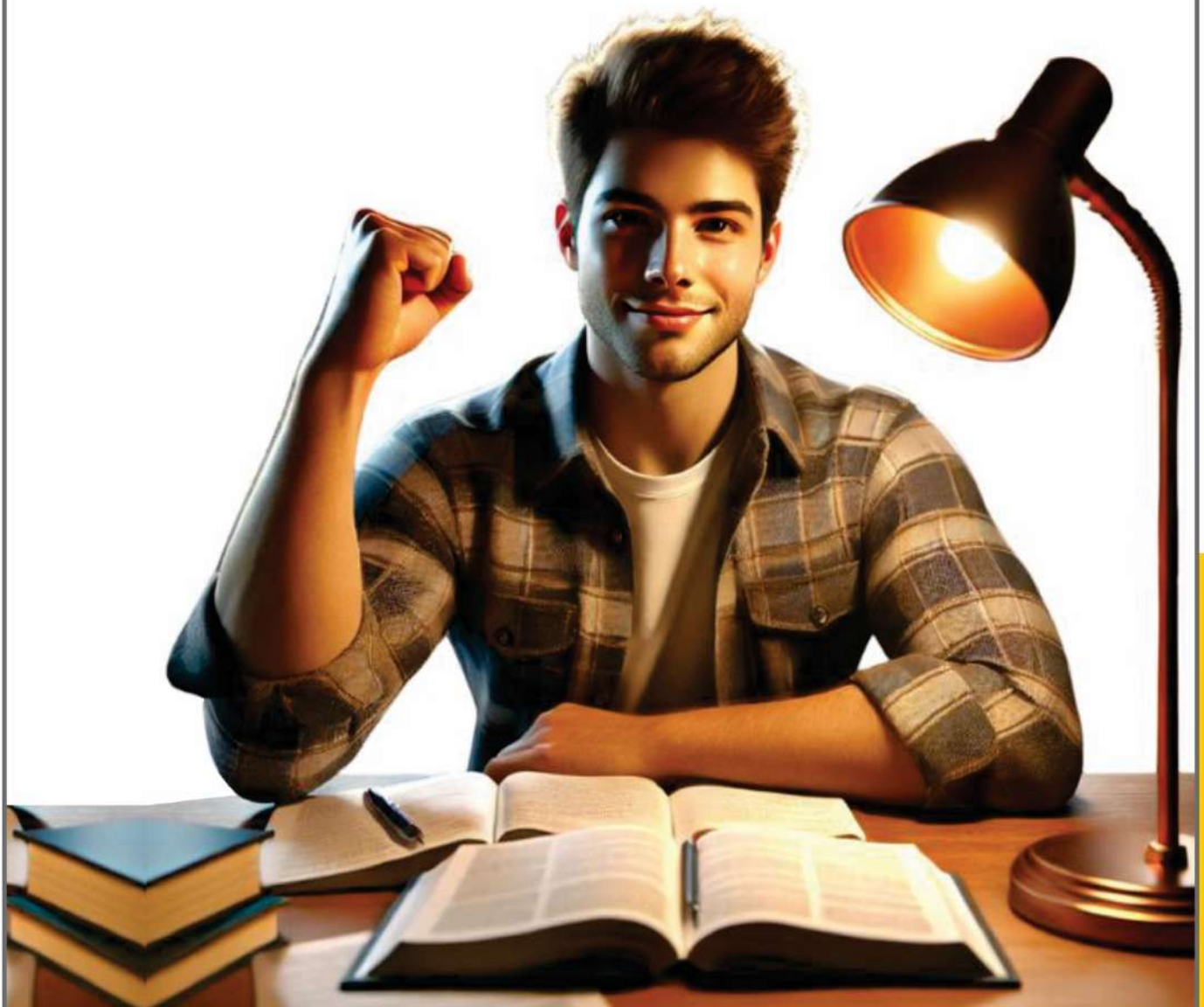
CA-FINAL May 2025 Exams



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- ♦ Coverage of All Relevant Amendments
- ♦ Logic / reasoning of amendment
- ♦ Simpler Analysis with Interlinking
- ♦ Charts & Diagrams

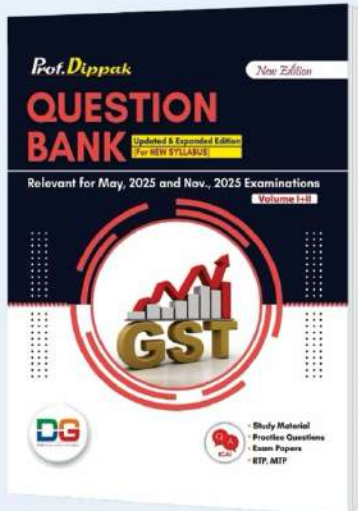
- 01 **GST**
- 02 **CUSTOMS**
- 03 **FTP**



QUESTION BANK

The Ultimate IDT Guide for CA Final – May & Nov 2025!

