



CA FINAL (May 2025)

GROUP II - PAPER 5

INDIRECT TAX LAWS AND CUSTOMS (Series 4)

Time Allowed: - 3 Hours

Maximum Marks: 100 Marks

ANSWER TO DIV - A CASE SCENARIO BASED MCQ

Q. No.	Answer	Reason
1	B	Since GSTR-3B is already filed on 18th Feb 2025 (before the due date of 20th Feb 2025), → GSTR-1A facility is not available now. Therefore, the taxpayer has to use the amendment table of the next GSTR-1 i.e., February 2025 to add the missed invoice.
2	B	GST on transportation of passengers by Omnibus is payable by ECO if the service provider is not a Company. Since XYZ Travels LLP is not a Company → GST liability shifts to ECO i.e., BookMyRide u/s 9(5).
3	C	As per Safari Retreats Pvt. Ltd. judgment: Plant or Machinery under Sec. 17(5)(d) is distinct from Plant and Machinery defined in explanation. If immovable property (building/warehouse/mall) is essential for providing taxable outward supply (like renting, leasing etc.), then such construction can qualify as plant depending on facts of business. Here, warehouse is not merely a passive asset but integral to the business model of renting services. ITC should be allowed on entire construction cost of the warehouse — subject to factual verification — since it satisfies the test of being plant for BDK Warehousing Pvt. Ltd.
4	A	<ul style="list-style-type: none"> □ DV-01 & DV-04 → Eligible for ITC (used for further supply & no depreciation on GST portion). □ DV-02 → Used for management transportation — ITC blocked u/s 17(5). □ DV-03 → BRS acted only as agent → ITC not allowed. □ DV-05 → ITC blocked due to depreciation claimed on GST portion.
5	C	DV-02 → ITC blocked u/s 17(5) = ₹2,52,000 DV-03 → ITC not allowed (Dealer acted only as agent) = ₹2,34,000 DV-05 → ITC not allowed (Depreciation claimed on GST portion) = ₹1,98,000 Total Ineligible ITC = ₹2,52,000 + ₹2,34,000 + ₹1,98,000 = ₹6,84,000
6	A	DV-01 → ITC allowed = ₹2,16,000 DV-04 → ITC allowed = ₹2,70,000 DV-02, DV-03, DV-05 → ITC not allowed Total Eligible ITC = ₹2,16,000 + ₹2,70,000 = ₹4,86,000

7	B	As per Section 13(2) of CGST Act, earlier of date of entry in books or bank credit is considered – hence 17th March, 2024
8	C	As per Section 14 of CGST Act – Rate Change Provisions – if supply & payment are before rate change, old rate applies, i.e., exemption continues.
9	A	In case of rate change – if supply is before but invoice & payment is after rate change – new rate applies as per Section 14 of CGST Act.
10	D	<p>→ Sale in October = Rs. 1,47,500 (including GST).</p> <p>→ Since IGST = 18%, taxable value = Rs. 1,47,500 ÷ 1.18 = Rs. 1,25,000</p> <p>→ Less: Return of goods from previous sale = Rs. 1,40,000</p> <p>→ Net Taxable Value = Rs. 1,25,000 - Rs. 1,40,000 = Negative Rs. 15,000</p> <p>But as per GST Law, negative turnover can't be carried forward for TCS – TCS will apply only on positive net taxable value during the month. So no TCS for October.</p>
11	D	Tax on services, by way of transportation of passengers by an omnibus provided by a company through ECO, is not payable by ECO, under section 9(5) of the CGST Act, 2017. So, GST payable by Swift Rides Ltd. and TCS also collectible on Rs. 1,50,000 only
12	A	<p>Rs. 1,50,000 × 0.25%</p> <p>=Rs. 375 each under CGST and SGST i.e. Rs. 750 total</p>
13	D	$(Rs. 0 + 1,50,000 + 1,50,000) \times 0.5\% = Rs. 1,500$
14	B	As per settled law and <i>Banmore Foam v. CCE (Tribunal - Delhi)</i> , the burden of proof that duty incidence has not been passed on to customers lies on the assessee (refund claimant).
15	B	Section 25(1) of the Customs Act, 1962 empowers the Government to grant exemptions in public interest, and as per the <i>General Clauses Act, 1897</i> , the authority to issue a notification also includes the power to rescind or modify it. This principle has been upheld by the Supreme Court in <i>Kasinka Trading v. UOI</i> and <i>Pankaj Jain Agencies v. UOI</i> , stating that exemption notifications are not irrevocable rights but are subject to modification or withdrawal in public interest.

