

Amendments; CA/CMA/INTER: GST FOR MAY/JUNE 2024 EXAMS

"ONLINE MONEY GAMING"

Goods or SERVICES & Chargeability

Supplier

who makes supply of Goods/services and also includes:
• Supplier of "Specified Actionable claims" over the App. for a consideration (in money, money worth or crypto) will be the deemed supplier.
(SECTION: 2 of CGST ACT)

online money Gaming App.

(Legal or Illegal)

= Actionable claims

= Goods

eg Zupee LUDO

Recipient in INDIA (UNREGISTERED)

Actionable claims = contingent Assets

- unsecured debts
- pending litigations etc
- **Specified Actionable claims**

- Lottery, Betting, Gambling
- CASINO, HORSE RACING
- online money gaming.

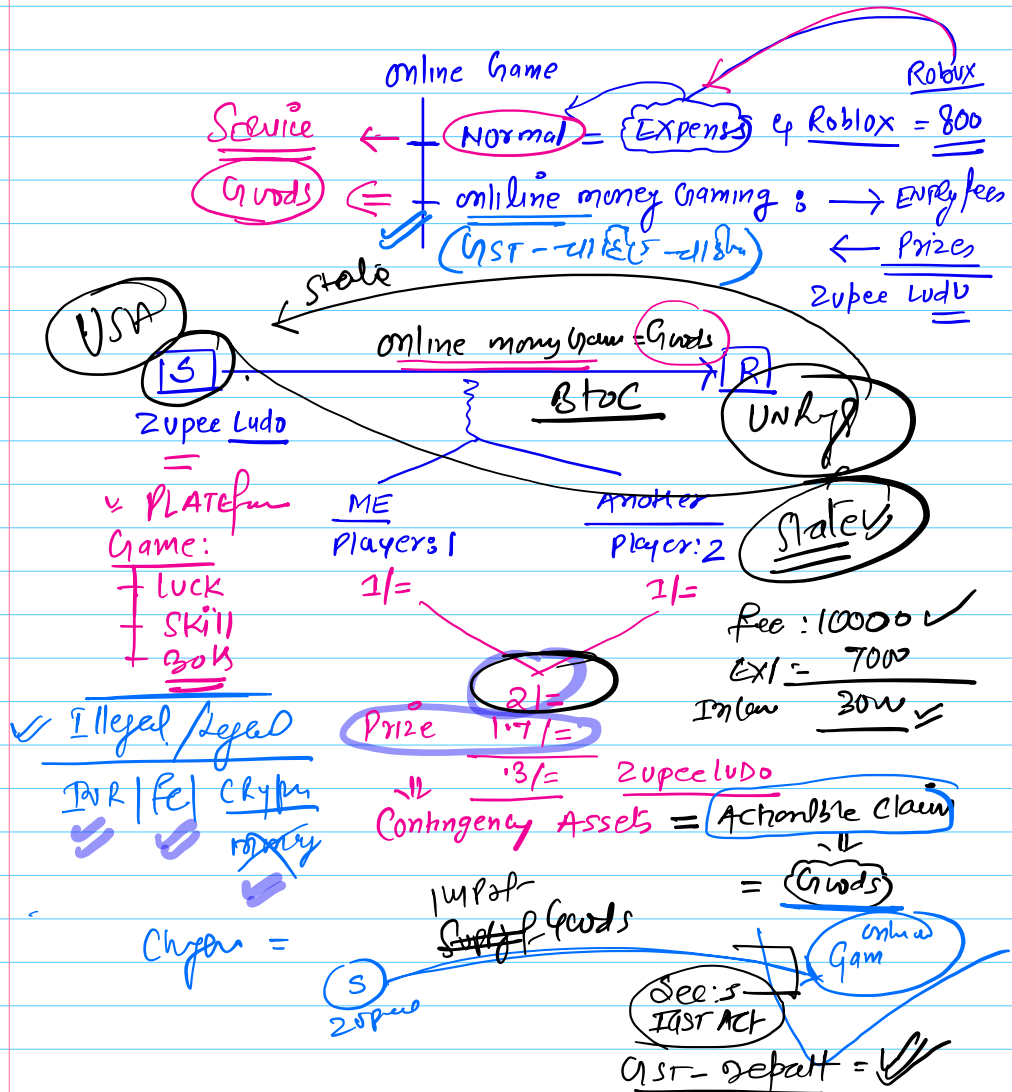
70% ✓
30% ✓

• Aug, 2023

1 1/2 Months Amendment

31st Oct, 2023
MAY, 2024

• Prior to Aug, 2023 ; All Amend ✓



III - Netgame Supply

≠ All Netgame classes = Supply X $\frac{1}{2}$ $\frac{1}{2}$ X

« BUT "Kolly, Belly game" = Supply = $\frac{1}{2}$ X $\frac{1}{2}$ X

"Mind May game"
"CASINO, HORSE RACE"

∴
Specific Netgame classes

SECTION: 2

online gaming = Game on Internet

↳ Roblox

↳ Zupke Ludo le online money Gaming

Chargeability:

AS per proviso to section 5 of IGST ACT: "on import of goods - IGST is levied u/s: 3(7) of C.T.A., 1975 -

But on import of "online money Gaming (Goods), IGST will be levied By secs 5 of IGST ACT & collection of the same shall also be made By GST Deptt.

(Because goods may not be physically crossing custom frontiers)

Supply

AS per schedule III read with section 7 of CGST ACT, following will not be a supply -

- Actionable claims = Supply x

- However: Specified actionable claims will be treated as supply

↳ Betting, gambling, lottery

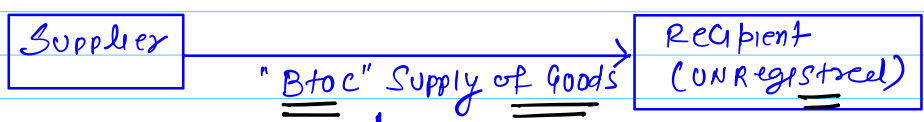
↳ CASINO, Horse Racing

↳ online money gaming

↳ GST ✓

Place of Supply
[over the Counter Sale, Migrant workers, Tourist, CAR Purchase]

SECTION: 10(C)(CA)



ORIGIN = Location of Supplier

DESTINATION (POS) = $\begin{cases} \text{Address / STATE OF (R), IF AVAILABLE} \\ \text{Otherwise : Location of (S)} \end{cases}$

IN CASE of ONLINE money Chaming : STATE Name
 Is mandatory to give by Supplier on Invoice as per Rule 46. therefore Location of (R) will be the Place of Supply.

Special Provision where (S) Location is in NTT [SEC:14A of IGST]

```

graph LR
    S((S  
NTT)) -- "ZUPEE LUDO" --> R((R  
INDIA))
  
```

- Liabie to pay GST ✓
- TAKE single Registration ✓
- Appoint Agent to pay GST. (आमि वसेम)
- Non Compliance → App Blocked.

Taxable Person

AS per section 24 of CGST ACT:
A person supplying "ONLINE Money Gaming" (Goods)
FROM NTT TO TF - take mandatory Registration

Exemption

- Nothing -

Valuation & Rate (28%)

AS per section 15(5) of CGST ACT

AV = tariff value fixed by Government (of)

||
"ENTRY FEES"

@ 1+1 = 2/=

- ONLINE Gaming
- ONLINE money Gaming
- CASINO.