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जिन्दगी को आसान नहीं
बस खुद को मजबूत बनाना पड़ता है।











“
ठोकरें खाता हूँ पर ‘शान’ से चलता हूँ,
मैं खुले आसमान के नीचे
सीना तान के चलता हूँ,
मुश्किल तो साज़ है जिन्दगी का
उठुंगा गिरुंगा फिर उठुंगा
और
आखिर मैं...
जीतूंगा मैं ही ये ठान के चलता हूँ...
”



Most renowned
and experienced
IDT Faculty in India.

Prof. Dippak (DG Sir)

-  DG Sir has teaching experience of 20+ years.
-  Graduated from Delhi University with top position in his College. DG Sir is academically excellent and blessed with analytical skills.
-  Qualified CA - single attempt pass at all stages (became CA at age of 21).
-  Ranker in the Foundation and Intermediate level of Chartered Accountancy course.
-  Awarded "Raja Ramnickcher Award" and "Smt. Vandana Suryanarayana Award" by The Institute of Chartered Accountants of India (ICAI) for his remarkable performance in the subject of Indirect Taxation at CA (Final) stage for scoring HIGHEST MARKS therein.
-  Vast experience in the field of INDIRECT TAXATION.
-  Authored books on GST for the students pursuing Chartered Accountancy.
-  Contributor of articles in legal journals / law magazines.

QUESTION BANK

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CA-Final May 2025

IDT Amendments Summary

GST - Volume 1 Amendments

Summary	Legal Reference
1.1 - Supply	
<u>Indian subsidiary ESOPs [shares of foreign holding company given in ESOPS]:</u> No GST on actual cost reimbursement to foreign company; GST applies only on additional charges if levied by the foreign company.	CBIC Circular 213/07/2024-GST (Circular dated 26th June 2024)
<u>Taxability of salvage/wreck value in hands of INSURANCE Company:</u> When full insured value is paid, salvage becomes insurer's property (GST on disposal); <i>if insured value is reduced by salvage deduction, no GST liability on insurer.</i>	CBIC Circular 215/09/2024-GST (Circular dated 26th June 2024)
1.2 - Composite vs. Mixed Supply	
Ancillary/incidental services (loading, packing, etc.) provided by a GTA during road transportation are treated as part of a composite supply when a consignment note is issued.	CBIC Circular No. 234/28/2024-GST (Dated 11th Oct 2024)
In construction, PLC is treated as an incidental service that forms part of the composite supply with construction as the principal service.	CBIC Circular No. 234/28/2024-GST (Dated 11th Oct 2024)
2 - Valuation of Supply	
<u>Government subsidy (e.g. incentive sharing under RuPay/BHIM-UPI schemes by Acquiring Bank with other stakeholders) :</u> Incentive sharing within the NPCI-determined framework for RuPay Debit Cards and BHIM-UPI transactions shall also be considered a subsidy (Govt Subsidy) and is not taxable under GST	Sec 15(1) read with Sec 15(2)(e); Circular No. 228/22/2024-GST (Dated 15th July 2024)
<u>Post-supply discount is deductible from value if condition of corresponding ITC reversal by the recipient is met:</u> The supplier may procure a certificate from the recipient of supply, issued by the (CA) or (CMA), certifying that the recipient has made the required proportionate reversal of ITC at his end.	Sec 15(3); Circular No. 212/6/2024-GST (Dated 26th June 2024)
<u>Value of supply between DISTINCT or RELATED PERSONS:</u> For supplies between distinct/related persons, if the recipient is eligible for full ITC but INVOICE has not been issued for the supply, then it may be deemed that 'value declared is NIL and that NIL value is acceptable as OMV'.	Circular No. 201/14/2024-GST (Dated 26th June 2024)
<u>Corporate guarantee valuation u/Rule 28(2):</u> Applicable only if the recipient is in India; Value of '1% of guarantee amount' shall be computed on per annum basis; <i>if recipient is eligible for full ITC, then any value declared on invoice will be deemed to be the value.</i>	Rule 28(2); CGST (Amendment) Rules, 2024 (w.e.f. 26-10-2023)
Clarification on valuation/taxability for corporate guarantee services between related persons.	Circular No. 225/19/2024-GST (Dated 11th July 2024)
<u>Supply of Lending Services between RP - Interest charged, but no administrative fee/processing fee charged.</u> For lending services between related persons, interest is exempt and no notional value is attributed to any administrative or processing fee.	CBIC Circular 218/12/2024-GST (Dated 26th June 2024)
<u>Supply of 'Composite Life Insurance Policy' where only risk component is taxable:</u> No Reversal of ITC on the premium portion for life insurance (not included in taxable value) is clarified.	Circular No. 214/8/2024-GST (Dated 26th June 2024)