DIV. B-DESCRIPTIVE QUESTIONS

Ans 1 (14 Marks)

Computation of net GST payable in cash for the month of January 20XX

S.No.	Particulars	Amt. (Rs.)	CGST (Rs.)	SGST (Rs.)	IGST (Rs.)
A.	GST liability on outward supply (10 marks)				
(i)	Replaced parts during the warranty period free of cost [there will be no GST as no consideration is charged from customer]	Nil			
(ii)	Received insurance claim [actionable claim so falls under Schedule III of CGST Act, 2017]	Nil			
(iii)	Computers supplied without consideration [Not a supply as it is made without consideration and is also not covered in Schedule I because computers have been supplied to an unrelated person and ITC has also not been availed on the same.]	Nil			
(iv)	Consignment of laptops supplied at the instruction of third person [Since supply is a bill to ship to supply where the goods are delivered on the direction of a third person-ZX Computers, goods are deemed to be received by ZX Computers and thus, the place of supply is Tamil Nadu. Hence, it is an inter-State supply.]	6,00,000			1,08,000 [6,00,000 * 18%]
(v)	Stock counting service to M/ s XY Impex of Gujarat [Intra- State supply as the place of supply is the location of recipient, viz. Mumbai. Godown at Mumbai being a fixed establishment is the location of recipient.]	80,000	7,200 [80,000 X 9%]	7,200 [80,000 X 9%]	NIL
(vi)	Provided commercial space in his mall on rent to a tenant [If electricity is supplied as pure agent & charged at actuals (same as amt charged by State Electricity Boards/DISCOMs), it is excluded from value of supply]	30,000	2,700 [30,000 X 9%]	2,700 [30,000 X 9%]	
(vii)	Recovery agent services provided to an NBFC [Tax is payable by the NBFC under reverse charge.]	2,00,000	-	-	-
(viii)	Advance received for intra-State supply [Tax on advance received for supply of goods of Rs. 5,00,000 will be payable at the time of issuance of invoice.] [For services and casinos (actionable claims), GST is applicable on advance payment also]	4,00,000	36,000 [400000 X 9%]	36,000 [400000 X 9%]	
(ix)	Providing free of cost training to agents on	Nil			

	effective use of products of entity [Not deemed supply under Schedule I of CGST Act, 2017 as only supply of GOODS from principal to agent is covered under Sch. I]				
(x)	Finished goods sold from the premises of the job worker (It has been assumed that either Mr. Rohan has declared the job worker's place of business / premises as his additional place of business or the job worker is registered. Further, it has been assumed that the goods have been sold from the job worker's premises at a price of Rs. 1,00,000 itself.) [Supply of goods by principal from the job worker's premises is regarded as supply by principal only irrespective of the location of job worker. Therefore, since the place of supply is the location where movement of goods terminates for delivery to recipient, i.e., Maharashtra, it is an intra- State supply.]	1,00,000	9,000 [100000 X9%]	9,000 [100000 X9%]	
	Total tax liability on outward supplies		54,900	54,900	1,08,000
B.	Input tax credit (3 Marks)				
	Import of computer accessories [Input tax, inter alia, includes IGST charged on import of goods]	5,00,000 (It has been assumed that value of imported computer accessories is inclusive of basic customs duty and social welfare surcharge and consequently, IGST has been computed on same.)			90,000 [5,00,000 x 18%]