Example: PLAYER: RAJ

PLAYER: STUDENT

ENTRY fee =

1/=

1/=

Prize =

1.70/=

[30ps kept by Zupex]

Value = 2/=

Invoice

Payment

(E)

TOS = Goods u/s: 12

5

NEM OR
RCM

NEM ie Forward charge ie (S) liable to pay GST.

Time of
Supply

In General ToS of Goods U/s: 12

Time of Supply = Invoice (Actual date) OR
Invoice (LAST date) as the
Case may be
OR
Payment date
↓
WHICH EVER IS EARLIER

In General Payment "Payment Date" condition
has been Relaxed By NIN: 66/2017, BUT
Remain Applicable in case of "Specified
Actionable claims" - ie Lottery, Betting, gambling
- CASINO HORSE RACE
- ONLINE MONEY GAMING.

(6)

I-M-
R-R-R
ITC

INVOICE:

As per Rule = 46 where supply made to unregistered person (Btoc) then Invoice shall contain :-

" Address / STATE " in CASE OF

Sec: 10(1)(ca)
pos.

✓ | ECO Invoice
✓ | online money gaming

Manner of Payment:

As per Rule = 87: There are various mode to deposit in E-CASU Ledger like Debit / credit card, Net Banking etc.

Moreover online money gaming (NTP)

may also make deposit through "International money transfer" through Society for world wide Inter Bank Financial Telecommunication Payment NETWORK.

REGISTRATION

Normally Registration is PAN BASED @ STATE WISE

BUT for "ONLINE Money gaming" @ single registration for All India.

FILING OF RETURNS:

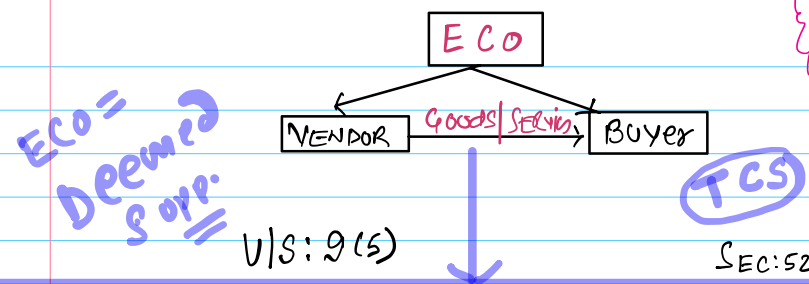
FORM GSTR = SA

Due DATE 20th OF NEXT MONTH

FOR: | NRTP (NTP)

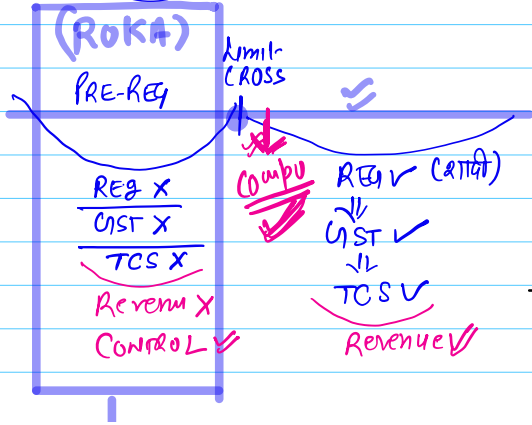
| ONLINE Money gaming (NTP)

Chapter:
 Chargeability
 +
 Taxable person
 +
 Composition
 +
 TDS/TCS



PARTICULARS	4 SPECIFIED SERVICES					Other SERVICES	Goods
	(H)	(M)	(T) RADIO TAXI etc	(T) OMNI BUS	(R)		
FIRST CHOICE TAX Paid By	ECO	ECO	ECO	ECO	ECO		
SECOND CHOICE TAX Paid By	VENDOR, IF TFO in PFY Exceeds the Threshold Limit	VENDOR, IF TFO in PFY Exceeds the Threshold Limit	ECO	VENDOR IF VENDOR is a company	VENDOR, IF RESTAURANT is a PART of HOTEL + HOTEL is Big ie Room RENT EXCEEDS ₹ 7500	VENDOR	VENDOR
REGISTRATION OF ECO	MANDATORY	MANDATORY	MANDATORY	MANDATORY	MANDATORY	MANDATORY	MANDATORY
REGISTRATION OF VENDOR	LIMIT BASED	LIMIT BASED	-	LIMIT BASED	LIMIT BASED	LIMIT BASED	MANDATORY, BUT Relaxation to MICRO Goods VENDOR

1.5/2020
 ✓

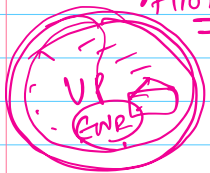


MICRO Business means TFO in PFY / CFY limited to threshold limit
 Relaxation to MICRO VENDOR of Goods
 LIMIT BASED REGISTRATION BUT Subject to condition till NOT Registered.
 ie conditions for PRE-REGISTRATION Period. / ENR Pen

CONDITION: 1 : Get 'ENR' NO for PRE-Registration period on the basis of PAN etc which will cease to have effect on Registration.

ENR: NO (PAN BASIS)
Valid till Reg.

NOT to cross Border
ie Inter State Supply
Allow.



and make supply only
After getting ENR.
& Eco will list the person
on getting ENR.

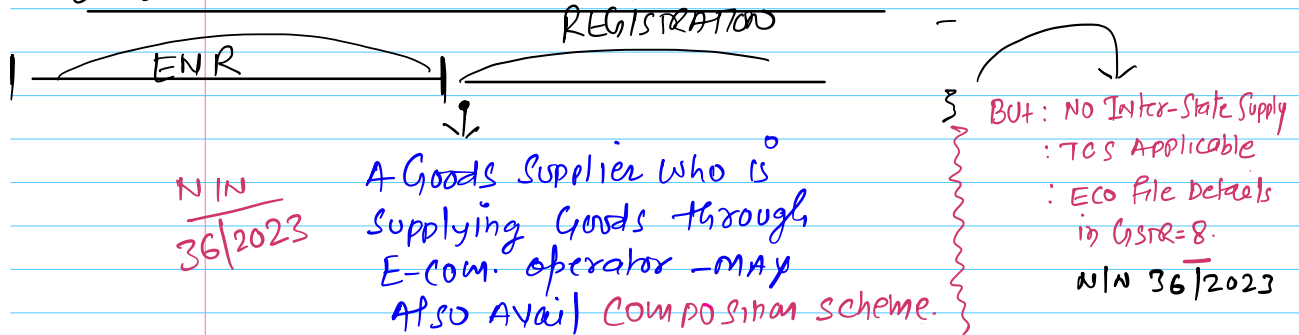
Condition: 2: Shall NOT
make inter-state supply as
inter-state supply requires
mandatory registration &
Eco shall make necessary
arrangements for the same.

Condition: 3: Shall continue
business only in one state
and one location.

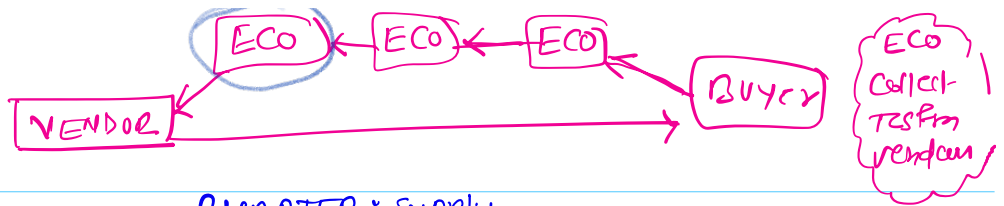
Moreover: Eco shall furnish
the detail in GSTR-8.