<p><u>Revision of Earlier Circular to the following effects</u></p> <p>(A) Substitution of 'PARTS' with [GOODS or ITS PARTS, as the case may be] - this amendment now extends the clarification in Para 2 of the original Circular to also cover cases where the entire goods are replaced under warranty.</p> <p>(B) Circular now covers the situation where Distributor replaces goods/parts under warranty using own stock, requisitions replenishment from manufacturer via delivery challan [No GST payable on replenishment by manufacturer + No ITC reversal required by the manufacturer].</p> <p>(C) If the extended warranty is taken at time of original supply but provided by a different supplier, it is treated as a separate supply of services, subject to GST as a service.</p> <p>(D) The revised clarification specifies that if the extended warranty is supplied separately from the original goods, the supplier will be liable to pay GST on it as a supply of services, <i>irrespective of whether the warranty involves goods or services or is a composite supply.</i></p>	<p>Circular No. 216/10/2024-GST (Dated 26th June 2024)</p>
<p>3.1 - Time of Supply</p>	
<p><u>National Highway Project under (Hybrid Annuity Model – covering construction and operation & maintenance): Private player supplying services to NHAI -</u></p> <p>(i) Supply of Service (Construction of Road + Maintenance of Road) is under a SINGLE CONTRACT.</p> <p>(ii) it is case of Continuous Supply of Service & (ii) Multiple invoicing requirement linked to due date of payment as per Sec 31(5)(a) or date of completion of event as per Sec 31(5)(c) &</p> <p>(iii) Multiple ToS & ToS as per Sec 13(2) – depending upon invoice issued within 30 days of provision of service or belatedly</p>	<p>Circular No. 221/15/2024-GST (Dated 26th June 2024)</p>
<p><u>Supply of Service (right to use natural resources) by Govt to Business Entity which is subject to RCM.</u></p> <p>when supply mode is 'DEFERRED PAYMENT', then</p> <p>(i) it is case of Continuous Supply of Service</p> <p>(ii) Frequency Assignment Letter (FAL) is in the nature of contract and due dates of payment are ascertainable therefrom &</p> <p>(iii) Multiple invoicing requirement linked to due date of payment as per Sec 31(5)(a)</p> <p>(iv) ToS as per Sec 13(3)</p>	<p>Circular No. 222/16/2024-GST (Dated 26th June 2024)</p>
<p>3.2 - Payment of Tax</p>	
<p><u>Belated discharge of 'Output Tax (FCM) Liability' in the return of same tax period:</u></p> <p>amount deposited into ECL on/before due date of return but debited therefrom upon belated filing of return, shall not considered for computation of interest liability on 'Output Tax (FCM liability).</p>	<p>Sec 50(1)/(2) read with Rule 88-B(1) (Effective from 10th July 2024)</p>
<p><u>Exporter of GOODS: Repayment of erroneous refund of IGST (Export of goods):</u></p> <p>In case of an erroneous refund granted (IGST on export of goods), if the amount (plus interest and penalty) is repaid in cash (using GST DRC-03), it must be re-credited into the e-credit ledger.</p>	<p>Rule 86(4-B); CGST (Second Amendment) Rules, 2024 (Effective from 8th Oct 2024)</p>
<p>3.3 - TDS (Tax Deducted at Source)</p>	
<p><u>TDS @2% is now applicable</u> on the supply of specified METAL SCRAP (falling under Chapters 72-81) between registered persons in a B2B transaction.</p>	<p>Sec 51; Original N/N 50/2018-CT amended via N/N 25/2024-CT (R) (Effective from 10th Oct 2024)</p>
<p>3.4 - TCS (Tax Collected at Source)</p>	
<p><u>TCS (CGST) rate has been reduced from 1% to 0.5%</u> (with proportional adjustments across CGST/SGST/UTGST/IGST).</p>	<p>Sec 52; N/N 15/2024-CT (Dated 10th July 2024)</p>
<p>4 - Registration</p>	
<p><u>Registration requirement for 'Supplier making exclusive supply of METAL SCRAP which is subjected to RCM':</u></p> <p>Such supplier shall register if the turnover threshold is crossed. (Note: Post-registration, RCM ceases and FCM applies.)</p>	<p>Sec 23(2); N/N 5/2017-CT amended via N/N 24/2024-CT (Dated 10th Oct 2024)</p>





