



GST –RECENT GST RATE AMENDMENTS [17.07.2022]

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OVERVIEW



**Amendments w.r.t GST
rate of services**



**GST Rate Amendments
w.r.t. supply of goods**



**Refund of accumulated
unutilised ITC on supply
of edible oils and coal
not available**



Other Amendments

LINK FOR
AMENDMENTS

**Change in GST Rate for
Rate Rationalization**

- Notification 3/2022-CT(Rate)

**Withdrawal of various
exemptions of supply of
services**

- Notification 4/2022-CT(Rate)

**GST Rate Amendments
w.r.t. supply of goods**

- Notification 6/2022-CT(Rate)
and Notification 7/2022-
CT(Rate)

**Refund of accumulated
unutilised ITC on supply
of edible oils and coal
not available**

- Notification 9/2022-CT(Rate)



GST RATE – KEY HIGHLIGHTS

Applicable from 18th
July 2022

Rate Rationalization to
remove inverted duty
structure

Some of the Exemption
w.r.t supply of services
withdrawn



1. KEY AMENDMENTS W.R.T GST RATE OF SERVICES

GST RATE – SERVICES – OVERVIEW

CGST

- Notification No. 03/2022-
Central Tax (Rate)
- Notification No. 04/2022-
Central Tax (Rate)
- Notification No. 05/2022-
Central Tax (Rate)

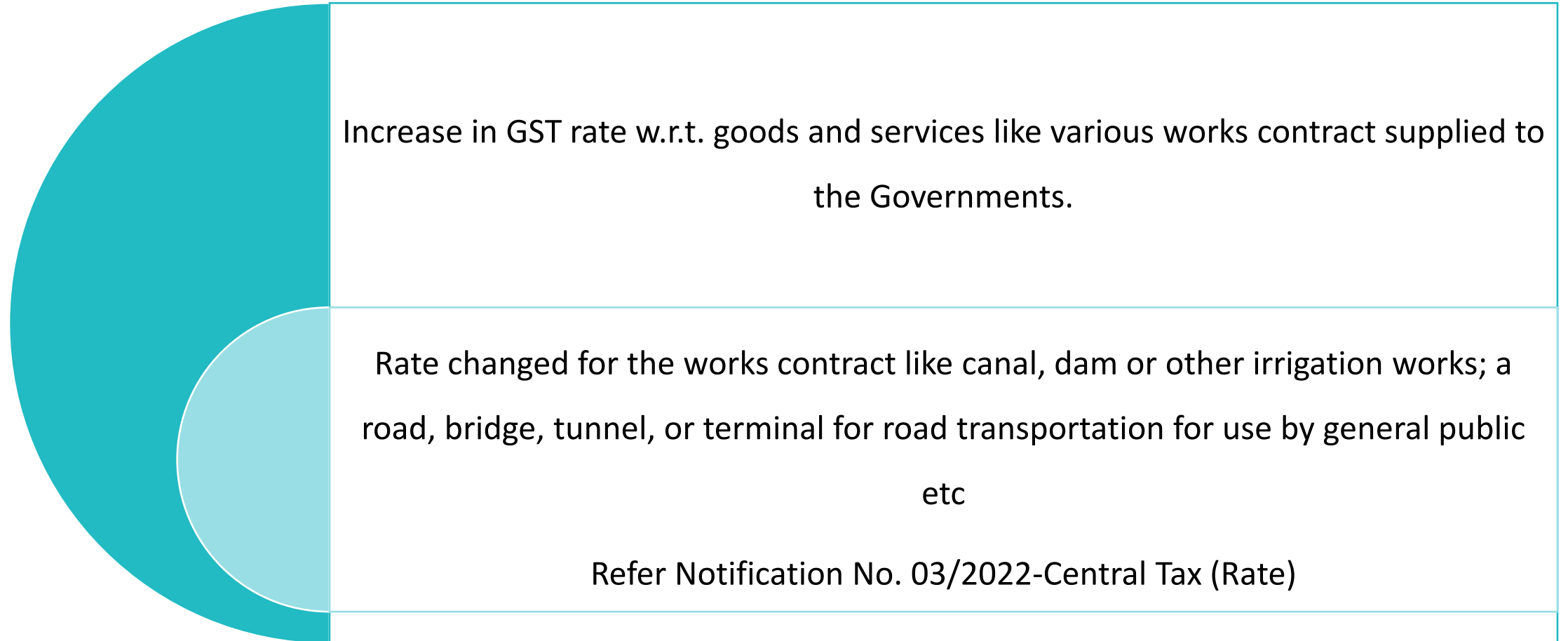
IGST

- Notification No. 03/2022-
Integrated Tax (Rate)
- Notification No. 04/2022-
Integrated Tax (Rate)
- Notification No. 05/2022-
Integrated Tax (Rate)

