

## TOP 150 BOUNCER POINTS IN IDT

<b>SUPPLY UNDER GST</b>	
1.	Derivative → If delivery, then GST is applicable. → If net settlement, then no GST (neither goods nor services).
2.	Sch I Para 3 Applies only on goods not services i.e. Principal-Agent relationship, similarly Rule 29 is applicable on goods.
3.	If Del-credere agent is covered under Sch I Para 3, then Interest will be taxable. (Interest on loan by DCA to recipient)
4.	Import of Service by unregistered person with consideration is Supply but exempt. However, OIDAR/online money gaming services imported by unregistered person is taxable under FCM.
5.	Outward supply of funeral services is covered under negative list. However, inward supply (for e.g.: Transportation services taken for goods used in funeral service) is taxable but no ITC will be taken.
6.	No GST on Cost Petroleum → No supply, however govt share in profit petroleum is exempt.
7.	In Case of liquidated damages: → No GST on breach of contract/law, advance money forfeit, damages to property, delay construction penalty, cheque dishonour, salary bond, electricity charges. → GST is applicable on termination of lease, cancellation charges of travel/hotel.
8.	Employer-employee relationship falls under Sch III; however, any amount paid to employee not in course of employment is liable for GST.
9.	If director is giving services to company, then RCM, however if director is providing personal guarantee to company, then RBI mandates no consideration to be paid to director for such guarantee, hence no GST on guarantee.
10.	<ul style="list-style-type: none"> <li>• Interest on loan/advance is exempt. However, penal charges by bank for any non-compliance falls under liquidated damages i.e., No supply No GST.</li> <li>• DDA is not a local authority.</li> </ul>
<b>CHARGE OF GST</b>	
11.	In case of silk yarn, if supplier is any person (registered/unregistered) but receiver is registered then RCM.
12.	In case of commercial property, if supplier is unregistered & receiver is registered then RCM is applicable (other than Comp. Sch.). However, in case of residential property, if receiver is reg. (including Composition scheme) then RCM is applicable.
13.	Recovery agent service provided to Banks / NBFC then RCM, other than Bank / FI / NBFC then FCM. Same case of Individual DSA.
14.	Truck / Tempo operator (Goods Transport Operator) who do not issue consignment note are not covered under GTA.
15.	GTA Services to unregistered person is exempt. However, GTA Services to unregistered notified person (factory, co-operative society, body corp., p'ship firm / AOP) is taxable.

16.	No composition scheme in case of inter-state supply of goods & services of manufacturer of PITA & other notified goods.
17.	Interest is not included in aggregate T/O in Composition Scheme. However, in case of aggregate T/O of registration it is included.
18.	A person with multiple registrations, either opt for Composition Sch. for all registrations or normal scheme. There is no provision of few registrations in normal & few in Composition.
<b>EXEMPTIONS FROM GST</b>	
19.	Exemption can be given from retrospective effect also (1 year).
20.	Old age home services by Charitable Trust to people of 60 years & above is exempt. However, advancement of educational program to persons over the age of 65 years residing in Rural area is exempt.
21.	Residential quarter taken by an employee from SBI Exempt. AKG homes gives their building to SBI for stay of their employees -> RCM tax by SBI. (Here SBI is employer, SBI is just an example it can be any employer)
22.	AIR ambulance is exempt, however MANDOR services (Entry 20/21) by AIR is taxable.
23.	If security/housekeeping services taken by school to be performed outside school premises is taxable.
24.	Printing services provided to Edu. Inst. is exempt (conduct of exam). However, paper (goods) supplied to Edu. Inst. is taxable.
25.	Affiliation services provided to govt. school is exempt but taxable for private school. However, affiliation provided by University to Colleges (Private/Govt) is taxable.
26.	Services by govt. to reg. person is taxable under RCM. However, Ministry of Railways is taxable under FCM.
27.	Composite supply of Goods & Services (Goods up to 25% of total value) to govt. is exempt. However, if provided to Govt. entity then taxable.
28.	Training or Coaching by Individual in relation to Art & Culture is exempt. However, training/coaching in sports by Charitable Trust (12AA/AB) is exempt, not by individual.
29.	Int on loan & advances is exempt including Int on debentures, Commercial paper, Repo/Reverse repo rate but Int on finance lease is taxable.
30.	Fumigation on field is exempt. However, fumigation in warehouse is taxable.
31.	Services By FDM is exempt. However, services to Foreign Diplomatic Mission is taxable. Services By/To RBI is taxable.
<b>PLACE OF SUPPLY</b>	
32.	In Case of Bill to Ship to model, POS is location of Bill to. However, if any unregistered person purchase goods through ECO, then delivery address is POS.
33.	In case of telecommunication services, POS is → Fixed line installed -> location where lines are installed. → Post paid mobile -> Billing Address.
34.	Custodial services provided by Bank to Non-account holders - POS as per sec 13(2), not 13(8). (In case of Sec. 13)