<p><u>Bio-Metric based Aadhaar Authentication (for risky applicant) now implemented on All India Basis:</u> Registration applicants if identified as 'risky applicant' must now undergo <u>Bio-Metric based Aadhaar Authentication</u> (previous state-based exemptions rescinded).</p>	<p>Rule 8; (N/N 27/2022-CT rescinded, Effective from 10th July 2024)</p>
<p><u>Rule 21 amended in 2 respects:</u> (i) Rule 21(f) [Mismatch of OS declared in GSTR-1 and Liability paid in GSTR-3B] – consequential amendment made to incorporate reference of GSTR-1A (ii) Rule 21 (ga) inserted to make provision for re-cancellation of registration of person whose registration earlier cancelled was revoked but he failed to file his pending returns within 30 days from date of revocation</p>	<p>Rule 21 (including Rule 21(f) and insertion of Rule 21(ga)); Effective from 10th July 2024</p>
<p><u>Rule 21-A (2A) (System-based-Suspension of Registration)</u> Suspension of registration now uses GSTR-1A data (both for the taxpayer and their supplier) for comparison to trigger suspension. Now, comparison will be made of (i) 'GSTR-1 (as amended by GSTR-1A) furnished by RP with GSTR-3B furnished by him' and (ii) 'GSTR-1 (as amended by GSTR-1A of previous tax period) furnished by his supplier with his GSTR-2B'.</p>	<p>Rule 21-A; Effective from 10th July 2024</p>
5 – Return	
<p><u>Manner of furnishing details of OS in GSTR-1</u> Threshold for furnishing INVOICE-LEVEL DETAILS in GSTR-1 is reduced to invoices exceeding ₹1,00,000 (for large inter-state B2C supplies).</p>	<p>Sec 37 read with Rule 59 (Effective from 1st Aug 2024)</p>
<p><u>Optional facility introduced to amend GSTR-1 before furnishing return of the tax period</u> GSTR-1A is introduced for amending or furnishing additional details in already filed GSTR-1 (<i>for this GSTR-1A shall be filed – anytime but before filing of GSTR-3-B for the said period</i>) Rule 59(4A) prescribes its contents (<i>which is similar to GSTR-1</i>).</p>	<p>Sec 37 read with Rule 59 (Effective from 10th July 2024)</p>
<p><u>Exemption from filing of ANNUAL RETURN</u> RP with an annual turnover (ATO) up to ₹2 crore are exempted from filing an Annual Return for FY 2023-24.</p>	<p>Sec 44(1); N/N 14/2024 (Effective from 7th July 2024)</p>
<p><u>Time limit extended for filing of 'Regular Return – GSTR-4' by the Composition Suppliers (from FY 2024-25 onwards)</u> Composition suppliers are now allowed to file GSTR-4 on an annual basis with an extended due date (30th June from FY 2024-25).</p>	<p>Sec 39(2) read with Rule 62 (Effective from 10th July 2024)</p>





GST - Volume II Amendments

Summary	Legal Reference
1 - Export of Goods/Services	
<p><u>Exporter of Goods [IGST Refund – Sec 16(4) of IGST Act r/w Rule 96] vs [ITC refund as per Sec 16(3) of IGST Act r/w Rule 89]:</u></p> <p>Rule 96(10) has imposed restriction i.e. IGST refund on goods exported if benefits of certain concessional/exemption notifications (like Advance Authorization, EoU etc) have been availed on inputs/raw materials imported or procured domestically. Such exporters shall be entitled to claim refund of ITC only and that too as per specific provision laid down in Rule 89(4A) & (4B) of CGST Rules, 2017.</p> <p>Rule 96(10) been omitted and thus, removing this bar of IGST refund.</p> <p>Also, Rule 89(4A) & (4B) has been omitted. Consequently, in the cases where the benefit of concessional/ exemption notifications which were specified in rule 96 (10) had been availed on inputs imported or procured domestically, the refund on account of exports can be claimed through the 'IGST refund route u/Rule 96' or 'ITC refund route as per Rule 89(4)'.</p>	<p>Omission of Rule 96(10) and Rule 89(4A)&(4B); Amendment effective from 8th Oct 2024</p>
<p><u>Exporter of GOODS: Repayment of erroneous refund of IGST (Export of goods):</u></p> <p>In case of an erroneous refund granted (IGST on export of goods), if the amount (plus interest and penalty) is repaid in cash (using GST DRC-03), it must be re-credited into the e-credit ledger.</p>	<p>Rule 86(4B); Amendment effective from 8th Oct 2024</p>
<p><u>Exporter of GOODS: Refund of additional IGST paid on account of upward revision in price of goods already exported</u></p> <p>Mechanism for refund of such additional IGST now introduced vide insertion of Rule 89(1B) which is providing for submission of normal refund application [GST RFD-01] to the PO within 2 years from Relevant Date (as applicable for refund claim of Original IGST paid).</p> <p>Rule 89(2)(ba)& (bb) inserted prescribing the relevant supporting documents to be submitted.</p>	<p>Sec 54 + Rule 96, with insertion of Rule 89(1B) & Rule 89(2)(ba)/(bb); CBIC Circular 226/20/2024 (Dated 11th July 2024); Effective from 10th July 2024</p>
<p><u>Exporter of SERVICES: Undertaking/Bond as to bringing of export proceeds into India</u></p> <p>For export of services under Bond/LuT: The period for bringing in sale proceeds (in foreign exchange or permitted rupees) is revised- later of following period from date of issue of invoice (a) 1 year or (b) period permissible under FEMA (including extension by RBI).</p>	<p>Sec 16(3) of IGST Act + Rule 96-A; Substitution effective from 10th July 2024</p>
2 - Refunds Under GST	
<p><u>Refund of GST paid on inward supply of goods by the CSD (Canteen Stores Department) as per Sec 55</u></p> <p>The Canteen Stores Department (CSD) may claim a refund of 50% of the GST paid on inward supplies (for subsequent supply), with procedure now prescribed under Rule 95-B and claim made via Form GST RFD-10A.</p>	<p>Sec 55; N/N 6/2017-CT; Rule 95-B; CBIC Circular 227/21/2024; Effective from 10th July 2024</p>
3 - Demand & Recovery	
<p>Rule 142 is amended to following effect:</p> <p>(i) When payment is made pre-SCN (voluntarily or during pre-notice consultation) by GST DRC-03, then System-generated acknowledgment of such payment shall be issued in GST DRC-04; &</p> <p>(ii) When partial payment / no payment is during pre-notice consultation, then PO shall issue intimation to the taxpayer in GST DRC-01A (Part-C) &</p> <p>(iii) if Liability in e-liability discharged through GST DRC-03 (instead of against debit in ELL), then such person may submit request in Form GST DRC-03A to adjust payment made through DRC-03 against liability in ELL</p>	<p>Rule 142 (Amendments to clauses 2, 2A, and insertion of 2B); Effective from 10th July 2024</p>
<p><u>Early recovery proceedings may now be initiated with a direction for early payment</u></p>	<p>Sec 78; Instruction No. 1/2024-GST (Dated 30th May 2024)</p>