UTGST

- Notification No. 03/2022-
Union Territory Tax (Rate)
- Notification No. 04/2022-
Union Territory Tax (Rate)
- Notification No. 05/2022-
Union Territory Tax (Rate)

GST Rate – Government Contract

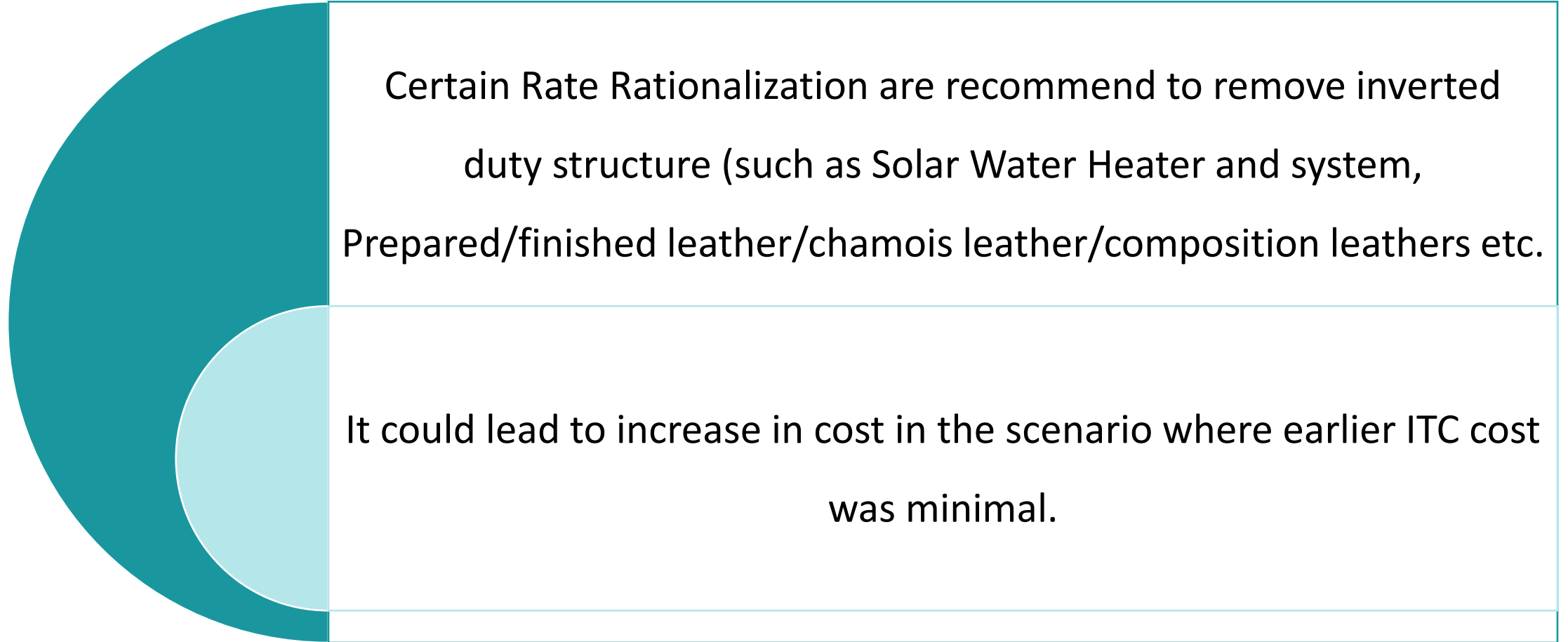


1.1 GST Rate – Government Contract

Key Highlights

- Revisit the contract and terms of contract based on revised GST rate
- Government Contracts are mostly inclusive of all taxes. Thus, it could lead to increase in cost to the works contractor.
- In case of continuous supply of works contract GST rate will be applicable as per section 14 of the CGST Act

1.1 GST Rate – Government Contract - Key Highlights



1.2 GST Rate – Renting of Residential Dwelling.

Notification No.
04/2022-Central
Tax (Rate)

- Withdrawal of certain exemption

Amendment
made in Sr.
No.12

- *Services by way of renting of residential dwelling for use as residence except where the residential dwelling is rented to a registered person*