Note: ON ENR Holder,
NO GST and TCS
shall be applicable.

ONE MORE Relaxation to Goods Sector:



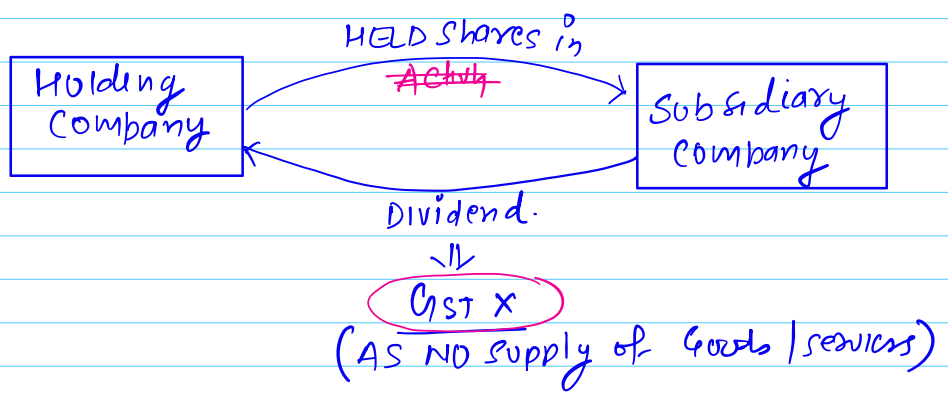
Note: WHERE MULTIPLE ECO'S in single transaction - then the ECO which is connected to vendor shall follow TCS compliances.



CHAPTER: SUPPLY

Share Holding

Circular:



Eating joints in Cinema Hall:

- * Sale of food at specific charge: = liable to GST AS RESTAURANT SERVICE
- * Food included in the price of ticket: = liable to GST as "EXHIBITION OF Cinema" Because it is a composite supply & PRINCIPLE SUPPLY is "EXHIBITION OF Cinema."

CHAPTER: PLACE OF SUPPLY

INTERNATIONAL TRANSPORTATION

SECTION: PROVISO 12(8) OF IGST ACT

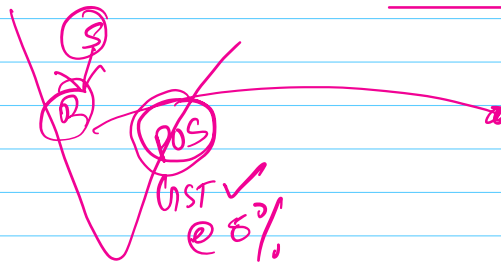
Where both the parties
located in TT

POS =
U/S: 12(8): MAIN PROVISION
B to B = (R)
B to C = Loading
Point

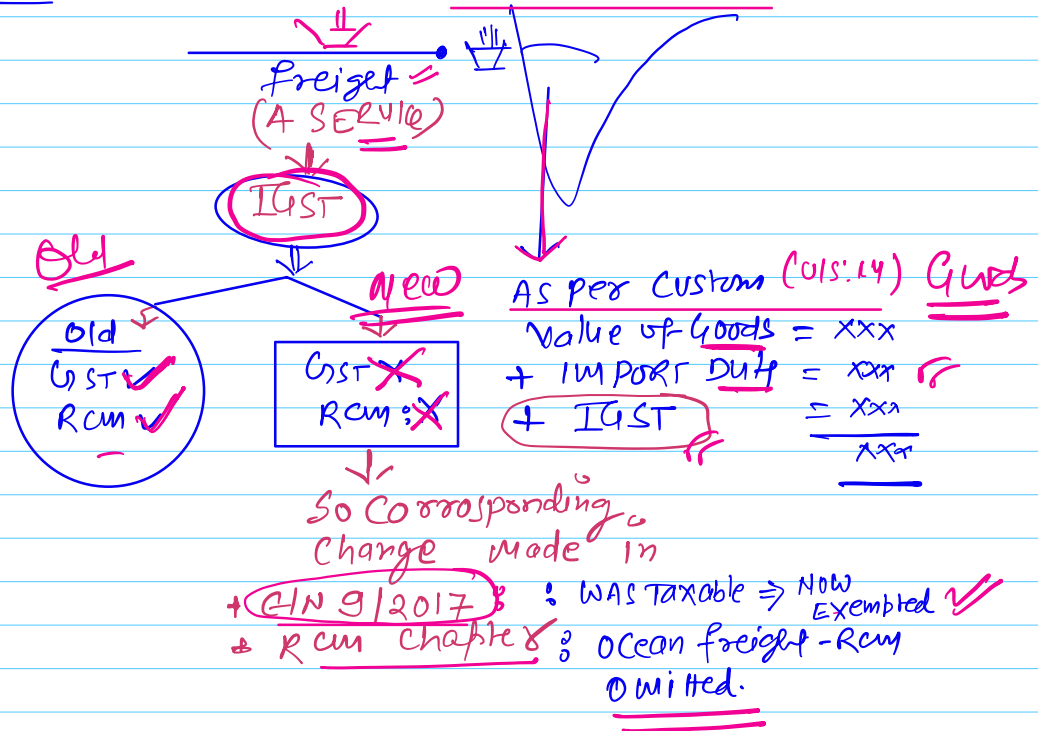
~~Where Destination - NT/Abroad~~
~~proviso to section 12(8)~~
~~POS = Destination of Goods~~

← = Now for "Where destination
of Abroad then original
provision shall apply"

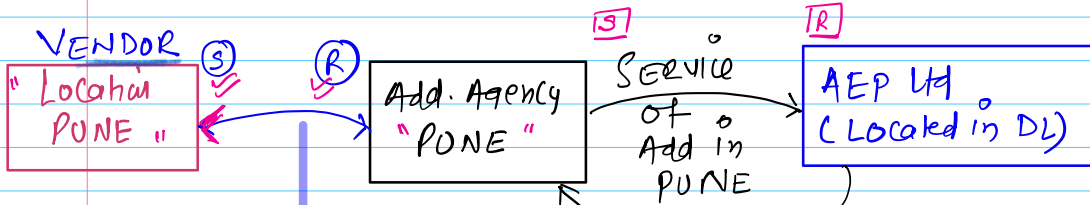
= Exemption Related to
Export cargo omitted.
Now Export cargo - Service
Taxable @ 5%



Note: Ocean freight on Import-CARGO



CIRCULARS
: ADVERTISEMENT SERVICES: @ POS



Needs:

- PLOT/WALL/
- SITE / ROOF / POLL/
- etc to Advertise.

Consideration
↓
Liable to GST as
ADVERTISEMENT SERVICE

CONTRACT OF

Sale of SPACE

OR

Sale of RIGHT to Use Space

↓
NOW it is a Service Related to Immovable Property.