	IGST on invoices received during month [Full ITC can be claimed on the invoices uploaded by supplier in Form GSTR-1. Further, where invoice has not been furnished by the supplier in its GSTR-1, no ITC can be claimed by the recipient [It is assumed that the 12 invoices which are furnished by the supplier are getting reflected in GSTR-2B of the recipient- Mr. Rohan.]				1,00,000
	Less: Input tax reversed [Outward supply, tax on which is payable under reverse charge is considered as exempt supply for the purpose of reversal of ITC [Rs. 1,90,000 × Rs. 2,00,000/ Rs. 19,10,000] (Rs. 1,90,000 × turnover of exempt supply/ total turnover)				(19,895)
	Total ITC available for set off		-	-	1,70,105
C.	Computation of net GST payable in cash) (1 Mark)				
	Total tax liability on outward supplies		54,900	54,900	1,08,000
	Less: ITC of IGST		(54,900)	(7,205)	(1,08,000)
	Total net GST liability payable in cash (It has been assumed that IGST has been paid on imported goods before January 20XX. Therefore, the same has not been considered as being paid in cash in the month of January 2020)		-	47,695	-

Ans 2A (4 Marks)**(a) Applicability of GST:**

→ As per GST law:

If salvage value is deducted from claim & salvage remains with insured (ABC Ltd.), then insurer is not liable for GST on salvage sale.

→ Since salvage remained with ABC Ltd., sale of salvage by ABC Ltd. is a supply of goods liable to GST @18% under HSN Code for scrap.

→ ABC Ltd. is liable to discharge GST on ₹ 65,000.

→ GST payable = ₹ 65,000 × 18% = ₹ 11,700.

(b) Situation if Salvage was not deducted & Insurer had taken possession:

→ In this case, insurer (XYZ Insurance Co.) becomes the owner of salvage.

→ Sale of salvage by insurer would be supply of goods liable to GST in hands of insurer.

→ Insured (ABC Ltd.) would not be liable to pay any GST on salvage, as ownership was transferred to insurer.

→ XYZ Insurance Co. is liable to discharge GST on ₹ 65,000.

→ GST payable = ₹ 65,000 × 18% = ₹ 11,700.

Ans 2B (5 Marks)

(a) PLACE OF SUPPLY for Over-the-Counter (OTC) Supply to Unregistered Person with Address Recorded:

→ As per provisions, where supply is made to an unregistered person and the address of such person is recorded in the invoice, the Place of supply (POS) is the location as per the address recorded.

→ In this case, the customer's address is recorded as Maharashtra in the invoice.

→ Therefore,

→ PLACE OF SUPPLY = Maharashtra (Intra-State supply if supplier is in Maharashtra, else Inter-State supply).

(b) PLACE OF SUPPLY for Supply of Goods through E-Commerce to Unregistered Person:

→ As per the provisions, in case of supply of goods through e-commerce to an unregistered person, the PLACE OF SUPPLY is the delivery address.

→ Here, the delivery address is in Tamil Nadu.

→ Therefore,

→ PLACE OF SUPPLY = Tamil Nadu (Even though billing address is in Kerala).

(c) PLACE OF SUPPLY for Transportation of Goods where Either Supplier or Recipient is Outside India:

→ There is no specific provision for PLACE OF SUPPLY in case of transportation of goods where either supplier or recipient is outside India.

→ Hence, the default rule u/s 13(2) will apply → PLACE OF SUPPLY is the location of recipient.

→ In this case, the recipient is located outside India (foreign client).

- Therefore,
 → PLACE OF SUPPLY = Location of Recipient Outside India.

(d) PLACE OF SUPPLY for Advertising Service — Where Space Procured:

→ As per provisions, where advertising agencies procure space for billboards/hoardings, PLACE OF SUPPLY is where the immovable property (billboard) is located.

→ In this case, the billboard is located in Mumbai (Maharashtra).