35.	In case of OIDAR, POS is always India whether supplier is outside India or in India.
36.	Supply in territorial waters – POS is nearest coastal state or Union territory where the nearest point of the appropriate baseline is located.
<b>TIME OF SUPPLY</b>	
37.	In case of service invoice is issued in 30/45 days. However, in continuous supply of service, invoice to be issued on or before completion of event / due date of payment.
38.	TOS of Continuous supply in case of RCM (spectrum usage) is Payments are due / made, whichever is earlier.
<b>VALUE OF SUPPLY</b>	
39.	Taxes other than GST [Excise duty, VAT, Municipal Tax etc) is included in VOS, registration, comp. sch. turnover but not in T/O of ITC for Rule 42.
40.	If in question price of any product is given & subsidy is also given, then assume that price is after considering subsidy only (i.e. after deducting subsidy) unless specifically mentioned.
41.	If receiver is eligible for full ITC, then take invoice value in case of Rule 28 but not in case of Rule 29.
42.	In case of Rule 28 & 29, if both OMV & 90% of further supply of like kind & quality is given then take lower of both but in case of Rule 27, do not take lower, go sequentially whichever comes first.
43.	Tax on lottery is 40% & it is considered as inclusive of GST. However, betting, gambling, horse racing & online gaming is exclusive of GST unless specifically mentioned.
44.	In case of Rule 28(2), corporate guarantee, VOS is 1% of guarantee amt (not loan amt) x No of years of guarantee or Actual Consideration, whichever is higher.
45.	Only Pre-delivery expenses will be added in VOS, not Post-delivery.
46.	In case of Post Supply discount (new circular), understand how VOS is calculated with this example. → Manufacturer sold goods to dealer for ₹ 10,000 & dealer normally sells goods for ₹ 12,000. However, he gave discount of ₹ 1,000 & sold for ₹ 11,000. Manufacturer gave post supply discount of ₹ 700 to dealer & manufacturer has agreement with customer, then VOS of goods from dealer to customer is ₹ 11,000 + ₹ 700 = ₹ 11,700. However, if manufacturer does not have agreement, then VOS is ₹ 11,000.
<b>INPUT TAX CREDIT</b>	
47.	Time limit u/s 16(4) to avail ITC is calculated from the FY in which invoice is issued, not from date of supply. (30 <sup>th</sup> Nov of succeeding FY or Actual date of AR)
48.	Time limit u/s 16(4) is applicable on first time availment of ITC, not on re-availment.
49.	If receiver avails ITC but does not make payment of tax to supplier in 180 days from Invoice, then receiver has to reverse the ITC. However, these provisions does not apply in case of RCM.
50.	ITC on Motor vehicle is blocked. However, Vehicle with less than 4 wheels AND engine capacity upto 25cc is not covered in MV.
51.	ITC on telecommunication tower is blocked for May 26 attempt.
52.	Export is not included in Exempt T/O, however included in Total T/O. (Rule 42)