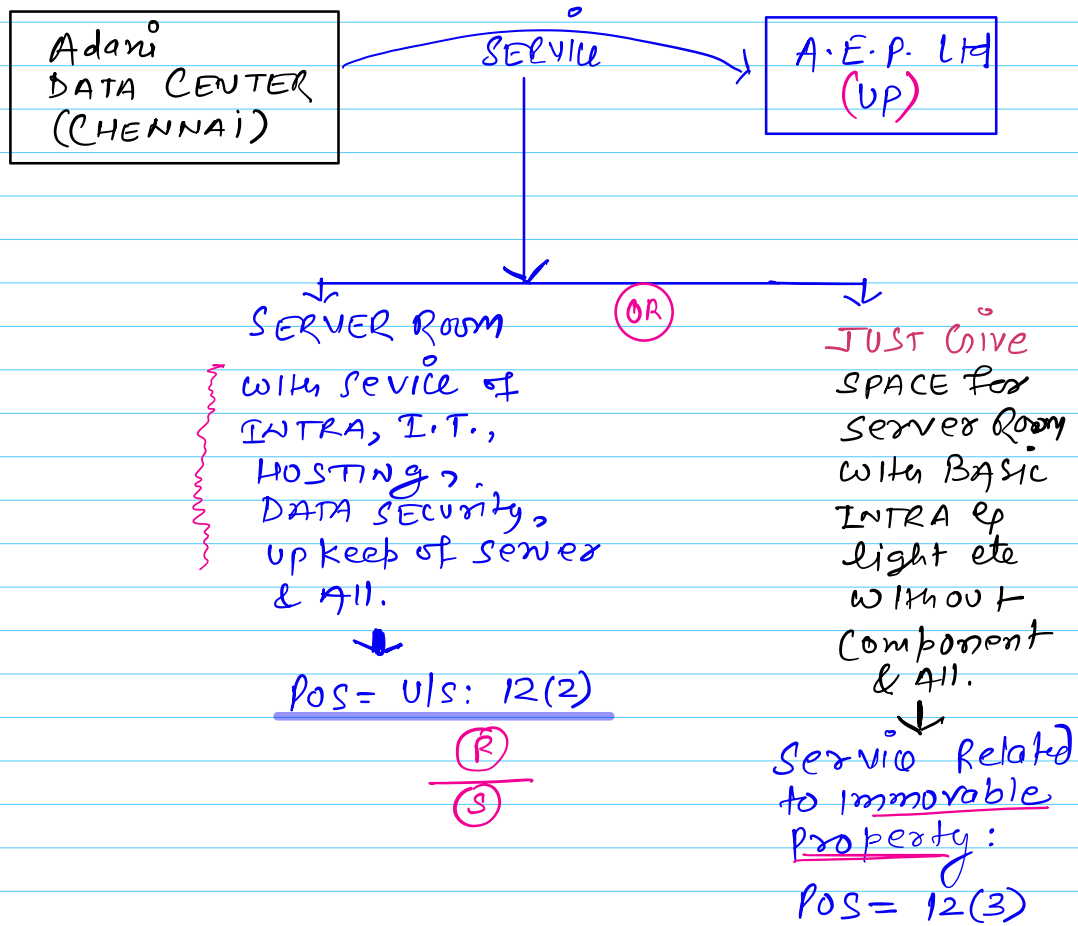
↓
POS = u/s. 12(3) @ PUNE - MH

SUB-CONTRACT in specific manner (space / LAND etc may NOT be owned)

↓
NOW it is ADVERTISEMENT SERVICE.

POS = u/s: 12(2)

CO-LOCATION SERVICES | Data Centre



TAXABLE PERSON

SECTION: 23(2):
(Relaxation from Registration.)

- For HANDICRAFT
- Service sector
- (S) whose All supplies fall under RCM

CONTENT replaced with clear wordings AS:-

NOT WITHSTANDING ANYTHING CONTAINED IN SECTION: 22/24

.....

UNIT-BASED
REGISTRATION

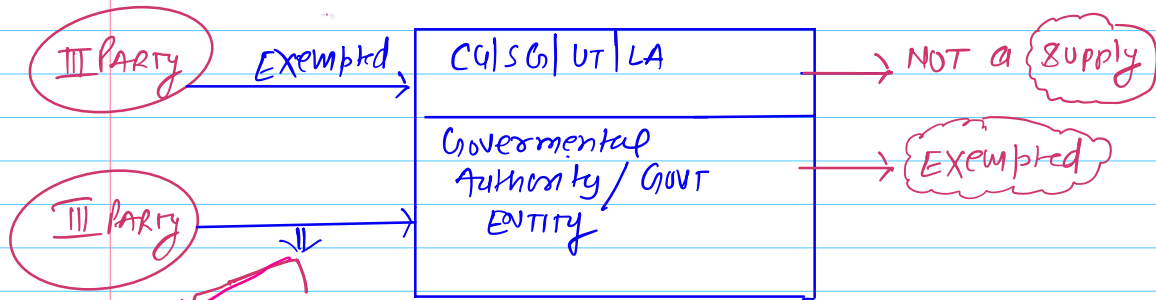
MANDATORY
REGISTRATION

Practically, NO AMD

@ prefer location

: Exemption :

Article : 243 G/w



REST TAXABLE

Exempted
However

Supply of such service to

Governmental Authority

By way of :- WATER supply
Public Health

Sanitation conservancy

Solid waste management

Slum improvement & upgradation

Will be EXEMPTED

Indian Railway [Exemption & RCM]

	DESCRIPTION	OLD	NEW
0			
(I)	Passenger Transportation Service - AC / FIRST CLASS :- - OTHERS :-	→ TAXABLE @ NCM → EXEMPTED.	TAXABLE @ NCM EXEMPTED.
(II)	Goods Transportation	<ul style="list-style-type: none"> • In General TAXABLE BUT Specific Goods transportation Exempted • Charge $\left\{ \begin{array}{l} \text{New} \\ \text{RCM} \end{array} \right\}$ it 	Generally taxable - BUT Goods wise Exemption ALWAYS NCM

$$\text{Amik} = \frac{\text{FCI}}{\text{TPO} = 10/20\%}$$

Service to Army Business Entity

(iii)

Renting of immovable property.

Taxable
CHARGE ← NCM
RCW, it
Given @ B to B.

ALWAYS NCM

(iv)

Indian Railway Services to -
* NON BUSINESS Entity
+ GARIB BUSINESS Entity
+ Other Govt. Deptt
* Small value (Rs 500) Services.

Exempted

Taxable, with NCM
like post office

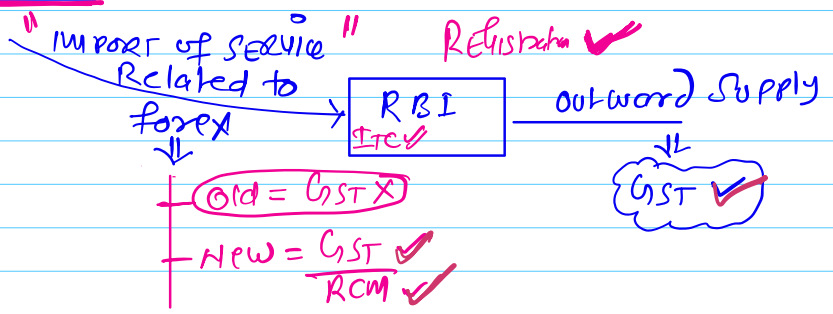
Other services like catering, Tourism, Passenger Amenities etc

CMV: ALWAYS NCM to claim ITC

Satellite :