1.2 GST Rate – Renting of Residential Dwelling.

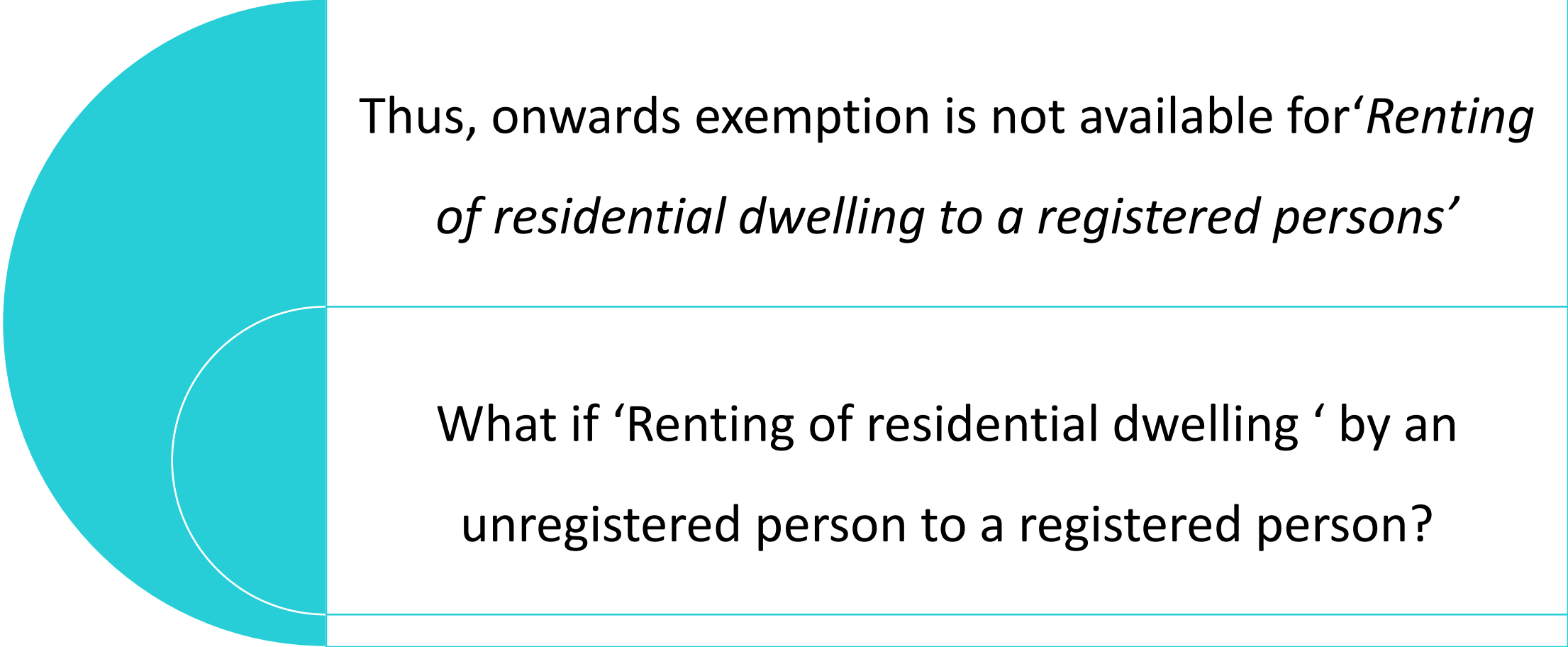
Notification No.
05/2022-CT (R)

- Inserted under Notification No. 12/2017-CT (R)

Amendment
made in Sr.
No.12

- *Service by way of renting of residential dwelling to a registered person*
- *Supplier of Service-Any person*
- *Recipient of Service-Any registered person.*

1.2 GST Rate – Renting of Residential Dwelling



Thus, onwards exemption is not available for *'Renting of residential dwelling to a registered persons'*

What if *'Renting of residential dwelling '* by an unregistered person to a registered person?

1.2 GST Rate – Renting of Residential Dwelling –Key Highlights

Supplier	Recipient	Purpose	Taxability
RP	RP	Residence	?
RP	URP	Residence	?
URP	URP	Residence	?
URP	RP	Residence	?
RP	RP	Other	?
RP	URP	Other	?
URP	URP	Other	?
URP	RP	Other	?

1.4 GST Rate – GTA

9	Heading 9965 (Goods transport services)	(iii) Services of Goods Transport Agency (GTA) in relation to transportation of goods (including used house hold goods for personal use) supplied by a GTA where,-		
		(a) GTA does not exercise the option to itself pay GST on the services supplied by it;	2.5	The credit of input tax charged on goods and services used in supplying the service has not been taken. Please refer to Explanation no. (iv)]
		(b) GTA exercises the option to itself pay GST on services supplied by it.	2.5 or 6	(1) In respect of supplies on which GTA pays tax at the rate of 2.5%, GTA shall not take credit of input tax charged on goods and services used in supplying the service. Please refer to Explanation no. (iv)] (2) The option by GTA to itself pay GST on the services supplied by it during a Financial Year shall be exercised by making a declaration in Annexure V on or before the 15th March of the preceding Financial Year: Provided that the option for the Financial Year 2022-2023 shall be exercised on or before the 16th August, 2022: Provided further that invoice for supply of the service charging Central tax at the rates as applicable to clause (b) may be issued during the period from the 18th July,2022 to 16th August, 2022 before exercising the option for the financial year 2022-2023 but in such a case the supplier shall exercise the option to pay GST on its supplies on or before the 16th August,2022.”;

1.4 GST Rate – GTA

Option to GTA to opt either for 5% (without ITC) or 12% (with ITC) under Forward charge

RCM can be opted if GTA has not opted to pay under forward charge

The option to continue under RCM @ 5% rate will also continue.

