

# ANALYSIS OF GST PROPOSALS

Finance (No. 2) Bill, 2024



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# PREFACE

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Further, this e-booklet contains only the proposals and amendments as given in the Finance (No. 2) Bill, 2024, which may be modified before it receives the approval and assent of the Parliament and the President.

The material used in the preparation of this e-booklet has been sourced from various sources including the speech of the Finance Minister, websites of the Government and other publicly available information. While all reasonable care has been taken in preparation of this e-booklet, we accept no responsibility for any errors it may contain or for any omissions or otherwise or for any loss, howsoever caused or sustained, by the person who relies on it.

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## Commonly used Abbreviations

CENVAT	Central Value Added Tax
CGST	Central Goods and Service Tax
GST	Goods and Services Tax
IGST	Integrated Goods and Services Tax
ITC	Input Tax Credit
RCM	Reverse Charge Mechanism
S.	Section
SGST	State Goods and Services Tax
u/s.	Under section
UTGST	Union Territory Goods and Services Tax

# Goods and Services Tax

**Effective dates of proposals:** Shall come into force on such date as the Central Government may appoint, by Notification in the Official Gazette. The provisions will be made effective from such notified date, or the date as specified in the respective provision.

## Extra Neutral Alcohol to be outside the purview of GST

### Background

Supply of alcoholic liquor for human consumption is outside the purview of GST in terms of S. 9 of CGST Act, 2017.

Extra Neutral Alcohol ('ENA') which is primary ingredient for manufacture of Alcohol for human consumption, being not consumable directly, become a controversial issue post implementation of GST.

### Our Comments

With this amendment alcoholic liquor for human consumption and its primary ingredient i.e. un-denatured extra neutral alcohol or rectified spirit, both will be outside the purview of GST levy.

Amendment being prospective, controversy for the past period will not be resolved with this amendment unless some relief is given under new S. 11A (discussed below) proposed to be introduced to regularise non-levy / short levy due to trade practise.

### Proposed Amendment

S. 9 is proposed to be amended to exclude un-denatured extra neutral alcohol or rectified spirit used for manufacture of alcoholic liquor for human consumption outside the purview of GST. Similar amendment is also proposed in IGST Act. and UTGST Act.

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## Government empowered to regularize non-levy / short levy of GST due to General Trade Practices

### Background

GST Law is lacking enabling provisions for the Government to regularise any non-levy or short levy of taxes on account of general trade practices like S. 11C of the erstwhile Central Excise Act, 1944 or S. 28A of Customs Act, 1962 which empowered

government to forgo such non-levy or short levy of taxes.

GST Council had also recommended regularising industry practises on account of genuine interpretational issues being faced by many industries.

### Proposed Amendment

S. 11A is proposed to be inserted to empower the Government to regularize the non-levy or short levy of GST on supply of any goods or services due to general industry practices.

The implementation of this provision will be by way of issuance of a notification, on the

recommendation of the GST Council, directing that the tax not-paid or short-paid on relevant supplies on account of trade practices, shall not be required to be paid any further.

Similar amendment is also proposed in IGST Act and UTGST Act.

### Our Comments

The proposed amendment is in line with the recommendation made by the GST Council in the 53<sup>rd</sup> GST Council meeting.

The proposal appears like S. 11C of the Central Excise Act, 1944, and S. 28A of the Customs Act, 1962 which empower the Government to waive duties that were not levied or were underpaid due to industry practices. However, unlike these provisions, which explicitly provide for refunds to taxpayers who have overpaid, the proposed GST amendment lacks such provisions.

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## Time of Supply in case of Reverse Charge Supplies

### Background

Time of supply under GST is linked to the date of payment to the supplier or date of invoice. Under RCM, recipient of service is required to raise self-invoice. Further, in cases of import of service from overseas vendors, the supplier is not required to issue GST invoice.

### Proposed Amendment

Amendments are proposed in S. 13(3) by adding clause (c) to provide for time of supply of services where the invoice is required to be issued by the recipient of services in cases of reverse charge supplies.

Simultaneously, clause (c) will also be added in the first proviso to and post amendment, the time of supply in case for

reverse charge supplies shall be earlier of the following dates:

instance:

- ∞ The date of payment as entered in the books of account of the recipient or the date on which the payment is debited in his bank account, whichever is earlier; or
- ∞ The date immediately following sixty days from the date of issue of invoice or any other document, by whatever name called, in lieu thereof by the supplier, in cases where invoice is required to be issued by the supplier; or
- ∞ The date of issue of invoice by the recipient, in cases where invoice is to be issued by the recipient.