53.	In total T/O (Rule 42), items included & excluded from exempt T/O [Int. on loan, sale of duty scrips), both will be added. However, Int. on loan is included in Exempt T/O for Bank, NBFC.
54.	ITC on Solar Panel is blocked (As per ICAI Question).
55.	ISD distributes credit in same month only (including ineligible credit also) & ISD provisions are applicable in case of service only, not goods.
56.	Advance received for future intra-state supply is included in aggregate T/O whether it is for goods or services.
57.	Non-taxable supply (Petrol, Alcohol) is included in Exempt T/O for Rule 42.
58.	GST on Sale of Capital Goods is Calculated as : → ITC is taken at the time of Purchase: GST on SV or ITC reversal, higher. → ITC is not taken, GST on [SV- Depreciated Book value].
59.	Free of cost training to agent is not chargeable to GST, since rule 29 is applicable on goods.
60.	Sec 17(4): Special Provisions for Banking Co. & NBFC. Banks/NBFC can take 50% ITC of eligible credit (Block Credit & ITC on non-business supply is not included in eligible credit).
61.	Change in Usage of Capital Goods: → CG earlier used for exempt now taxable, take ITC after reducing 5% per qtr. or part. → Taxable to exempt → Reverse on monthly basis [Crux: Entry in GST then Quarterly, exit from GST is monthly, exception is sale of CG]
62.	Ex-works Contract → Date of receipt of goods is the date when goods are handover.
<b>REGISTRATION</b>	
63.	If a person has two place of business, one in SEZ & another outside SEZ in same state only then, take separate registration for both.
64.	If any person supplies taxable goods from special category state, then threshold of that particular state will be applicable.
65.	Aadhar Authentication is required while taking registration, however following persons are exempt - Not a citizen, Govt Dept, Statutory Body, Person applying for UIN.
66.	Time limit of revocation of reg. is 90 + 180 days.
67.	Person who supplies intra-state goods is eligible for threshold of ₹ 40 lakhs (except Special Category States), if Interest is received then it will be included in Agg. T/O but because of Int threshold won't fall to ₹ 20 lakhs.
<b>TAX INVOICE</b>	
68.	No need for revised tax invoice if recipient is unregistered. However, if amount is more than ₹ 2.5 lakhs in case of inter-state B2C supply, then recipient wise revised tax invoice is required.
69.	In B2C Sales, in case of online money gaming/OIDAR, tax invoice shall contain the name of state of recipient even if amount is less than ₹ 50,000.
70.	E-invoicing is applicable on SEZ developer, not SEZ unit.
71.	In case of exports, e-invoicing is applicable & not dynamic QR code.
72.	If POS is in India & payment is coming in FOREX then also dynamic QR Code is not required.

**DEMAND & RECOVERY**

73.	In case of self-assessed tax liability, Penalty is levied if payment is not made within 30 days from due date of payment (10% of tax or ₹ 10,000), there is no relevance of notice & order for penalty.
74.	Interest has to be paid even if it is not mentioned in order but mentioned in notice.
75.	If Notice is issued for multiple tax period u/s 74A, then PO shall be determined based on the highest amount of tax specified in SCN.
76.	Dept. may allow instalment payment (max. 24 Instalments) that too if amount is more than ₹ 25,000.

**ASSESSMENT & AUDIT**

77.	Withdrawal of assessment order is possible in case of sec. 62 & 64.
78.	Departmental audit is to be done in 3 + 6 months u/s 65 Audit by CA is to be done in 90 + 90 days u/s 66.

**INSPECTION, SEARCH, SEIZURE & ARREST**

79.	Learn safeguards provided in respect of Search & Seizure.
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**APPEALS & REVISION**

80.	Pre deposit in only penalty order is 10% of Penalty amount, both to AA & AT.
81.	Rank of officer in Appellate Authority: → If order passed by Asst. Comm./ Deputy Comm. → Joint Comm. (Appeals) → If order passed by Additional Comm./ Joint Comm. → Commissioner (Appeals)
82.	Single member bench in Tribunal if the amount of tax, fine, penalty etc. does not exceed ₹ 50 lakhs.
83.	Manual Appeal can be filed in AA if Commissioner notifies, however no manual appeal can be filed in AT in any case. (Earlier it was allowed on approval of Registrar)
84.	Memorandum of Cross Objection is filed within 45 days.
85.	Minimum fees for filing appeal in AT is ₹ 5,000 & max. fees is ₹ 25,000.
86.	Int on refund of pre deposit is 9% from the date of deposit till refund. However, no Int. on amount already admitted.
87.	Monetary limits in Departmental Appeal [Sec 120] AT = ₹ 20 lakh, HC = ₹ 1 crore, SC = ₹ 2 crore Amount to be considered in above limits: → If dispute is of Tax + Int. + Penalty - Consider tax amount only. → If dispute is of Penalty only → Consider Penalty amt. Above limits does not apply on matters related to Valuation of Goods/service, Refund, POS, Classification.

**OFFENCES & PENALTIES**

88.	Monetary limit for passing order u/s 122 is same for IGST & CGST+IGST.
89.	No Penalty on Minor offence → Non fraud + less than ₹ 5,000.
90.	No Compounding for offence u/s 132(1)(b) & repeated offence under any section.

