

Significant Notifications and Circulars issued in GST from 16th July 2022 to 15th August 2022

GST

Notifications

1. Turnover limit for e-invoicing reduced from ₹ 20 crore to ₹ 10 crore

The Central Government, on the recommendations of the GST Council, has amended [Notification No. 13/2020-CT dt. 21.03.2020](#) vide [Notification No. 17/2022-CT dt. 01.08.2022](#) to reduce the threshold limit of aggregate turnover for the applicability of e-invoicing provisions from ₹ 20 crore to ₹ 10 crore. The said amendment shall become effective from 1st October 2022.

2. Various rate notifications have been issued to give effect to the recommendations made by the GST Council in its 47th meeting. Such changes have become effective from 18th July 2022.

- a) [Notification No. 3/2022-CT\(R\) dt. 13.07.2022](#), [Notification No. 4/2022-CT\(R\) dt. 13.07.2022](#), [Notification No. 5/2022-CT\(R\) dt. 13.07.2022](#) have been issued to amend [Notification No. 11/2017-CT\(R\) dt. 28.06.2017](#), [Notification No. 12/2017-CT\(R\) dt. 28.06.2017](#), [Notification No. 13/2017-CT\(R\) dt. 28.06.2017](#) respectively to make changes in rates, exemptions and applicability of reverse charge on various services like works contract/ construction services, hotel accommodation services, goods transport agency (GTA) services, renting of residential dwelling, healthcare services, postal services etc.
- (b) [Notification No. 6/2022-CT\(R\) dt. 13.07.2022](#) and [Notification No. 7/2022-CT\(R\) dt. 13.07.2022](#) have been issued to amend [Notifications 1/2017-CT\(R\) dt. 28.06.2017](#) and [Notifications 2/2017-CT\(R\) dt. 28.06.2017](#) respectively to make changes in rates, exemptions on various goods. Earlier, GST was applicable on specified goods when they were put up in a unit container and were bearing a registered brand name or were bearing brand name in respect of which an actionable claim or enforceable right in a court of law was available. However, with effect from 18th July 2022, the exemption has been withdrawn on supply of such goods which are required to be "pre-packaged and labelled" in accordance with Legal Metrology Act, 2009.
- (c) [Notification No. 03/2017-CT\(R\) dt. 28.06.2017](#) has been amended vide [Notification No. 08/2022-CT\(R\)-dt. 13.07.2022](#) to increase the rate of tax to 6% from 2.5% applicable formerly on supplies to exploration and production notified under section 11(1) of the CGST Act, 2017.
- (d) [Notification No. 5/2017-CT\(R\) dt. 28.06.2017](#) has been amended vide [Notification No. 09/2022-CT\(R\) dt. 13.07.2022](#) to notify a few additional items like certain oils, vegetable fats, coal, lignite, peat, etc. in respect of which no refund of unutilised input tax credit shall be allowed, where the credit has accumulated on account of rate of tax on inputs being higher than the rate of tax on the output supplies of such goods (other than nil rated or fully exempt supplies).
- (e) [Notification No. 02/2022-CT\(R\) dt. 31.03.2022](#) has been amended vide [Notification No. 10/2022-CT\(R\) dt. 13.07.2022](#) to remove the condition of having 90% fly ash

content in supply of fly ash bricks and fly ash aggregates in order to avail concessional rate of GST.

- (f) [Notification No. 45/2017-CT\(R\) dt. 14.11.2017](#), which provided for concessional GST rate of 2.5% on scientific and technical equipment supplied to public funded research institutions has been rescinded vide [Notification No. 11/2022-CT\(R\) dt. 13.07.2022](#).

The text of the above-mentioned notifications may be referred to for complete details.

Circulars

3. [Circular No. 177/09/2022-TRU dt. 03.08.2022](#) has been issued to clarify on following issues:
- a) Rate of GST applicable on supply of ice-cream by ice-cream parlours during the period from 01.07.2017 to 05.10.2021
 - b) Applicability of GST on application fee charged for entrance or the fee charged for issuance of eligibility certificate for admission or for issuance of migration certificate by educational institutions
 - c) Whether storage or warehousing of cotton in baled or ginned form is covered under entry 24B of *Notification No. 12/2017-CT(R)* which exempted services by way of storage and warehousing of raw vegetable fibres such as cotton before 18.07.2022?
 - d) Whether exemption under Sl. No. 9B of *Notification No. 12/2017-CT(R) dt. 28.06.2017* covers services associated with transit cargo both to and from Nepal and Bhutan?
 - e) Applicability of GST on sanitation and conservancy services supplied to Army and other Central and State Government departments
 - f) Whether the activity of selling of space for advertisement in souvenirs published in the form of books by different institutions/organizations like educational institutions, social, cultural and religious organizations including clubs etc., is eligible for concessional rate of 5%?
 - g) Taxability and applicable rate of GST on transport of minerals from mining pit head to railway siding, beneficiation plant etc., by vehicles deployed with driver for a specific duration of time
 - h) Whether location charges or preferential location charges (PLC) collected in addition to the lease premium for long term lease of land constitute part of the lease premium or of upfront amount charged for long term lease of land and are eligible for the same tax treatment?
 - i) Applicability of GST on payment of honorarium to the Guest Anchor
 - j) Whether the additional toll fees collected in the form of higher toll charges from vehicles not having Fastag is exempt from GST under entry 23 of notification No.12/2017-Central Tax (Rate) dated 28th June, 2017?
 - k) Applicability of GST on services in form of Assisted Reproductive Technology (ART)/ In vitro fertilization (IVF)
 - l) Whether sale of land after levelling, laying down of drainage lines etc., is taxable under GST?