## Our Comments

The proposed amendment stipulates that where a self-invoice is issued by the recipient, the time of supply shall be the earlier of the payment date or the self - invoice date.

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## Relaxation in the time limit to avail Input Tax Credit in specified cases

### Background

S. 16 of CGST Act prescribes various conditions, including time limit for availment of input tax credit. If the credits are not availed within the time limit prescribed, it lapses and cannot be claimed later.

Due to teething issues and various other reasons, there were delays in claim of genuine input tax credit and various litigation has arisen only on these accounts including challenging the virus of the section during initial years of implementation of GST.

### Proposed Amendment

The following amendments are proposed to be made retrospectively with effect from July 1,2017:

- ∞ Sub-section (5) is proposed to be inserted under S. 16 of CGST Act to relax the time limit to avail ITC as stipulated under S. 16(4).

With the said amendment, ITC pertaining to invoices or debit notes for supply of goods or services or both pertaining to FY 2017-18 to FY 2020-21 would be considered within the time limit prescribed, if availed in a tax return filed for any tax period up to November 30, 2021. To that extent, the limitation period for availment of ITC for relevant

invoices or debit notes stands amended.

- ∞ Sub-section (6) is proposed to be inserted under S. 16 to permit the availment of ITC for an invoice or debit note, in Form GSTR-3B for the interim period between the date of cancellation of registration or the effective date of cancellation, until the date of the order revoking such cancellation.

The proposed provision also stipulates that ITC for said interim period should be availed within:

- ∞ A return filed up to November 30 following the financial year to which such invoice or debit note pertains; or
- ∞ A return filed within 30 days of revocation order, whichever is later.

This is subject to the condition that ITC to be availed should not have been barred by limitation period stipulated in S. 16(4) on the date of cancellation order.

Further, it has also been specifically clarified in the Finance Act itself that no refund will be admissible in respect of tax already paid or the ITC has already been reversed.

## Our Comments

The proposed amendment is in line with the recommendation made by the GST Council in the 53<sup>rd</sup> GST Council meeting.

This proposed amendment is a welcome measure as it settles the ongoing dispute regarding the availment of ITC beyond the stipulated time of September of the following Financial Year. It provides big relief to the assesses who could not avail the ITC for FY 2017-18, 2018-19, 2019-20 and 2020-21 within the prescribed period of September of the following financial year due to any reason but has availed it prior to 30.11.2021.

However, non-granting of refund for ITC already reversed and tax paid would be detrimental to the law abiding assesses.

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## Restriction on blockage of ITC for tax paid u/s. 74

### Background

Currently, Clause (i) of S. 17(5) restricts the eligibility of ITC in respect to the tax paid under S. 74 (cases involving fraud, misstatement, willful suppression etc.), S. 129 (cases of detention and seizure of goods) and S. 130 (cases of confiscation of goods and/or conveyance).

### Proposed Amendment

It is proposed to amend this clause to restrict ITC of tax paid in accordance with S. 74 only for tax paid for the period up to FY 2023-24.

The existing ITC restriction in respect of tax paid after the detention and seizure of goods under S. 129 and tax paid following the confiscation of goods or conveyances under S. 130, will no longer be applicable.

### Our Comments

S. 74 is proposed to be replaced by a new S. 74A from FY 2024-25 onwards. In absence of any mention of S. 74A under the amended S. 17(5)(i), ITC restriction will not be applicable in respect of tax paid in accordance with S. 74A even in cases with involvement of fraud, misstatement, willful suppression etc.

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## Stipulation of conditions and restrictions for revocation of cancellation of registration

### Background

S. 30 deals with revocation of cancellation of registration. Sub-section (2) of the said section allows the proper officer, either to

revoke cancellation of the registration or reject the application by order in a manner and within such period as may be prescribed. It further provides that the



application for revocation of cancellation of registration shall not be rejected unless the applicant has been given an opportunity of being heard.

#### **Proposed Amendment**

It is proposed to insert Second proviso to S. 30(2) of the CGST Act to prescribe that revocation of cancellation of registration shall be subject to such conditions and restrictions as may be prescribed.