91.	Prosecution/Arrest provisions invoke if amount is more than ₹ 2 crore except 132(1)(b) & 132(1)(f).
<b>ADVANCE RULING</b>	
92.	POS matters are not covered in Adv. ruling.
93.	Fees for filing to AAR is ₹ 5,000 & AAAR is ₹ 10,000.
<b>PAYMENT OF TAX</b>	
94.	Credit ledger cannot be used for RCM liab, Int., Penalty, TDS, TCS, Composition scheme.
95.	Inter head transfer of balance is allowed in Cash ledger but not in Credit ledger.
96.	No interest if amount is available in e-cash ledger even if late return is filed.
97.	if return is filed after notice u/s 74A, then Int is paid on Gross amount (excluding balance in e-cash ledger) For e.g.: Notice u/s 74A comes for amount ₹ 60,000, balance in credit ledger is ₹ 40,000 & balance already available of Cash ledger is ₹ 6,000. Then, Int. will be levied on ₹ 54,000.
98.	Int. normally is levied from due date of payment of tax, however in case of utilisation of wrongly availed ITC, int is levied from the date of utilisation.
<b>TDS/TCS</b>	
99.	No TDS if LOS, POS are in one state & LOR is in diff. state. However, no such provisions are there in TCS because ECO requires registration in every state.
100.	No TDS/TCS on exempt supply / if supplier is unregistered.
101.	In case of service, if supplier is in Composition scheme, he cannot supply through ECO. However, in case of intra-state supply of goods it is possible.
102.	Penalty on ECO is ₹ 10,000 or 100% of tax.
<b>LIABILITY TO PAY UNDER CERTAIN CASES</b>	
103.	Liquidator intimate to Commissioner within 30 days of his appointment.
104.	Retiring partner intimate commissioner within 1 month of his retirement.
105.	Directors of Pvt co. are jointly & severally if co. is unable to pay, however in case of Public Co. no such provision.
<b>REFUNDS UNDER GST</b>	
106.	Net ITC in Rule 89(4) includes ITC of Input & Input Services but not Capital Goods.
107.	Net ITC in Rule 89(5) includes ITC of Input only (No Input Services & Capital Goods).
108.	Adjusted Total T/O does not include exempt supply other than ZRS.
109.	Provisional refund is granted within 7 days, 90% of total amount so claimed.
110.	No refund if amount is less than ₹ 1,000 (head wise).
111.	If refund application is filed & amount is debited from credit ledger but application is rejected, then again credit ledger will be credited.
112.	Concessional rate @ 0.1% IGST for Merchant exports (0.05% CGST + 0.05% SGST)
113.	Merchant exporter shall export the goods in 90 days through LUT/Bond (Not through payment of IGST)
<b>RETURNS UNDER GST</b>	
114.	Following persons not required to file GSTR-1: ISD, NRTP, Comp. sch., TDS, TCS, OIDAR.

115.	For B2C invoices upto ₹ 1,00,000, State-wise Summary is sufficient in GSTR-1 (In revised tax invoice, amount is ₹ 2.5 lacs)
116.	QRMP sch. can be taken if aggregate T/O is upto ₹ 5 crore in PY & IFF can be furnished for max. ₹ 50 lakh (B2B) in each of first 2 months of quarter.
117.	A reg. person can opt/opt out of QRMP scheme from 1 <sup>st</sup> day of 2 <sup>nd</sup> month of preceding qtr. till the last day of 1 <sup>st</sup> month of quarter. [For July-Sept Qtr., 1 <sup>st</sup> May to 31 <sup>st</sup> July]
118.	Exemption from Annual return if aggregate T/O in any FY is upto ₹ 2 Cr. (Amendment)

**E-WAY BILL**

119.	Compulsory e-way bill for inter-state transfer of goods by Principal to Job worker & inter-state transfer of handicraft goods by person exempt from obtaining registration.
120.	Only Part A is required; if movement is upto 50 kms in same state.
121.	E-way bill can be cancelled within 24 hours of generation.
122.	No e-way bill in case of exempt supply, Jewellery (other than artificial), currency, defence goods, post, etc. & no e-way bill in case goods are transported upto a distance of 20 km from the place of the business of the consignor to a weighbridge accompanied by a delivery challan.
123.	E-way is blocked for outward supply (not inward movement) if return is not filed for 2 months/qtr.
124.	If a transporter is reg. in more than one state, he can apply for Unique Common enrolment number, after that he uses Unique Common env. number instead of GSTN.