Proviso to Sec 78 empowers PO to issue direction to the taxable person to pay Govt dues in period earlier than 3 months. The PO for this purpose is 'Jurisdictional Principal Commissioner/Commissioner'.

If the taxpayer still fails to pay, then PO (Jurisdictional AC/DC) to proceed with recovery.

Taxpayer losing first appeal due to which demand becoming enforceable (as stay gets vacated) - Intent to file further appeal, but Tribunal is not operational

Dept enforcing demand as case lost by assessee but assessee facing challenges due to his inability to file appeal due to non-functional Tribunal.

CBIC issued Circular laying guidelines for

'Stay of Recovery in such cases (upon making payment through ELL of amount equivalent to requisite pre-deposit as specified in Sec 112(8) & giving an undertaking as to his intent of filing further appeal to GSTAT) and

its adjustment towards 'Pre-Deposit' by using Form GST DRC-03A subsequently.

Sec 78; Circular No. 224/18/2024-GST (Dated 11th July 2024)

4 - Appeal & Revision

Anti-profiteering cases now to be examined by GSTAT (Principal Bench)

GSTAT is now empowered to handle anti-profiteering cases exclusively at its Principal Bench; its exclusive domain may also be extended to other case types as notified.

Sec 109; Amended by FA (No. 2) 2024 (Effective from 27th Sep 2024)

Time limits for appeals to GSTAT are revised:

- (1) **Assessee's Appeal**: Time limitation of 3 Months from the **later of 'the order's communication date' or 'the Govt-notified date per Council Recommendation'** (+ Extension of 3 Months) + manner of filing
- (2) **Dept. Application/Appeal**: Time limitation of 6 Months from the **later of 'the order's communication date' or 'the Govt-notified date per Council Recommendation'**

Sec 112; Amended by FA (No. 2) 2024 (Effective from 1st Aug 2024) and **Rules 110 & 111** (Effective from 10th July 2024)

Manner of Filing appeal to GSTAT: e-filing

Manual filing allowed ONLY if **permitted by the Registrar via special/general order**

Provisions allowing withdrawal of an appeal before GSTAT have been introduced.

- (1) **Withdrawal by application** (which may be submitted before the issuance of **GSTAT order** (u/Sec 113(1))
- (2) **Withdrawal where appeal filed has been finally acknowledgment (i.e., Post APL-02)- Requires approval of the Appellate Tribunal** after FORM GST APL-02 is issued
- (3) **Fresh Appeal post-withdrawal** - Original time limitation applicable

Rule 113-A (Effective from 10th July 2024)

Monetary limitation as to filing of appeal by Dept (GSTAT and Onwards level)

Appellate Forum	Monetary Limit (₹)
GSTAT	₹ 20,00,000
High Court	₹ 100,00,000
Supreme Court	₹ 200,00,000

Sec 120; Circular No. 207/1/2024-GST (Dated 26th June 2024)

Monetary limits do not apply in the following scenarios:

1. **Challenge of provisions being Ultra vires**
 - Act *ultra vires* to constitutional provisions,
 - Rules *ultra vires* to Act,
 - Any order, notification, instruction, or circular *ultra vires* to Act / Rules.
2. **Issues: Valuation, Classification, Refunds, Place of supply, Any Other ISSUE** which is **recurring in nature and/or involves interpretation**;
3. **Where Adverse comments, strictures and/or cost imposed against the government/department.**
4. **Any other case / class of cases deemed necessary by the Board in the interest of justice or revenue.**