#### **Our Comments**

The proposed amendment introduces an enabling clause to prescribe conditions and restrictions subject to which cancellation of registration may be revoked.

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## To prescribe time limit for issuance of self-invoice by recipient under RCM

#### **Background**

In respect of specified procurement from unregistered supplier, chargeable to GST, recipient is liable to pay GST under RCM under cover of self-invoice with specified details. As of now there is no time limit for issuance of such self-invoice.

#### **Proposed Amendment**

It is proposed to amend S. 31(3)(f) to prescribe the time limit for issuance of

invoice by the recipient in case of RCM supplies.

Further, it is also proposed to insert an explanation in S. 31(3)(f) to provide that the expression "supplier who is not registered" shall include a supplier who is registered solely for the purposes of tax deduction at source under S. 51 of the CGST Act.

#### **Our Comments**

Non-issuance of self-invoice within the time prescribed will attract general penalty u/s. 125 which may extend to twenty-five thousand rupees.

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## Mandatory requirement to file monthly return in case of Tax Deducted at Source

#### **Background**

S. 39(3) requires every registered person required to deduct tax at source under the provisions of S. 51 to furnish, in such form and manner as may be prescribed, a return, electronically, for the month in which such deductions have been made within ten days after the end of such month.

#### **Proposed Amendment**

It is proposed to amend S. 39(3) to mandate the person required to deduct tax at source to furnish return for each month in such form and manner and within such time as may be prescribed, irrespective of whether or not any deductions have been

made during the said month.

### Our Comments

This proposed amendment is in line with the recommendation made by the GST Council in the 53<sup>rd</sup> GST Council meeting.

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## Prohibition on refund in case of zero-rated supply in cases where such goods are subjected to Export Duty

### Background

Currently prohibition on refund in case of zero-rated supply in cases where such goods are subjected to export duty is restricted vide second proviso to S. 54(3) only in cases of refunds of unutilized ITC.

Similar amendments are also proposed under IGST Act by insertion of S. 16(5) in the IGST Act to restrict refund on zero-rated supply of goods which are subjected to export duty.

### Proposed Amendments

It is proposed to omit second proviso to S. 54(3), and insertion of S. 54(15) to restrict refund under both scenarios i.e. refund of unutilised ITC or refund of IGST paid on zero-rated supply of goods which are subjected to export duty.

Further S. 16(4) of the IGST Act is proposed to be amended to make the refund provisions under S. 16 of the IGST Act to be in accordance with provisions of S. 54 of the CGST Act and rules made thereunder.

### Our Comments

The proposed amendment seeks to restrict the refund under S. 54 of CGST Act and S. 16 of IGST Act both, in case of unutilized ITC (on input side) as well as IGST (paid on output side) in case of zero-rated supplies which are subjected to export duty. Earlier such restriction was limited to unutilized ITC.

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## Allowing an authorized representative to appear on behalf of the summoned person

### Background

S. 70 of CGST Act empowers the proper officer to summon any person whose attendance he considers necessary either to give evidence or to produce a document or any other thing in any inquiry in the same manner, as provided in the case of a civil

court under the provisions of the Code of Civil Procedure, 1908 (5 of 1908).

### Proposed Amendment

It is proposed to amend S. 70 of the CGST Act by inserting sub-section (1A) to state that the person summoned may appear either in person or through an authorized

representative, as the proper officer may direct, in compliance with the summons.

### **Our Comments**

The proposed amendment is beneficial to taxpayers undergoing an inquiry as it would enable them to attend summons proceedings through an authorized representative as well.

However, the proposed sub-section (1A) by employing the phrase "as such officer may direct" raises the question whether such an option will be available in all cases or whether the same will be subject to the discretion of the proper officer.

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## **S. 73 and 74 of the CGST Act is restricted for determination of tax pertaining to the period up to FY 2023-24**

### **Background**

S. 73 of the CGST Act provides for determination of tax not paid or short paid or erroneously refunded or ITC wrongly availed or utilized for reasons other than fraud or wilful-misstatement or suppression of facts.

S. 74 of the CGST Act provides for determination of tax not paid or short paid or erroneously refunded or ITC wrongly

availed or utilized by reason of fraud or wilful-misstatement or suppression of facts.

### **Proposed Amendments**

It is proposed to insert sub-section (12) under both the S. 73 and 74 of the CGST Act to restrict the applicability of these Sections for determination of tax pertaining to the period up to FY 2023-24.