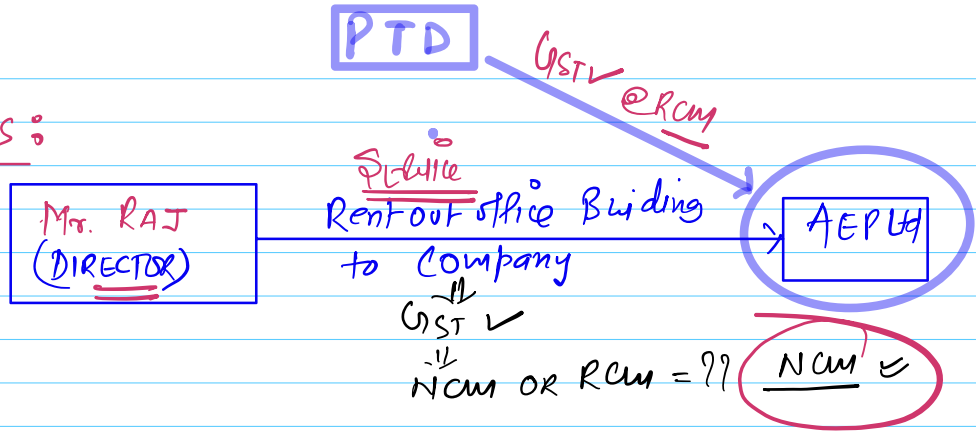
Satellite Launch Service By	(Old)	(New)
- ISRO - ANTRIX - NEWSpace INDIA	Exempted	Exempted
- Any other	Taxable	Exempted

RBI



CHAPTER - REVERSE CHARGE MECHANISM

CIRCULARS :

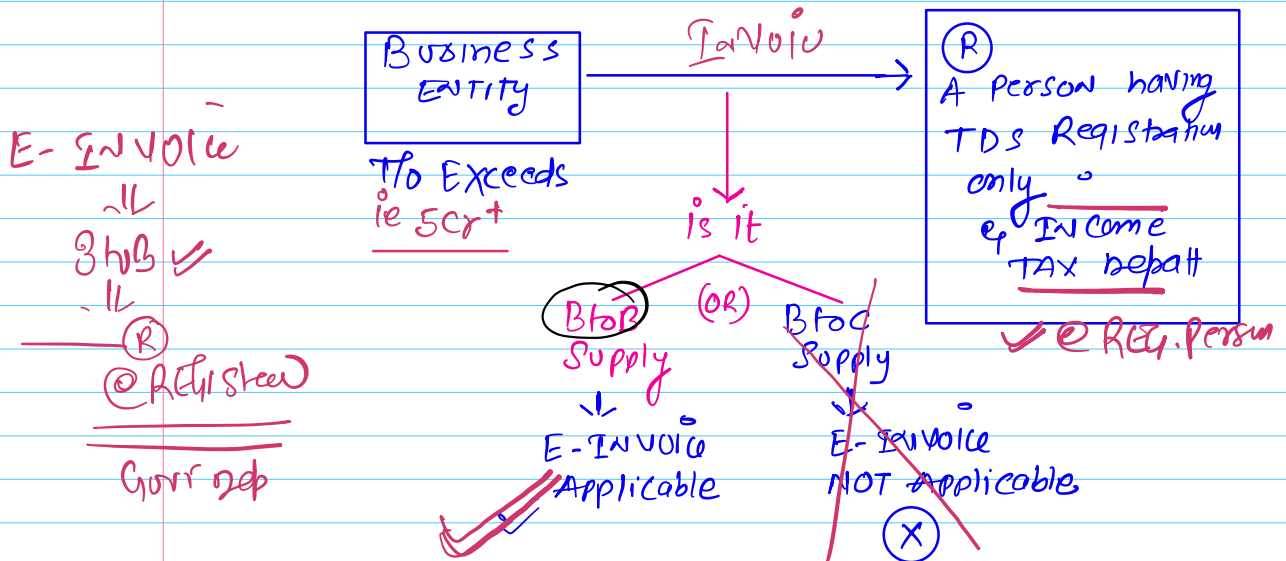


INVOICE CHAPTER :

* E-Invoice limit : old Exceeding 10 crore new Exceeding 5 crore

~~500cr/100cr/50cr/20cr/10cr/5cr~~

* Circular :

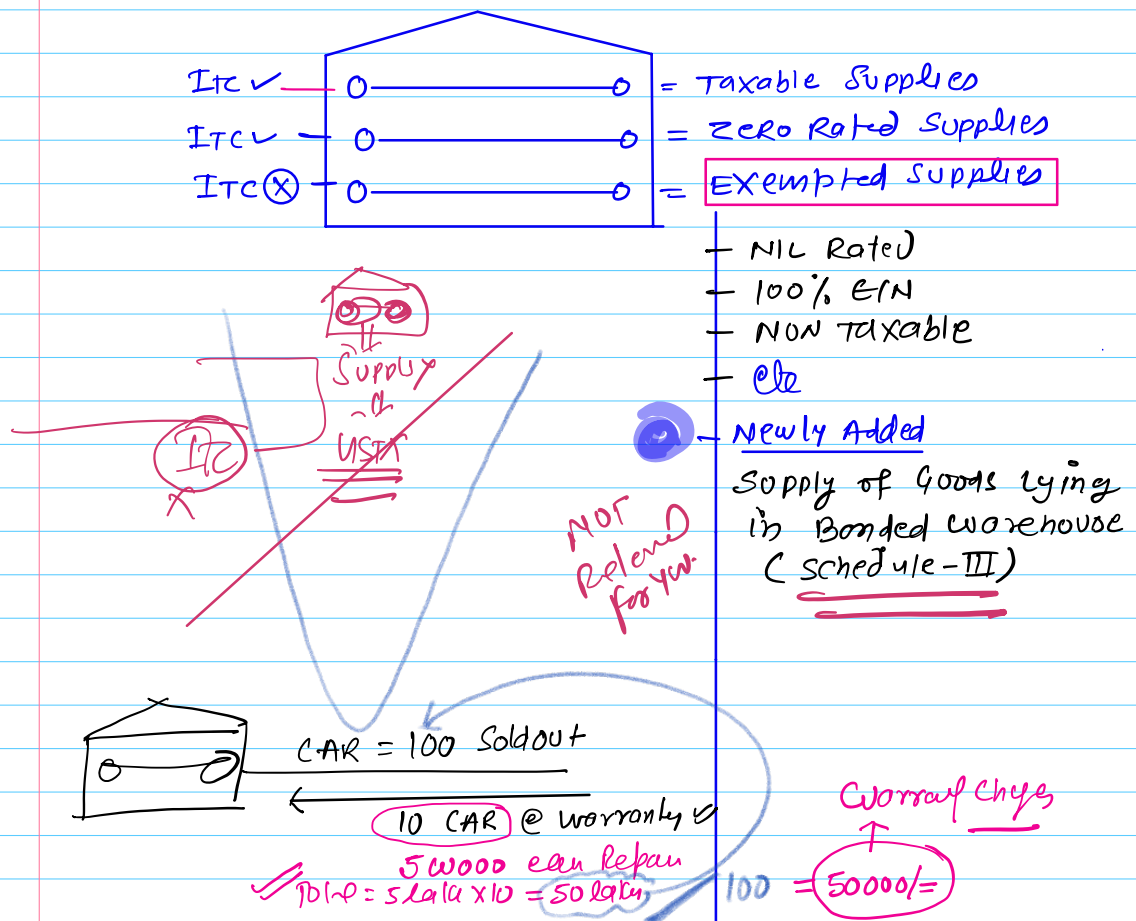


: CHAPTER : INPUT TAX credit :

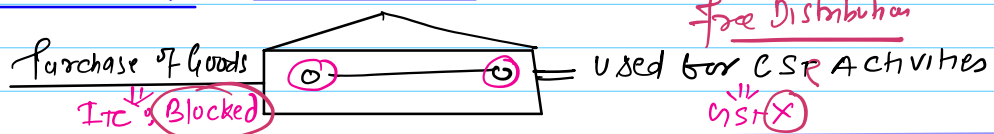
SECTION : 16 Condition of 180 DAYS

- * On NON Payment of Bill Amount fully or Partially within 180 days
- * full or partial credit (Amount)
- * Required to be ~~REVERSED~~ Added in output cost liability along with Interest.
- * Required to be paid along with Interest.