5 – Penalties Sec 122-A (newly introduced) is applicable to ‘manufacturers of goods where a SPECIAL PROCEDURE for machine registration has been notified u/Sec 148. it is providing for penalty of ₹1,00,000 for each unregistered machine, in addition to any other applicable penalties. Each unregistered machine is also liable for seizure and confiscation.	Sec 122-A; Inserted by FA, 2024 (15th Feb 2024), Effective from 1st Oct 2024
6 – Miscellaneous Provisions Anti-profiteering cases now to be examined by GSTAT (Principal Bench) For anti-profiteering measures, cases will be examined solely by the Principal Bench of GSTAT; additionally, <u>the government may fix a cut-off date beyond which anti-profiteering examinations will not be accepted.</u>	Sec 171; Also see Sec 109(1)&(5) (Amended by FA (No. 2) 2024 Effective from 27th Sep 2024) and N/N 19/2024-CT & N/N 18/2024-CT (Effective from 1st Oct 2024)

GST - Volume III Amendments

Summary	Legal Reference
1 – ITC <u>Extension of time limit as to ITC Availment :</u> (i) Sec 16(5) inserted to provide relaxation in time limitation as ITC availment for ITC pertaining to [FY 2017-18, 2018-19, 2019-20, 2020-21]: Time limitation for all these years extended to 30th Nov, 2021 (thus, ITC claimed in any Sec 39 Return (regular return) filed upto 30th Nov, 2021 becomes ‘eligible ITC’) (ii) Sec 16(6) inserted to provide relaxation in time limitation for ITC availment i.r.o. revocation of cancellation of registration: The returns for the period from date of cancellation of registration/ effective date of cancellation of registration till the date of revocation of cancellation of registration are filed after revocation of cancellation of registration. ITC can be claimed in such return if filed within 30 days from date of revocation order. Special procedure for rectifying incorrect ITC availment under Sec 16(4) is notified; where credit is now available under Sec 16(5)/(6) and no appeal is filed. Sec 148; N/N 22/2024-CT (Dated 8-10-2024)	Sec 16, with insertion of Sec 16(5) and 16(6); Inserted by FA (No. 2) 2024 (w.e.f. 1-7-2017)
<u>Computation of time-limitation for ‘Invoice based ITC’ of RCM Supply :</u> Time limitation for claiming invoice-based ITC for RCM supply from an unregistered supplier --- computed from the self-invoice issuance date.	Sec 16(4); Circular No. 211/5/2024-GST (Dated 26th June 2024)
<u>ITC on DEMO VEHICLES:</u> Admissible <u>if the dealer supplies similar vehicles for promotion;</u> [as Demo Vehicles used for promoting sales of SUCH MV and be considered as being used for making ‘making further supply of SUCH motor vehicle’ - thus, ITC is not blocked u/Sec 17(5)(a).] Not admissible <u>if the dealer’s role is limited to marketing or test drives.</u>	Sec 17(5)(a); CBIC Circular 231/25/2024-GST (Dated 10th Sep 2024)
<u>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 :</u> (i) Insurer (insurance company) is recipient as it is person liable to pay consideration (repair charges) (ii) it is entitled to ITC but only to the extent to approved cost which it is re-imbursing.	Sec 17(5)(ab); CBIC Circular 217/11/2024-GST (Dated 26th June 2024)
<u>Entitlement of ITC on ‘Ducts and Manholes’ used in Optical Fire Cables (OFC) Network which is used for providing telecommunication service:</u> ITC is admissible as (i) OFC network (= immovable property) is used for providing telecommunication service and (ii) qualifies as ‘Plant and Machinery’ as defined in Explanation to Sec 17(4) and (ii) thus, ITC not hit by provisions of Sec 17(5)(c) / (d) .	Sec 17(5)(c)/(d); CBIC Circular 219/13/2024-GST (Dated 26th June 2024)





<u>Amendment in Rule 36(3): ITC restricted to mala-fide cases covered by Sec 74 only</u> The ITC restriction for mala-fide cases now applies only <u>when a demand order is passed u/Sec 74.</u>		Sec 16(2) read with Rule 36 ; Amendment effective from 8th Oct 2024							
<u>Introduction of GSTR-1A in 'Return filing process' and consequential amendments to ITC:</u> (i) Rule 37 (Reversal of ITC where supplier has declared OS u/Sec 37 but failed to pay corresponding tax). (ii) Rule 40(1)(e) (Manner of claiming credit in Special Circumstances – (RP – composition to normal scheme) / (RP – Exempt supply now becoming taxable		Rules 36(4)(a), 37, and 40(1)(e); Effective from 10th July 2024							
5.1 – Reverse Charge									
<u>Supply of METAL SCRAP (falling under Chapters 72-81 of CTA, 1975) :</u> A new RCM entry is introduced for the supply of METAL SCRAP (falling under Chapters 72-81) <u>by an unregistered person to a registered person.</u>		RCM entry in N/N 4/2017-CT (R) as amended via N/N 06/2024-CT (Rate); Effective from 10th Oct 2024							
<u>Supply of Service of 'Renting of any Immovable Property (other than residential dwelling) :</u> A new RCM entry is introduced for services – specifically, for renting out commercial (immovable) property <u>by an unregistered person to a registered person.</u>		RCM entry in N/N 13/2017-CT (R) as amended via N/N 09/2024-CT (Rate); Effective from 10th Oct 2024							
2 – Place of Supply									
<u>POS for goods : Under Sec 10(1)(ca) & its Explanation</u> For goods supplied to an URP where billing address is different from the address of delivery of goods, especially in the context of supply being made through e-commerce platforms. <u>'STATE' of Recipient for purpose of Sec 10(1)(ca)</u> = 'State pertaining to the billing address' or 'State pertaining to the delivery address' <u>POS = Shall be 'State pertaining to the DELIVERY address'</u> <i>in such cases involving supply of goods to an URP, where the billing address and delivery address are different, the supplier may record the delivery address as the address of the recipient on the invoice for the purpose of determination of place of supply of the said supply of goods.</i>		Circular Nos. 209/3/2024-GST, 232/26/2024-GST, 230/24/2024-GST, and 220/14/2024-GST							
<u>POS for Services : Under Sec 12</u>									
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GST - Exemptions