### **Our Comments**

The proposed amendment is in light of the proposed insertion of a new Section i.e., S. 74A of the CGST Act to govern recovery of tax or ITC for the period starting from FY 2024-25.

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## **New S. 74A is proposed to be inserted in the CGST Act for the period from FY 2024-25**

### **Proposed Amendment**

It is proposed to introduce a new provision by insertion of S. 74A for determination of tax not paid or short paid or erroneously refunded or ITC wrongly availed or utilized

for any reason pertaining to for F.Y. 2024-25 onwards.

As per the proposed newly inserted section, common time limit of 42 months is

provided for issuance of demand notices from the due date of filing of Annual Return or from the date of erroneous refund.

The time limit for passing of the order is proposed to be revised to 12 months from date of issuance of demand notice. The said period may be extended by a further period of 6 months on obtaining authorisation from Commissioner or any officer authorised by the Commissioner.

As per the proposed amendment, penalty would be INR 10,000 or 10% of tax dues whichever is higher in case the demand is on account of reason other than fraud, suppression or wilful misstatement etc. For cases involving fraud, suppression or wilful misstatement, the penalty is proposed to be equivalent to the tax dues.

In cases where the tax demand arises for reason other than fraud, suppression and wilful misstatement, no penalty shall be

leviable and all proceedings shall be deemed to be concluded, if the payment of tax dues along with interest is made before issuance of notice or within a period of 60 days of issuance of notice.

In cases involving fraud, suppression and wilful misstatement, penalty shall be restricted to 15% or 25% or 50% of the tax and all proceedings shall be deemed to be concluded, if the payment of tax dues along with interest is made before issuance of notice or within a period of 30 or 60 days of issuance of notice respectively.

However, proceedings under S. 132 of the CGST Act shall not be deemed to be concluded.

Various sections of the CGST Act have also been proposed to be amended to incorporate reference to this new S. 74A.

### **Our Comments**

This proposed amendment is in line with the recommendation made by the GST Council in the 53rd GST Council meeting and intends to simplify and streamline GST assessments procedures. However, it does not distinguish between the demands on account of bona-fide and inadvertent errors vis-a-vis demand on account of fraud, suppression etc. from a time limitation perspective.

Proposed amendment extends the period for availing the benefit of reduced penalty from 30 days to 60 days. This extended window provides the taxpayers with a more realistic timeframe to take an informed decision considering legal complications.

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## **Reduction of amount of pre-deposit**

### **Background**

As a measure of trade facilitation and in the direction of doing ease of business there was a need to reduce the pre-deposit required to be paid for filing appeals which

creates the burden on the taxpayers under litigation by blocking their working capital.

### **Proposed Amendment**

It is proposed to amend S. 107 and 112 of the CGST Act to reduce the amount of pre-

deposit required for filing appeals under GST.

The maximum pre-deposit amount for filing an appeal with the Appellate Authority under S. 107(6) is proposed to be reduced from INR 50 crores to INR 40 crores.

Further, the pre-deposit amount for filing an appeal with the Appellate Tribunal under S. 112 is proposed to be reduced from 20% with a maximum amount of INR 100 crores to 10% with a maximum of INR 40 crores. Similar amendments are also proposed under S. 20 of the IGST Act.

### **Our Comments**

This proposed amendment is in line with the recommendation made by the GST Council in the 53<sup>rd</sup> GST Council meeting to ease cash flow and working capital blockage for taxpayers.

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## **Changes relating to GST Appellate Tribunal**

### **Background**

S. 109(5) of the CGST Act currently states that the Principal Bench and the State Bench of the Appellate Tribunal shall hear appeals against the orders passed by the Appellate Authority or the Revisional Authority.

However, cases where the issue relates to the place of supply shall be heard only by the Principal Bench. S. 109(6) allows the President to distribute the business of the Appellate Tribunal among the Benches and transfer cases as needed.

There is a to streamline the operations of the GST Appellate Tribunal and provide clarity on the filing of appeals.

### **Our Comments**

The amendment empowers the Government, on the recommendations of the GST Council, to designate certain cases or classes of cases to be heard exclusively by the Principal Bench.