- Therefore,
 → PLACE OF SUPPLY = Maharashtra.

(e) PLACE OF SUPPLY for Advertising Service — Where No Space Procured (Only Display):

→ If the advertising agency is merely responsible for display of advertisements without procuring space, general rule u/s 12(2) applies → PLACE OF SUPPLY is the location of recipient.

→ Here, the recipient is registered in Rajasthan.

- Therefore,
 → PLACE OF SUPPLY = Rajasthan.

Ans 2(C) (5 Marks)

Particulars	Amount (₹)
CIF value (re-negotiated price) [Since the contract price was re-negotiated owing to early delivery of the machine, transaction value, being price actually paid or payable for the goods, will be re-negotiated price, i.e. [$\$ 22,000 (20,000 + \$ 2,000) \times ₹ 83$]	18,26,000
Less: Air freight [$\$ 5,000 \times ₹ 83$]	4,15,000
Less: Insurance [$\$ 1,200 \times ₹ 83$]	99,600
FOB value (in rupees)	13,11,400
Add: Inspection charges [Not includible in value since only the payments actually made as a condition of sale of imported goods by buyer to seller are includible and inspection charges are not required for making the goods ready for shipment.]	Nil
FOB value as per Customs	13,11,400

Add: Air Freight (20% of ₹ 13,11,400) [Air freight cannot exceed 20% of FOB value.]	2,62,280
Add: Insurance [Actual insurance charges paid are includible.]	99,600
Transport charges from Delhi airport to Mumbai airport [Cost of transport charges associated with transshipment of imported goods to another customs station in India are not includible.]	Nil
Assessable value (in ₹)	16,73,280

Ans 3A (5 Marks)**Case of Rahul:**

→ As per Rule 88B of CGST Rules, where tax amount is deposited into Electronic Cash Ledger (ECL) before the due date for filing the return but is debited for tax payment after the due date – no interest shall be charged for the period between due date and actual filing date.

Tax of ₹5,00,000 was deposited into ECL on 18th February 2025 (before due date of 20th February 2025).

Although return was filed late on 25th February 2025, no interest is payable because the amount was already lying in ECL and Rule 88B protects him from interest liability.

Conclusion:

→ No Interest Payable by Rahul.

Case of Karan:

Tax was neither deposited in ECL nor paid before due date.

He deposited the tax and filed the return both on 28th February 2025.

As per Section 50(1) & Rule 88B –

→ Interest is payable only on Net Tax payable in cash (i.e., ₹6,00,000) from 21st February 2025 to 28th February 2025 (8 days delay).

Conclusion:

→ Interest payable from 21st February 2025 to 28th February 2025 (8 days).

$$\begin{aligned} \text{Interest} &= ₹6,00,000 \times 18\% \times 8 \div 365 \\ &= ₹2,367 \text{ (Approx.)} \end{aligned}$$

Ans 3B (5 Marks)**a) Taxable**

- Renting of residential dwelling to a registered person (even if for employees' residential use) is taxable under GST.
- Exemption is available only if the registered person (like a proprietor) takes it for *personal use*.
- GST is payable under Reverse Charge Mechanism (RCM).

b) Exempt

- Accommodation services up to ₹20,000 per month per person are exempt if provided for a minimum continuous period of 90 days.
- In this case, both conditions are satisfied — rent is ₹18,000 p.m. and duration is 4 months.

c) Exempt

- As per Entry 66A, affiliation services provided by Central/State Education Boards to Government Schools are exempt from GST.

d) Exempt

- Reinsurance (including retrocession) transactions under specified insurance schemes are exempt from GST under Entry 36A.

e) Exempt

- DMFT is treated as a Governmental Authority.
- Free supply of welfare services like drinking water in mining-affected areas is exempt from GST.