- m) When services are provided by a non-body corporate to a body corporate by way of renting of any motor vehicle for transport of passengers, whether RCM is applicable on service of transportation of passengers (Heading 9964) or on renting of motor vehicle designed to carry passengers (Heading 9966)?
 - n) Whether hiring of vehicles by firms for transportation of their employees to and from work is exempt under Sr. No. 15(b) of *Notification No. 12/2017-CT(R)* transport of passengers by non-air conditioned contract carriage?
 - o) Whether supply of service of construction, supply, installation and commissioning of dairy plant on turn-key basis constitutes a composite supply of works contract service and is eligible for concessional rate of GST prior to 18.07.2022?
 - p) Applicability of GST on tickets of private ferry used for passenger transportation
4. [Circular No. 178/10/2022-GST dt. 03.08.2022](#) has been issued to clarify on following issues:
- a) Liquidated damages
 - b) Compensation for cancellation of coal blocks
 - c) Cheque dishonor fine/ penalty
 - d) Penalty imposed for violation of laws
 - e) Forfeiture of salary or payment of bond amount in the event of the employee leaving the employment before the minimum agreed period
 - f) Compensation for not collecting toll charges during the period 08.11.2016 to 01.12.2016
 - g) Late payment surcharge or fee
 - h) Fixed Capacity charges for Power
 - i) Cancellation charges
5. [Circular No. 179/11/2022-GST dt. 03.08.2022](#) has been issued to clarify following issues regarding GST rates & classification (goods):
- a) Electric vehicles whether or not fitted with a battery pack attract GST rate of 5%
 - b) Stones otherwise covered in S. No. 123 of Schedule-I (such as Napa stones), which are not mirror polished, are eligible for concessional rate under said entry
 - c) Mangoes under CTH 0804 including mango pulp, but other than fresh mangoes and sliced, dried mangoes shall attract GST at 12% rate
 - d) Treated sewage water attracts Nil rate of GST
 - e) Nicotine Polacrilex Gum attracts a GST rate of 18%
 - f) Fly ash bricks and aggregate - condition of 90% fly ash content applied only to fly ash aggregate, and not fly ash bricks
 - g) Applicability of GST on by-products of milling of Dal/ Pulses such as Chilka, Khanda and Churi

CUSTOMS

Notifications

1. Passenger Name Record Information Regulations, 2022

In order to enhance detection for combating offences related to smuggling of contraband such as narcotics, psychotropic substances, gold, arms & ammunition etc. that directly impact national security, CBIC has issued Passenger Name Record Information Regulations, 2022.

These regulations require every aircraft operator to mandatorily provide details of all international passengers on flights to the designated Customs systems by push method using PNRGOV EDIFACT message format. The aircraft operators shall transfer passenger name record information not later than twenty four hours before the departure time or at the departure time - wheels off. Such information shall be subject to the strict information privacy and protection in accordance with the provisions of any law for the time being in force. Further, such information shall be retained for a maximum period of five years from the date of such receipt. Moreover, a penalty between Rs.25000 and Rs.50,000 can be imposed on the aircraft operator or his authorised agent for non-compliance with the regulations.

[Notification No. 67/2022 Customs \(N.T.\) dt. 08.08.2022](#)

Circulars

2. Extension of Customs clearances beyond normal working hours in Inland Container Depot(s)

The Board has advised all the Pr. Chief / Chief Commissioners, having jurisdictions over Inland Container Depots (ICDs) to consider having the ICDs within their jurisdictions designated with extended facility of Customs clearance beyond normal working hours in any of the following ways, namely :-

- (a) The facility of Customs clearance may be made available on a 24x7 basis, similar to the current Board guidelines for Sea Ports and Air Cargos/Airports;
- (b) The facility of Customs clearance may be extended on all seven (7) days of the week (including holidays), with stipulated timings (say from 9 :30 AM to 6 :00 PM);
- (c) The facility of Customs clearance may be extended beyond normal working hours for specified days in a week and with specified timings.

[Circular No.11/2022-Customs dt. 29.07.2022](#)