With this amendment it is likely that the issues having industry wide ramifications be now heard by the Principal Bench, in line with the recommendation of the Council and issuance

### **Proposed Amendments**

It is proposed to amend S. 109(5) to allow the Government, based on the recommendations of the Council, to specify cases or classes of cases that will be heard exclusively by the Principal Bench.

It is also proposed to amend S. 109(6) to ensure that the President's distribution of cases among the Benches is subject to the provisions of S. 109(5), i.e., cases where any issue relates to the place of supply shall be heard only by the Principal Bench.

It is proposed to amend S. 112 of the CGST Act, to allow the three-month period for filing appeals before the Appellate Tribunal to start from a date to be notified by the Government.

of Notification by the Government.

Currently, appeals to the Appellate Tribunal must be filed within three months from the date the order is communicated to the appellant.

The Removal of Difficulty Order No. 09/2019-Central Tax dated 03.12.2019 clarified that the start of the three-month period would be the later of the following dates:

- ∞ the date of communication of the order or the date on which the President or
- ∞ the State President of the Appellate Tribunal assumes office.

With the appointment of the first President of the GST Appellate Tribunal on May 6, 2024, there was a need to address the issue of time limit of filing appeals. Hence, S. 112 is proposed to be amended to allow the three-month period for filing appeals to commence from a date to be notified by the Government.

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## Restrict applicability of penal provisions applicable specifically to e-commerce required to collect tax at source

### Background

S. 122 (1B) of the CGST Act inserted vide Finance Act, 2023 with effect from October 01, 2023, prescribes penal provisions applicable to any electronic commerce operator.

### Proposed Amendment

It is proposed to amend the said sub-section to restrict the applicability of the

penal provisions to only those E-commerce operators who are required to collect tax at source under S. 52 of the said Act.

Such amendment shall be made effective from the date when the said sub-section came into force (i.e., October 01, 2023).

### Our Comments

With the proposed amendment, applicability of this penal provision will be restricted to only such registered E-commerce operators who are required to collect tax at source under S. 52 of CGST Act, and not in the case of other registered E-commerce operators.

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## Conditional waiver of interest and penalty for demand raised u/s. 73 for period up to FY 2019-20

### Proposed Amendments

It is proposed to insert a new S. 128A of the CGST Act to provide waiver of interest or penalty or both in cases where demands for the period July 2017 to March 2020 or part thereof is raised under S. 73 of the CGST Act.

As per the proposal, benefit of the provision will be available to persons who have received

- ∞ SCN under S. 73 of the CGST Act,
- ∞ Order-in-Original under S. 73(9) of the CGST Act,
- ∞ Order-in-Appeal under S. 107(11) of the CGST Act,
- ∞ Revision Order under S. 108(1) of CGST Act and
- ∞ In cases where the Appellate Authority/ Appellate Tribunal/ Court determined that fraud, suppression and misstatement are not applicable.

However, the said benefit will not be available in respect of:

- ∞ any amount payable on account of erroneous refund,
- ∞ cases where appeals are pending before the Appellate Authority or Appellate Tribunal or Court and the same has not been withdrawn before the date notified under this section and

- ∞ cases where Writ petitions have been filed and the same are pending and not withdrawn before the date notified under this section.

If cases where the Department has filed appeals, revisional proceedings or other proceedings and the amount of tax payable is increased, the conclusion of the proceeding under this Section will be subject to payment of the additional amount within three months from the date of the said Order.

As per the proposed amendment, if the taxpayer makes full payment of tax on or before the date to be notified by the Government, interest and penalty arising out of such demand shall stand waived off and the proceedings shall be deemed to be concluded subject to fulfilment of prescribed conditions.

Once the amount of tax has been paid and the proceedings are deemed to be concluded, no appeal can lie before the First Appellate Authority or Appellate Tribunal.

It is also proposed that where such interest and penalties has already been paid, no refund of the same shall be available to the taxpayer.

### Our Comments

The proposed amendment is in line with the recommendation made by the GST Council in the 53<sup>rd</sup> GST Council meeting. It is a positive step towards addressing the teething issues

experienced during the initial years of GST implementation and is in line with the government objective of promoting ease of doing business and reducing tax litigation.

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## Availment of transitional credit by an ISD in respect of invoices received prior to the appointed day

### Background

S. 140(1) of the CGST Act provides for the transitional provisions to carry forward closing balance of CENVAT credit to the GST regime.