Ans 3C (4 Marks)

The abatement of duty is allowed where it is shown to the satisfaction of the Assistant/Deputy Commissioner of Customs that, inter alia, any imported goods, other than warehoused goods, had been damaged at any time after the unloading thereof in India but before their examination, on account of any accident not due to any wilful act, negligence or default of the importer.

Thus, in view of the above-mentioned provisions, the stand taken by the proper officer of refusing the claim for abatement is not valid in law.

The duty to be charged on the damaged goods shall be reduced in proportion to the reduction in the value of goods on account of damage. Thus, in the given case, the amount of total duty payable = [$\frac{1,50,000}{7,50,000}$] × 1,50,000 = 30,000

The abatement of duty is allowed in case of deterioration only if such deterioration occurs before or during the unloading of goods. Since in this case, imported goods have deteriorated before clearance for home consumption but after unloading, abatement of duty will not be allowed and full duty will have to be paid.

Ans 4A (6 Marks)

Following persons are required to deduct CGST @ 1% [Effective tax 2% (1% CGST + 1% SGST/UTGST)] or IGST @ 2% from the payment made/credited to the supplier (deductee) of taxable goods or services or both, where the total value of such supply, under a contract, exceeds ` 2,50,000:

- (a) a department or establishment of Central Government or State Government; or
- (b) local authority; or
- (c) Governmental agencies; or
- (d) an authority or a board or any other body, -
 - (i) set up by an Act of Parliament or a State Legislature; or
 - (ii) established by any Government, with 51% or more participation by way of equity or control, to carry out any function; or
- (e) Society established by the Central Government or the State Government or a Local Authority under the Societies Registration Act, 1860, or
- (f) Public sector undertakings.

Further, for the purpose of deduction of tax, the value of supply shall be taken as the amount excluding CGST, SGST/UTGST, IGST and GST Compensation Cess indicated in the invoice. 3

Since in the given case, Bali Enterprises is supplying goods and services exclusively to Government departments, agencies etc. and persons notified under section 51, applicability of TDS provisions on its various receivables is examined in accordance with the above-mentioned provisions as under: 3

S. No.	Particulars	Total contract value (₹)	Payment due (₹)	Tax to be deducted		
				CGST (₹)	SGST (₹)	IGST (₹)
(i)	Supply of stationery to Fisheries Department, Kolkata (Note-1)	2,60,000	15,000	--		
(ii)	Supply of car rental services to Municipal Corporation of Delhi (Note-2)	2,95,000	20,000	--		
(iii)	Supply of a heavy machinery to Public Sector Undertaking located in Uttarakhand (Note-3)	5,90,000	25,000			500

Notes:

1. Being an inter-State supply of goods, supply of stationery to Fisheries Department, Kolkata is subject to IGST @ 18%.

Therefore, total value of taxable supply [excluding IGST] under the contract is as follows:

$$= ₹ 2,60,000 \times 100 / 118$$

$$= ₹ 2,20,339 \text{ (rounded off)}$$

Since the total value of supply under the contract does not exceed ₹ 2,50,000, tax is not required to be deducted.

2. Being an intra-State supply of services, supply of car rental services to Municipal Corporation of Delhi is subject to CGST and SGST @ 9% each. Therefore, total value of taxable supply [excluding CGST and SGST] under the contract is as follows:

$$= ₹ 2,95,000 \times 100 / 118$$

$$= ₹ 2,50,000$$

Since the total value of supply under the contract does not exceed ₹ 2,50,000, tax is not required to be deducted.

3. Being an inter-State supply of goods, supply of heavy machinery to PSU in Uttarakhand is subject to IGST @ 18%. Therefore, total value of taxable supply [excluding IGST] under the contract is as follows:

$$= ₹ 5,90,000 \times 100 / 118$$

$$= ₹ 5,00,000$$

Since the total value of supply under the contract exceeds

₹ 2,50,000, PSU in Uttarakhand is required to deduct tax @ 2% of ₹ 25,000, i.e. ₹ 500.

