

**MAJOR AMENDMENTS TO SECTIONS (OTHER THAN DEFINITION SECTION)**

<b>Section as per new bill</b>	<b>Description</b>
1(2)	Act is made applicable to whole of India EXCEPT JAMMU AND KASHMIR
7	Scope of Supply- Schedule IV regarding activities undertaken by Central/State government/local authority which shall neither be treated as goods nor services has been removed. Instead power has been given to notify such activities of Central/State government/local authority as neither goods nor services .
9	Levy and Collection- Rate cap fixed at 14% before has been revised at 20% . Supply of alcoholic liquor specifically excluded. Levy on supply of Petroleum crude, high speed diesel, motor spirit, natural gas, aviation turbine etc to be effective from notified date. Reverse charge is made as applicable to purchases made from unregistered dealers.
10	Composition- Rate for manufacturer fixed at 1% (before 2.5%), Rate not exceeding 2.5% for restaurants etc , rate of others specified at 0.5%. Permission is not required to opt for compounding levy. Government has been given power to increase existing limit of 50 lakhs to one crores
	Section 10 (old GST model law) regarding taxable person deleted
12	Time of supply of goods- In order to determine time of supply for reverse charge cases, date immediately following thirty days from date of receipt of any other document by whatever name called is included.
13	Time of supply of services – in cases where invoice is not issued, point of taxation is fixed as date of provision of service. Old model law referred to date when invoice is required to be issued as relevant date. For associated enterprise, relevant date would be time when recipient shows the receipt of service in his books . Other document is included in case of reverse charge as relevant to determine time of supply. Time of supply for addition in value by way of interest, late fee or penalty for delayed payment of any consideration shall be date on which supplier receives such addition in value.
15	Value of taxable supply – Taxes, duties, cesses, fees and charges under UT Goods and service tax Act will be excluded from value of supply.
16	Input credit- Restriction for eligibility of credit on pipelines and telecommunication tower fixed to to earth by foundation or structural support has been removed. ITC along with interest to be reversed if payment is no made to supplier of goods or service or both with in 180 days from date of invoice.
21	ISD : For distributing credit, turnover in union territory is also added as factor to be considered. Before the section mentioned only State. Definition of turnover for purpose of this Section, to exclude excise duty, stat4e Excise duty and VAT
23	Provision of Schedule V of earlier model law has been merged with Sections 22.23 and 24 of present law. Schedule V of earlier model law dealt with persons liable to be registered. This change is applicable till Section 26 of earlier law.
35	Every transporter, shall maintain records of consigner, consignee and other relevant details of goods whether registered or not registered
36	All records have to be kept for six years and nine months from end of financial year.

37	Furnishing details of outward supplies – Registered person shall not be allowed to furnish details of outward supplies from 11 <sup>th</sup> to 15 <sup>th</sup> of month succeeding tax period. All changes required to be carried out next month.
42	Matching reversal and reclaim of ITC – Substitution of word IGST for additional duty of customs. Details of every inward supply furnished shall be matched with IGST paid under Customs Tariff Act
47	Payment of late fee- Registered person in UT also included
49	Payment of tax interest etc. UTGST to be used first for payment of UTGST and then IGST . UTGST cannot be used for paying CGST and vice versa.
50	Interest on delayed payment of tax – Interest rate for delayed payment is not exceeding 18%, rate of interest for undue or excess claim of ITC is not exceeding 24%.
51	TDS – Limit for TDS fixed at 2.5 lakhs instead of 5 lakhs as per earlier law. TDS provision is not applicable for inter state supplies.
52	TCS- Every electronic commerce operator required to furnish return by 31 <sup>st</sup> December of subsequent year.
54	Refund of tax – Expression 'taxable person' substituted with registered person. Export replaced with zero rated supply. Rate of refund on delayed refund notified at 6% as against 18% on output tax and 24% on input tax.
56	Interest on delayed refund- There will be interest payment on account of delay beyond 60 days in giving refund after order is passed.
61	Scrutiny of returns –Addition- If the registered person is not providing explanation within 30 days to discrepancies pointed out , show cause notice can be issued.
82	Tax to be first charge- save as otherwise provided in Insolvency and Bankruptcy code added.
89	Liability of director incase private company is converted to public company.
97	Application for advance ruling – Advance ruling can also be obtained for determination of time and value of supply of goods or services or both.
123	Penalty for failure to furnish information return – maximum penalty up to 5000
124	New section – Fine for failure to furnish statistics- Fine of Rs. 10,000. If continuing offence fine to be extended to Rs. 100 per day subjected to maximum of Rs 25,000
128	New section – GST council may recommend to empower government to reduce penalty or late fee for certain class of taxpayers.
129	Detention, seizure and release of goods and conveyance –penalty on exempted goods added. Fine 2% of value of goods or 25000 whichever is less
132	Punishment for certain offences-New- evasion of tax more than 5 crore-five years imprisonment, between 2-5 crore two years imprisonment, 6 months where evasion is more than one crore but less than 2 crore. Habitual offender- imprisonment- five years
139	Migration of existing tax payer- If person not liable for registration due to his aggregate turnover less than 20 lakhs , registration would be cancelled on application..
140	Transitional provision for credit- No carry forward credit when – amount of credit is not admissible under GST, Last six months returns had not been filed under excise/service tax law, credit pertains to goods exempted under notification, Un registered person, manufacturer of exempted goods, first stage and second stage dealer, registered importer depot etc shall be entitled for credit on inputs held in stock /contained in finished/semifinished goods subject to conditions

	<p>Manner of availment of credit in case of non availability of invoice will be prescribed.</p> <p>Any person paying tax on fixed amount shall be entitled to credit subject to conditions.</p> <p>ISD can distribute credit on services received prior to appointed day but invoice received after appointed day.</p> <p>Person under centralised registration can carry forward credit subject to conditions.</p>
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