SECTION : 17(3) : + Explanation to Rule 43 :



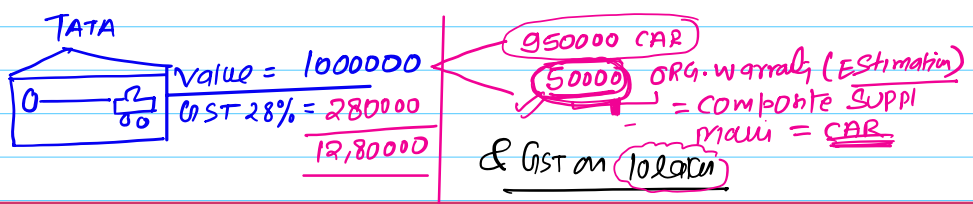
Section : 17(5) : Blocked credit



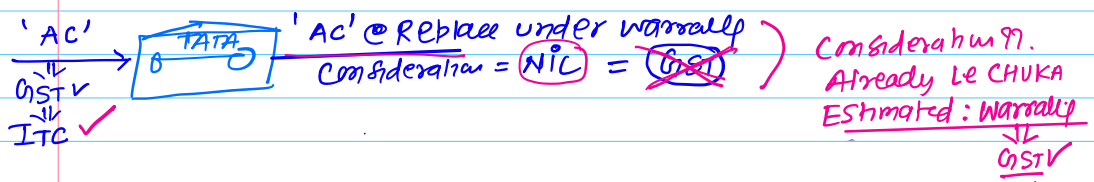
" CIRCULAR NO: 195/07/2023 " : Warranty Replacement

100 CAR
+ 50K
50000

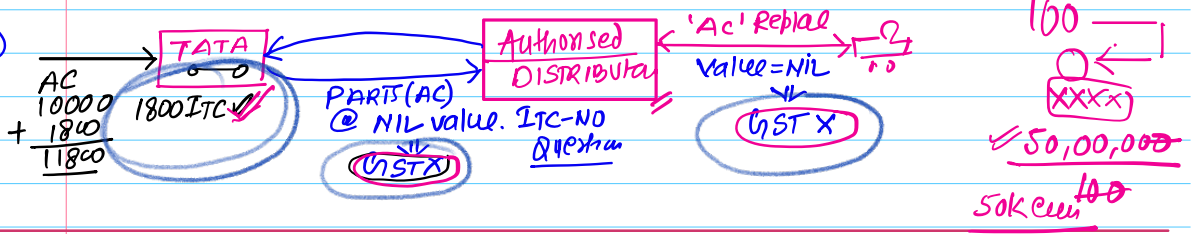
Q:1



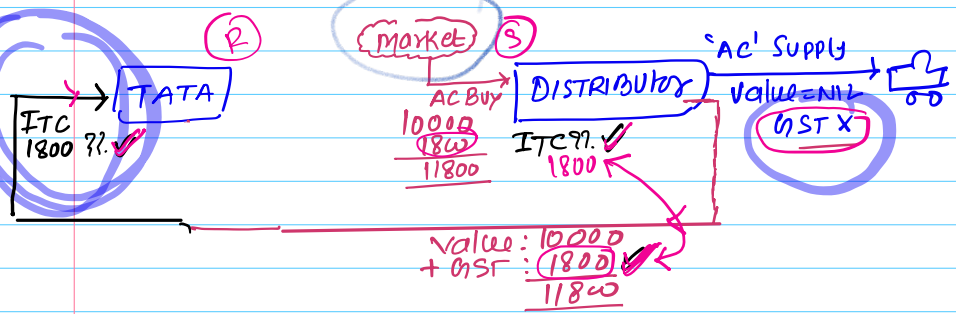
Q:2



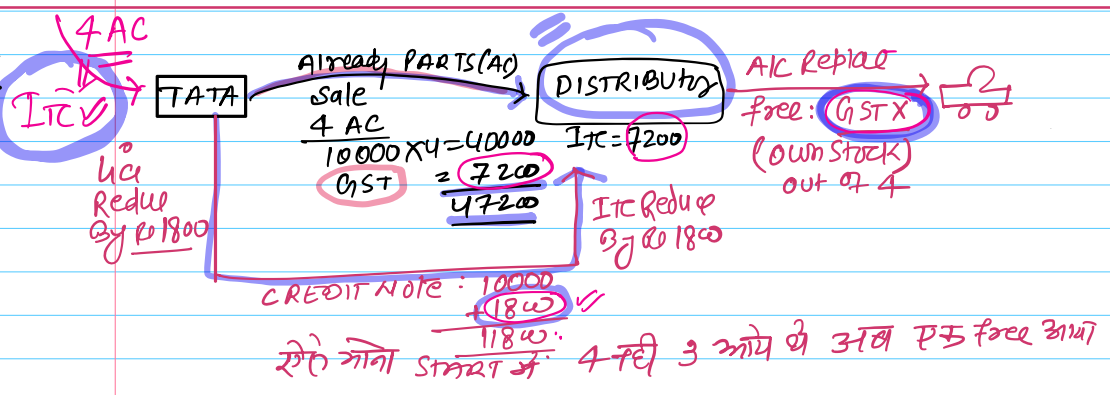
Q:3



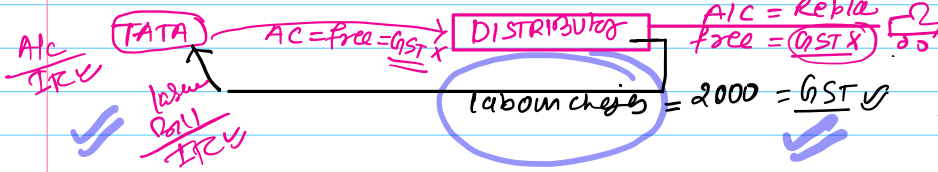
Q:4



Q:5



Q=6



CRUX : * NO OUTPUT GST ON Replaced PART

AS TATA has already paid in form of warranty charges

* AND TATA is eligible to CLAIM ITC Related to REPLACED PART. (Because GST on AC already BHARA JA (HUKA HAI))

Extended warranty

AT the time of Sale of CAR

↓

Composite Supply

↓

Classified with CAR as Principal supply.
(CAR)

AT LATER STAGE

↓

Independent claimation

↓

GST will be charged on the value of Extended service on Service.