1. Renting of Immovable property		
Entry 12	Renting of RESIDENTIAL DWELLING for use as residence to URP	<p>Applicability of exemption to 'Renting of Hostel Rooms' was under litigation. Resolving that following amendments have been taken:</p> <p>(1) W.e.f. 15th July 2024, exemption entry 12 has been amended to specifically exclude 'accommodation services falling under Heading 9963". For them, special exemption entry 12-A has been issued.</p> <p>(2) W.e.f. 15th July, 2024, Explanation 2 has been inserted in the Entry to specifically exclude following</p> <p>(a) accommodation services for STUDENTS in student residences;</p> <p>(b) accommodation services provided by Hostels, Camps, Paying Guest accommodations and the like.</p>
	(w.e.f. 15 th July, 2024)	
Entry 12-A	Accommodation Services for longer duration (i.e. minimum continuous 90 days) - Value upto ₹ 20,000 p.m. (per person)	<p>Scope Restricted</p> <ul style="list-style-type: none"> Hostels, Service Apartments, Hotels etc - all can claim this exemption i.r.o. renting for longer duration and on reasonable rents. <p>Past liability of period (1st July, 2017 till 14th July, 2024): Regularised on 'as is where is basis'. <i>vide Circular No 228/22/2024-GST</i> ¹</p>
2. Insurance Sector		
Entry 36-A	Re-insurance Services Re-INSURANCE of the insurance schemes specified in serial number 35 or 36 or 40 exempt.	<p>Scope Clarified by Circular</p> <p>Re-insurance Services to include 'Retrocession Services': Covered by Exemption Entry 36-A</p> <p>'Retrocession' means a re-insurance transaction whereby a part of assumed reinsured risk is further ceded to another Insurer</p>
3. Power Sector		
	(w.e.f. 10 th Oct, 2024)	
Entry 25-A	Services by way of providing metering equipment on rent, testing for meters/transformers/capacitors etc., releasing electricity connection, shifting of meters/service lines, issuing duplicate bills etc., which are incidental or ancillary to the supply of transmission and distribution of electricity provided by Electricity Transmission and Distribution Utilities [ETDU] to their consumers.	<p>Earlier, judiciary held that these are exempted.</p> <p>Torrent Power Ltd. - 2018- Guj HC : "These ancillary services should be considered part of a composite supply, where the principal supply is the transmission and distribution of electricity, which is exempt from GST. Thus, these services also exempt.</p>
5. Education Sector		
	(w.e.f. 10 th Oct, 2024)	
Entry 66-A	Affiliation Services by Central/State Education Board / Council or other similar body to School (of CG/SG/UT/ LA or Govt Entity or Govt Authority	<p>Past liability of period (1st July, 2017 till 14th June, 2021): Regularised for all schools on 'as is where is basis'.</p>
Entry 66	Services by 'Educational Institution [Education must be part of a curriculum for obtaining a qualification or degree recognized by law.]	<p>Scope Clarified by Circular</p> <p>[Education must be part of a curriculum for obtaining a qualification or degree recognized by law.]</p> <p>Directorate General of Civil Aviation (DGCA):- approved Flying Training Organizations (FTOs) qualify as educational institutions under GST law.</p>

¹ **'As is where is' basis.** = [(suppliers who have not paid shall not be required to pay) AND (suppliers who have paid GST shall not be eligible for refund)].