Ans 4B (4 Marks)

Holistic Cosmetics Ltd. would be required to prepare two separate e-way bills since each invoice value exceeds ₹ 50,000 and each invoice is considered as one consignment for the purpose of generating e-way bills. 1

The FAQs on E-way Bill issued by CBIC clarify that if multiple invoices are issued by the supplier to one recipient, that is, for movement of goods of more than one invoice of same consignor and consignee, multiple e-way bills have to be generated. 1

In other words, for each invoice, one e-way bill has to be generated, irrespective of the fact whether same or different consignors or consignees are involved. Multiple invoices cannot be clubbed to generate one e-way bill. 1

However, after generating all these e-way bills, one consolidated e-way bill can be prepared for transportation purpose, if goods are going in one vehicle. 1

Ans 4C (4 Marks)

(i) The contention of the importer is partially correct. Anti-dumping duty cannot be imposed on imports made by 100% EOU. However, following circumstances are exception to the same:

- where it is specifically made applicable in such notifications or such impositions, as the case may be; or
- where such article imported is either cleared as such into the DTA or used in the manufacture of any goods that are cleared into the DTA, and in such cases anti-dumping duty shall be levied on that portion of the article so cleared or so used as was leviable when it was imported into India.

(ii) The claim of the importer's association is not correct. Anti-dumping duty can be levied with retrospective effect not beyond 90 days from the date of such notification, if Central Government is of the opinion that:

- a) there is a history of dumping which caused injury or that the importer was, or should have been, aware that the exporter practices dumping and that such dumping would cause injury, and
- b) the injury is caused by massive dumping of an article imported in a relatively short time which is likely to seriously undermine the remedial effect of anti-dumping duty liable to be levied owing to timing and volume of imported article dumped and other circumstances.

Ans 5A (5 Marks)

(a) → Offence: Wrong availment of ITC without valid document

→ Applicable Section: 132(1)(i) — Amount of ITC wrongly availed exceeds ₹5 Crores

→ Compounding Amount as per provisions:

Minimum Compounding Amount 50% of ₹12 Crores = ₹6 Crores

Maximum Compounding Amount 75% of ₹12 Crores = ₹9 Crores

(b)

→ Offence: Supply of goods without invoice to evade tax

→ Applicable Section: 132(1)(c)

→ Punishable u/s 132(1)(ii)

→ Compounding Amount as per provisions:

Minimum Compounding Amount 40% of ₹45 Lakhs = ₹18 Lakhs

Maximum Compounding Amount 60% of ₹45 Lakhs = ₹27 Lakhs

(c)

→ Offence: False information/records etc. with an intention to evade tax

→ Applicable Section: Sec. 132(1)(f)

→ Punishable u/s 132(1)(i)

→ Compounding Amount is fixed — Equivalent to 25% of tax amount. Compounding Amount= 25% of ₹7 crores = ₹1.75 Crores

(d)

→ Offence: Attempt to abet in availing ineligible ITC (Attempt falls under Sec. 132(1)(l) read with Sec. 132(1)(i))

→ Compounding Amount is fixed — Equivalent to 25% of ITC amount attempted to be availed. Compounding Amount= 25% of ₹9 Crores = ₹2.25 Crores

(e) Rajesh has committed the offence of issuing fake invoices without actual supply of goods/services. This falls under Section 132(1)(b). The offence is of serious nature involving fraud and is expressly barred from compounding as per law. Rajesh is **not eligible for compounding** of the offence under Section 132(1)(b) of CGST Act.

Ans 5B (5 Marks)

The decision of Mr. RG of making an appeal to the First Appellate Authority against the order of the RA is not valid in law. Any person aggrieved by an order passed against him by RA under CGST Act, 2017 may appeal to the Appellate Tribunal, the second level of appeal

1

The powers of the RA to revise the orders passed by the subordinate officers under section 108 of the CGST Act, 2017 are as under: -

1.5

- a) The RA may, on his own motion, or upon information received by him or on request from the SGST/ UTGST Commissioner, call for and examine the record of any proceedings.
- b) On examination of the case records, if RA is of the view that the decision/order passed by any officer subordinate to him is erroneous and illegal/improper or has not taken into account material facts, he may stay the operation of such order for such period as he deems fit.
- c) The RA, after giving the person concerned an opportunity of being heard and after making necessary further inquiry, pass such order, as he thinks just and proper, including enhancing or modifying or annulling the said order.