: CHAPTER REGISTRATION :

Section: 29: Cancellation of Registration

+ Rules

- * REGISTRATION may be cancelled by officer due to various reasons -
- * Now one more ground added: Where the person NOT to fulfil the requirement of Rule 10A [Furnishing of Bank details] then officer may first Suspend the Registration & after Enquiry - may Cancel the Registration.
- * However, if the person before cancellation of R.C. submit the Bank details then suspension order shall be withdrawn.

Section: 30: Revocation of Registration

+ Rules

Time limit for Revocation of cancellation of Registration: was: ~~30+30+30 DAYS~~
NOW It is: 90+180 DAYS

Section: 25

+ Rules

: Bio-Metric - Based - Aadhaar Authentication

o
IN GUJARAT

IN PUDUCHERY (Newly Added)

Physical Verification of Premises

NOTE DURING PVR
Physical presence of the Registered person NOT Required. [R=9]

Physical Verification [PVR]

Before REGISTRATION ✓

AFTER REGISTRATION ✓

REASONS of PVR:

- (1) NOT to opt for Aadhaar Authentication (online)
- (2) OPT But failed
- ✓ (3) Suggested By A.I.
- ✓ (4) Suggested By Officer

REASONS of PVR:

- ✓ (1) Suggested By A.I.
- ✓ (2) Suggested By Officer

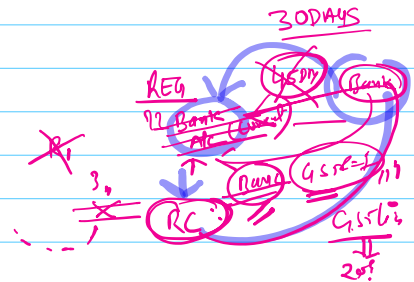
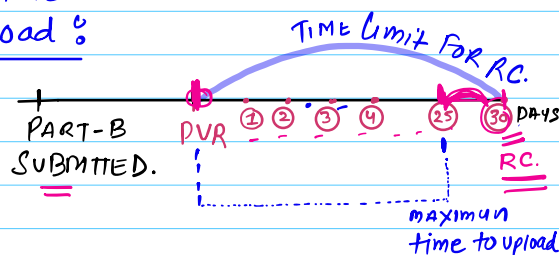
After PVR: PVR Report need to be uploaded By Officer on GST PORTAL

After PVR: PVR Report need to be uploaded By Officer on GST PORTAL

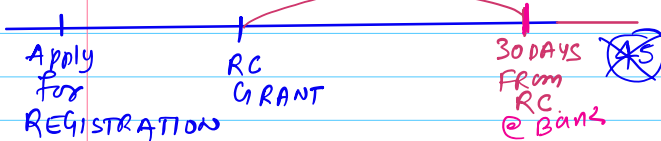
WITHIN 15 DAYS

MAXIMUM Time Limit to Upload :

5 DAYS in Advance of GRANT of RC



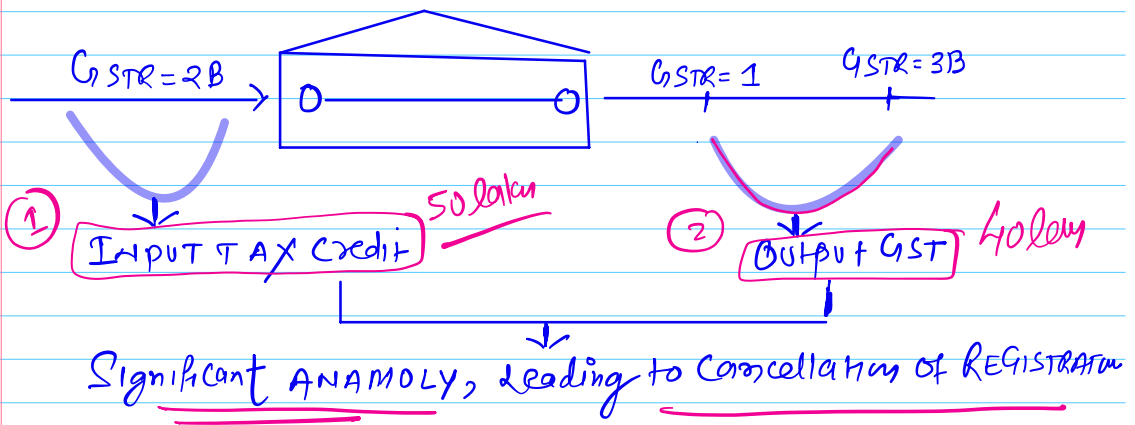
Rule 10A : Furnishing Bank Details :



Note : IF Not to furnish BANK detail then CAN NOT furnish GSTR=1 [Rule=59]

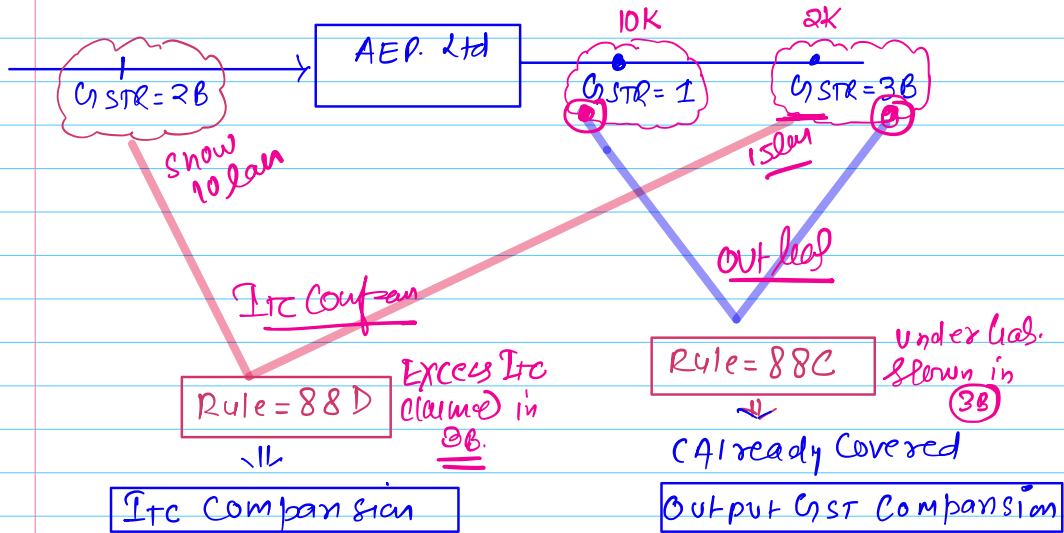
Note : BANK Details Required to be furnished By " 30 DAYS OF RC (OR) BEFORE FURNISHING OF GSTR=1.