		[The training courses are part of a curriculum for obtaining qualifications recognized by law (e.g., pilot licenses issued under Aircraft Rules, 1937).]
Para 2(h)	Definition of Approved Vocational Education Course - NCVT (National Council for Vocational Training) Substituted with - NCVET (National Council for Vocational Education and Training)	In 2018, the government merged NCVT with the National Skill Development Agency (NSDA) to form the NCVET. This new entity became the apex body for regulating and standardizing all vocational education and training in India. Accordingly, GST exemption re-casted.
Entry 71	Skill or vocational Training Services - by Training Providers under DDUCKY - NCVT (National Council for Vocational Training) Substituted with - NCVET (National Council for Vocational Education and Training)	Same as above
Entry 69	Services by NSDC/ NCVET + Services by NCVET recognized Awarding Body/ Assessment Agency & Training Body - in relation to [SPECIFIED SCHEMES]	Expanded Scope of Qualification Framework Schemes and courses implemented under NSDC (such as PMKVY) and the National Skill Certification and Monetary Reward Scheme. + Includes qualifications aligned with the National Skill Qualification Framework (NSQF), as approved by NCVET.
	(w.e.f. 10 th Oct, 2024)	
Entry 44-A	R&D Services by Govt Entity / Institutions as notified u/Sec 35(1) (ii) / (iii) of Income tax Act, 1961 - where consideration received in the forms of GRANTS	<u>Such service is exempt irrespective of whether grant received from Govt or Private Entity.</u>
5. Services to Govt / Local Authority		
	(w.e.f. 15 th July, 2024)	
Entry 9-G	Services by SPV by way of allowing use of the infrastructure built and owned by them during the concession period to Ministry of Railways (Indian Railways)	<u>Past liability of period (1st July, 2017 till 14th July, 2024); Regularised on 'as is where is basis'.</u>
Services by Govt / Local Authority		
	(w.e.f. 15 th July, 2024)	
Entry 9-G	Maintenance Services by Ministry of Railways (Indian Railways) to SPV	<u>Past liability of period (1st July, 2017 till 14th July, 2024); Regularised on 'as is where is basis'.</u>
Entry 9-E	4 Services by Ministry of Railways (Indian Railways) to INDIVIDUALS 1. <u>Sale of platform tickets;</u> 2. <u>Facility of retiring rooms/waiting rooms;</u> 3. <u>Cloak room services;</u> 4. <u>Battery operated car services.</u>	<u>Recently (w.e.f. 20th Oct, 2023), based on request of Indian Railways, all supplies of goods/services were brought under FCM. Also, all exemptions that were available to railways (like entry 6 7, 8 & 9 etc) were withdrawn and thereby making almost all services provided by IR taxable.</u> <u>Now (w.e.f. 15th July, 2024), on representations of I⁷ certain services to general public have been exempted vide Entry No. 9-E.</u> <u>Past liability of period (20th Oct, 2023 till 14th July, 2024); Regularised on 'as is where is basis'.</u> <u>vide Circular No 228/22/2024-GST</u>
Entry 9-F	Supply of any services between one zone/division to another zone/division of Ministry of Railways (Indian Railways) <u>[i.e. supply of any service between DDP]</u>	<u>Now (w.e.f. 15th July, 2024), on representations of I⁷, intra-railway activities have been exempted vide Entry No. 9-F.</u> <u>Past liability of period (20th Oct, 2023 till 14th July, 2024); Regularised on 'as is where is basis'.</u> <u>vide Circular No 228/22/2024-GST</u>





6. Services to/by Governmental Authority		
Entry 4	Services by a governmental authority by way of any activity in relation to any function entrusted to a MUNICIPALITY under Article 243W of the Constitution is exempt	<p>Circular No. 228/22/2024-GST - dated 15/ 2024</p> <p>Clarification</p> <p>(1) RERA performs statutory function of regulating the real estate development and construction of the building entrusted to them which fall under Entry No.1 and 2 of the 12th Schedule of Constitution [Article 243-W: Municipality Functions]</p> <p>(2) RERA = Governmental Authority Covered by Entry No. 4</p>
7. Special Inter-State Exemption - N/N 9/2017 - IT (Rate)		
Entry 10-L	<p>(w.e.f. 10th Oct, 2024)</p> <p>Import of Service without consideration (between DDP / RP) in case of Foreign Airline Company</p> <p>Conditions for GST Exemption:</p> <ul style="list-style-type: none"> Indian Establishment must pay GST on the transport of goods and passengers as applicable. The Ministry of Civil Aviation must certify: <ul style="list-style-type: none"> The Indian establishment is part of a foreign airline company designated under a bilateral air services agreement. Indian airlines are exempt from similar taxes in the foreign airline's country under reciprocal arrangements. 	<p>Past liability of period (1st July, -7-2017 to 9th Oct, 2024): Regularised on 'as is where is basis'.</p> <p><i>vide Circular No 228/22/2024-GST</i></p>

Customs Amendments

Summary	Legal Reference
1 - Types of Customs Duties	
Section 6 (levy of protective duty) has been omitted because the Tariff Commission was wound up in June 2022.	Sec 6 of CTA, 1975 (Omitted by FA (No. 2), 2024, Effective from 16th Aug 2024)
Amendments to Secs 3, 8-B, 9, and 9A ensure the uniform application of customs law provisions to special duties (e.g. IGST, Safeguard, CVD, Anti-dumping).	Secs 3, 8-B, 9 & 9A of CTA, 1975 (Amended by FA (No. 2), 2024, Effective from 16th Aug 2024)
2 - Warehousing	
Proviso inserted in Sec 65(1) empowering CG to notify manufacturing processes/ other operations in relation to a CLASS OF GOODS that shall not be permitted in a warehouse	Sec 65; Amendments by FA (No. 2), 2024 (Effective from 16th Aug 2024)



Prof. Dippak