The RA can revise an order after the expiry of a period of 6 months from the date of communication of the said order but not later than expiry of a period of 3 years from the passing of the said decision/order.

1

In case of an order subject to an appeal before Appellate Authority (AA)/Tribunal/High Court/ Supreme Court, the RA can pass an order on any point which has not been raised and decided in the appeal, before the expiry of a period of 1 year from the date of the order in such appeal or before the expiry of a period of 3 years from the date of initial order, whichever is later. 1.5

Ans 5C (4 Marks)

If an applicant does not claim benefit under a particular exemption notification at initial stage, he is not debarred/ prohibited/estopped from claiming such benefit at later stage. [Share Medical Care v. UOI (S.C.)] 2

Rohit was eligible for exemption on the imported medical equipment. His failure to claim the exemption in the Bill of Entry is a procedural lapse. He has now produced necessary documents during assessment proceedings to prove eligibility. 1

Rohit's claim for exemption at the later stage is valid under Customs Law. The Department's contention is not correct because eligibility to exemption cannot be denied on procedural grounds if substantive conditions are satisfied. Rohit should be allowed the exemption benefit. 1

Ans 6A (5 Marks)

Yes, the concerned officer, jurisdictional officer or applicant aggrieved by any advance ruling may appeal to the Appellate Authority for Advance Ruling (AAAR) within 30 days [extendible by another 30 days] from the date on which such ruling is communicated to him in the prescribed form and manner. 2

The AAAR must pass an order confirming or modifying the ruling appealed against within a period of 90 days of the filing of an appeal, after hearing the parties to the appeal. 1

If members of AAAR differ on any point referred to in appeal, it shall be deemed that no advance ruling can be issued in respect of the question under appeal. A copy of the advance ruling pronounced by the AAAR is sent to applicant, concerned officer, jurisdictional officer and to the Authority 2

Ans 6B (5 Marks)

Any decision, order, summons, notice or other communication under the CGST Act , 2017 and the rules made thereunder can be served by any one of the following methods:

- a) Giving/tendering directly including by a courier to the addressee or authorised representative or to any adult member of family residing with the taxable person; or
- b) By Registered post/speed post/courier with acknowledgement due at the last known place of business or residence; or
- c) By Email to the e-mail address provided at the time of registration or as amended from time to time; or
- d) By making the same available at common portal; or
- e) Publication in newspaper circulating in the locality in which the addressee is last known to have resided, carried on business or personally worked for gain; or
- f) If none of the above modes is practicable then by Affixing at last known place of business or residence and if such mode is not practicable for any reason, then by affixing a copy thereof on the notice board of the office of the concerned officer or authority concerned.

Ans 6C (4 Marks) (any 4)

Quality Control Orders (QCOs), issued under Bureau of Indian Standards (BIS) Act, 2016, ensure product quality for consumer safety, health, & environmental protection. Compliance is mandatory for domestic manufacturers & importers. However, exemptions from QCO compliance have been introduced for inputs imported under **Advance Authorisation**, subject to below conditions:

- Imports without QCO compliance must follow a **pre-import condition** & be used exclusively for **export production**.
- Unused imports can't be transferred to DTA & must be **destroyed in presence of jurisdictional GST/Customs Authority or re-exported**.
- Duty & interest (to Customs Authority), & composition fees (to DGFT) apply for unutilized imports.
- Said exemption is specifically endorsed in AA upon request of holder.
- Exemption applies **only to physical exports, not deemed exports**.
- DFIA scheme imports **do not qualify** for this exemption.