// Rule: 21(2A): Grounds of Cancellation of Registration



CHAPTER: MANNER OF PAYMENT

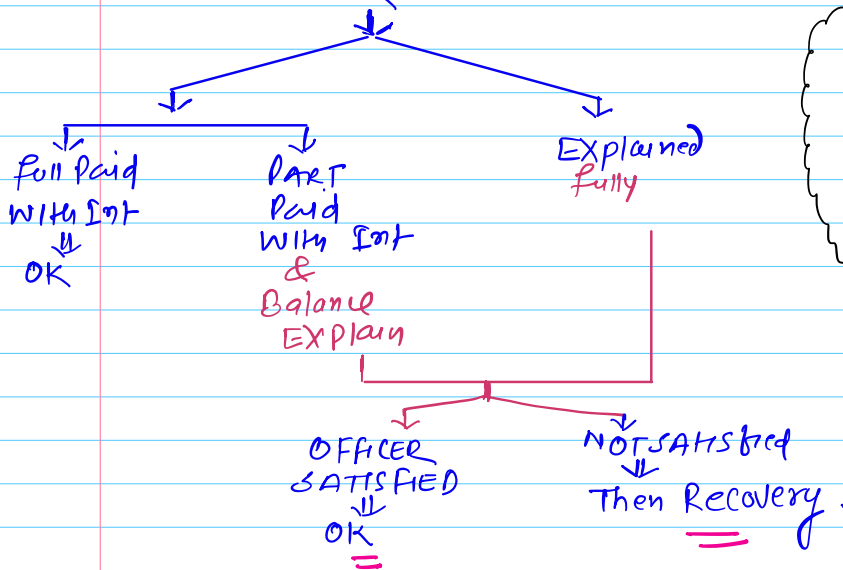
Rule = 88D



IITC Available in GSTR=2B (SAY: 6K) < IITC claimed in GSTR=3B (SAY 8K)

ie Substantial Difference NOTICED

NOW AN Intimation Shall be sent to TAX PAYER : Either to pay OR Explain

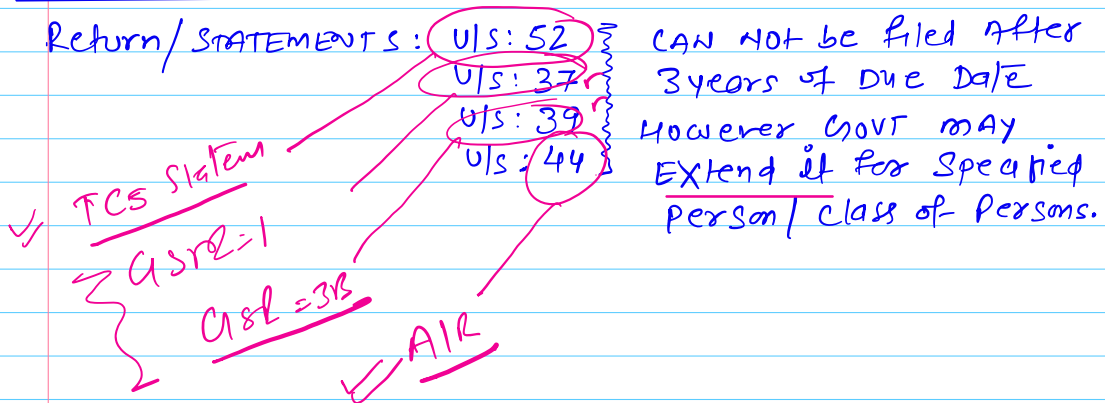


MOREOVER If NOT EXPLAINED OR Paid : then HE CAN NOT file : GSTR=1 Rule = 59.

* QIA under Rule = 88B (Page No. 14.14 of Amendment book)
JUST for self Reading GK

CHAPTER: TDS/TCS

★ Related filing of various Statement/RETURN :



3 year of DID

CHAPTER: " FILING OF RETURN "

Note: Amendment of this chapter already covered with previous Amendments.

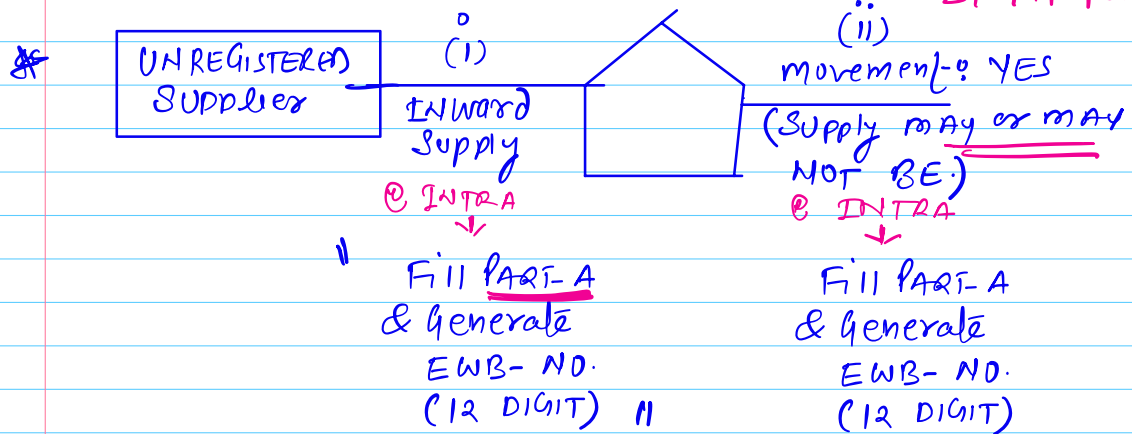
CHAPTER: EWAY Bill

PART-A
of EWB

Rule: 138 F: INFORMATION TO BE furnished in CASE of INTRA-STATE movement of Gold, PRECIOUS STONES etc & generation of E-WAY Bill

- Where Commissioner of State/UT
- mandates furnishing of Information (PART-A)
- Related to "Gold, PRECIOUS STONES etc"
- Where value of the same — EXCEEDS Specified Limit
[Specified Limit: 2 Lakh or more]

PART-A
EWB



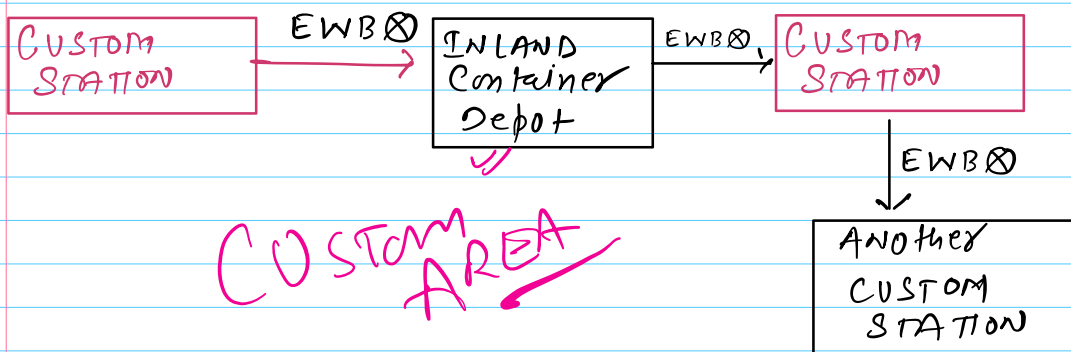
✓ * In CASE of E-com./COURIER: INFORMATION (PART-A) may be given By Ecom./COURIER

✓ * JUST file PART-A i.e. WITHOUT PART-B: EWB-Generate

✓ NOTE: EWB Information made Available to the Supplier for GSTR-01 purpose.

NOTE: Cancellation of EWB WITHIN 24 HOURS BUT Before Verification.

* NO EBW Required: For following movements



✓ * Value Means Invoice Value
Excluding Exempted to any is same in all other cases.

✓ * Remaining provisions shall apply mutatis mutandis

CRVX: * Where Commissioner said
* on INTRA state movement of Gold etc.
* having value 2 lakhs + or more
* THEN generate EWB without
Transporter (PART-B) Information.

Excess (2/3/14)

THANK YOU : CA RAJKUMAR

9810012161

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