Further, sub-section (7) provides that ITC on account of services received prior to July 1, 2017, by an ISD shall be eligible for distribution as credit under GST if the invoices are received on or after July 1, 2017.

However, for the services received prior to July 1, 2017, for which invoices were also

received prior to July 1, 2017, the credit could not be distributed as ISD return under GST did not allow distribution of the transitional credit. The issue is under litigation and pending before various High Courts.

### Proposed Amendment

It is proposed to amend S. 140(7) of the CGST Act to specify that ITC on account of services received prior to July 1, 2017, by an ISD shall be eligible for distribution as credit under GST even for invoices relating to such services which are received prior to July 1, 2017.

### Our Comments

The proposed amendment will provide huge relief to several taxpayers who have transitioned closing balance of erstwhile ISD directly to the GST registration which remained blocked till now.

However, since the proposed amendment is proposed under sub-section (7), its applicability to taxpayers who have transitioned credit under Section 140(1) needs to be examined. It is possible to argue that once a substantive right is available, mere procedural aspect of filing the TRAN-1 Form under sub-section (1) or sub-section (7) should not impact the said right.

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## Anti-profiteering under GST

### Background

The anti-profiteering provision, which mandates that any tax rate reduction or input tax credit benefit be passed on to customers through price reductions. This provision was introduced to ensure fair pricing

to customers after implementation of GST. With passage of seven years post implementation of GST, there is a need to revisit the requirement of anti-profiteering provisions to continue.



### Proposed Amendments

It is proposed to amend S. 171 and 109 of the CGST Act to provide a sunset clause for anti-profiteering under GST and to assign the handling of pending anti-profiteering cases to the Principal Bench of the Appellate Tribunal.

It is also proposed to amend S. 171(2) of the CGST Act to empower the Government to issue Notification, based on the recommendations of the GST Council, to specify the date from which the Anti-Profiteering Authority will stop accepting new applications for compliance examination under the Section.

### Our Comments

The proposed amendment is in line with the recommendation made by the GST Council in the 53rd GST Council meeting.

These amendments aim to introduce a sunset date of April 1, 2025 for the receipt of new applications regarding anti-profiteering and to transfer the handling of pending anti-profiteering cases to the Principal Bench of the GST Appellate Tribunal.

The introduction of a sunset clause is a welcome move for taxpayers. Proposed amendment provides clarity and will reduce compliance burden.

Consequentially, it is also proposed to amend S. 109(1) of the CGST Act to extend the functions of the Appellate Tribunal to include examination or adjudication of anti-profiteering cases under S. 171(2) as and when notified by the Government.

Additionally, it is also proposed to amend S. 109(5) to specify that only the Principal Bench of the Appellate Tribunal will handle anti-profiteering matters. An Explanation is also proposed to be inserted in S. 171 to include the Appellate Tribunal within the definition of the Anti-Profiteering Authority.

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## Insurance Sector - Amendment to Schedule III of the CGST Act

### Background

Under GST regime, insurance industry is facing various challenges. Certain issues of insurance sector, though settled under the erstwhile service tax law, are under litigation under GST regime.

The said issues are proposed to be resolved through an amendment in Schedule III of the CGST Act which specifies a list of activities which are neither treated as supply of goods or services.

### Proposed Amendments

It is proposed to amend Schedule III of the CGST Act to insert two new entries at paragraphs 9 and 10 as follows:

- ∞ Apportionment of co-insurance premium by the lead insurer to the co-insurer, pertaining to insurance services which are jointly supplied as per the coinsurance agreements,

provided that the tax has been paid by the lead insurer on the entire amount of premium paid by the insured.

- ∞ Services by the insurer to the reinsurer, for which the ceding

commission or the reinsurance commission is deducted from reinsurance premium paid by the insurer to the reinsurer, provided that tax liability on the gross reinsurance premium inclusive of reinsurance commission or the ceding commission is paid by the reinsurer.

### **Our Comments**

The proposed amendment is in line with the recommendation made by the GST Council in the 53<sup>rd</sup> GST Council meeting.

The proposed amendment is a welcome move as the same would put to rest the challenges faced by the insurance industry.

While the proposed amendments appear to be prospective, the 53<sup>rd</sup> Council meeting has recommended that the past cases may be "regularized on as is where is" basis.

It is likely that the past cases may be regularized through notification under S. 11A of the CGST Act, however development on the same needs to be tracked.

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