**JOB WORK**

125.	If goods sent by Principal to JW, needs to return back from the date of sending of goods. However, if goods sent by any other person to JW, then needs to return from the date of receipt by JW (for input 1 year & 3 years for CG).
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**LEVY OF & EXEMPTIONS FROM CUSTOMS**

126.	Goods exported for repair needs to re-import in 5 years + 2 years. Duty will be levied on fair cost (Not actual paid) of repair including material + freight & insurance of both ways.						
127.	<table border="1"> <thead> <tr> <th>Before unloading</th> <th>After unloading before clearance for HC/warehouse</th> <th>In warehouse</th> </tr> </thead> <tbody> <tr> <td>Abatement in case of damage or deterioration (No Pilferage), Remission if lost</td> <td>Pilferage, Abatement on damage (not on deterioration), No duty if title relinquished</td> <td>No Pilferage, Abatement on damage only</td> </tr> </tbody> </table> <p>No relinquishment of title of goods in warehouse as per Sec. 23, however allowed as per Sec. 68.</p>	Before unloading	After unloading before clearance for HC/warehouse	In warehouse	Abatement in case of damage or deterioration (No Pilferage), Remission if lost	Pilferage, Abatement on damage (not on deterioration), No duty if title relinquished	No Pilferage, Abatement on damage only
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128.	No custom duty if amount is upto ₹ 100.						
129.	Final assessment is done within 2 years from the date of prov. assessment (NEW) & Int. is to be paid from the first day of the month in which prov. assessment till the date of actual payment of difference amount.						

**TYPES OF DUTY**

130.	Anti-dumping duty → 5+5 years, Provisional - 6 months & retrospectively 90 days max.
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131.	Anti-dumping & Countervailing Duty cannot be levied together.
132.	Safeguard duty, provisional basis max. 200 days. No Safeguard duty if less than 3% of total import is from 1 developing country & aggregate of all developing country is upto 9%.
<b>IMPORT EXPORT PROCEDURE</b>	
133.	Penalty in case of Arrival / Import / Passenger Manifest is ₹ 50,000.
134.	No need of entry inwards in case of import through Aircraft, Animals, Perishable / Hazardous Goods / Mail bags.
135.	BoE to be filed not exceeding 30 days prior to the date of arrival of aircraft / vessel.
136.	Warehousing without Warehousing - Max 30 days.
<b>CUSTOMS VALUATION</b>	
137.	If inspection charges are given not as condition, then do not add in FOB, however in case of packaging it is added even if not as condition of sale.
138.	Commission paid to local agent is also added in FOB (except buying Comm.)
139.	Custom duty rate is taken of Date of entry inward (arrival) or Date of BoE, w.e. later. However, conversion from foreign currency into INR is always date of BOE, CBIC rate.
140.	Only 4 items are added in CIF from FOB, freight & Ins. are Compulsory & lighterage /Barge charge & Shipping Demurrage if given in question.
141.	Rule 4, in case of identical goods if more than 1 TV is given then take lowest among all.
142.	20% of FOB includes loading /unloading charges at exporters place + Transport charge from factory to port of exporters place + freight from exporters country to India.
<b>CUSTOMS BAGGAGE</b>	
143.	Rate of duty is 35% (no SWS), rate on firearms & cartridges exceeding 50 is 70% & for remaining items of annexure 1, Rate as per Custom Tariff Act.
144.	Infant upto 2 years not eligible for benefit of GFA. Used personal effects of Infant is allowed if he/she is travelling.
<b>CUSTOMS WAREHOUSING</b>	
145.	If goods are removed after last day of warehousing, then Custom duty of last day of warehousing is applicable.
146.	Int. will be applicable from 91 <sup>st</sup> day. No Interest till 90 days.
<b>CUSTOMS REFUND</b>	
147.	No interest if amount is refunded within 3 months from the date of receipt of application. Rate of Int. is 6%.
148.	Time limit for refund application is 1 year, except Sec. 26/26A (6 months).
149.	Refund is not a Substitute of Appeal (Priya Blue Industries Ltd.).
<b>FTP 2023</b>	
150.	Minimum value addition in Advance Authorisation scheme is 15% & 20% in DFIA.