Option is required to be opted at the beginning of the FY.

Option for the FY 2022-2023 is to be exercised on or before the 16.08.2022:

1.3 GST Rate – Other Rate Changes

Link for GST rate Change w.r.t services

1. [GST Rate Amendments w.r.t. Rate Rationalization](#)
2. [GST Rate Amendments w.r.t. withdrawal of various exemptions of supply of services](#)



2. Key Amendments w.r.t. GST rate of Supply of Goods

2.1 GST Rate –Goods– Overview

CGST

- Notification No. 06/2022-
Central Tax (Rate)
- Notification No. 07/2022-
Central Tax (Rate)

IGST

- Notification No. 06/2022-
Integrated Tax (Rate)
- Notification No. 07/2022-
Integrated Tax (Rate)

UTGST

- Notification No. 06/2022-
Union Territory Tax (Rate)
- Notification No. 07/2022-
Union Territory Tax (Rate)

2.2 GST Rate – PRE PACKAGES AND LABELLED

Definition

- The expression 'pre-packaged and labelled' means a 'pre-packaged commodity' as defined in clause (l) of section 2 of the Legal Metrology Act, 2009 (1 of 2010) where, the package in which the commodity is pre-packed or a label securely affixed thereto is required to bear the declarations under the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the rules made thereunder.'

2.2 GST Rate – PRE PACKAGES AND LABELLED

Definition

- pre-packaged commodity” as per Legal Metrology Act, 2009 means a commodity which without the purchaser being present is placed in a package of whatever nature, whether sealed or not, so that the product contained therein has a pre-determined quantity.

2.2 GST Rate – PRE PACKAGES AND LABELLED

Section 2(l) of
The Legal
Metrology Act,
2009

- pre-packaged commodity” as per Legal Metrology Act, 2009 means a commodity which without the purchaser being present is placed in a package of whatever nature, whether sealed or not, so that the product contained therein has a pre-determined quantity.

2.3 GST Rate – PRE PACKAGES AND LABELLED

Rule 4- The Legal
Metrology
(Packaged
Commodities)
Rules, 2011

- On and from the commencement of these rules, no person shall pre-pack or cause or permit to be pre packed any commodity for sale, distribution or delivery unless the package in which the commodity is pre-packed bears thereon, or a label is securely affixed thereto, such declarations as are required to be made under these rules

2.4 GST Rate – Amendments

Link for GST rate Change w.r.t Goods

1. GST Rate Amendments w.r.t. supply of goods



3. Refund of accumulated unutilised ITC on supply of edible oils and coal not available

3.1 Refund of accumulated unutilised ITC –Overview

CGST	IGST	UTGST
<ul style="list-style-type: none">Notification No. <p>09/2022-Central</p> <p>Tax (Rate)</p>	<ul style="list-style-type: none">Notification No. <p>09/2022-Integrated</p> <p>Tax (Rate)</p>	<ul style="list-style-type: none">Notification No. <p>09/2022-Union</p> <p>Territory Tax (Rate)</p>

3.2 Refund of accumulated unutilised ITC – Amendments

Link for GST rate Change w.r.t Refund

1. No refund of accumulated unutilised ITC on supply of edible oils and coal



4. Other Amendments

4.1 Other Amendments w.r.t. GST Rate -Petroleum

Notification No. 08/2022-Central Tax (Rate)

Notification No. 08/2022-Integrated Tax (Rate)

Notification No. 08/2022-Union Territory Tax (Rate)

- Notify rationalised from 5% to 12% for goods supplied for Petroleum/
Coal bed methane operations w.e.f. 18.07.2022

4.1 Other Amendments w.r.t. GST Rate - Petroleum

No.	Chapter	Description of Goods	Rate	Condition No.
(1)	(2)	(3)	(4)	(5)
1.	Any Chapter	<p>Goods specified in the List annexed to this Table required in connection with:</p> <p>(1) Petroleum operations undertaken under petroleum exploration licenses or mining leases, granted by the Government of India or any State Government to the Oil and Natural Gas Corporation or Oil India Limited on nomination basis, or</p> <p>(2) Petroleum operations undertaken under specified contracts, or</p> <p>(3) Petroleum operations undertaken under specified contracts under the New Exploration Licensing Policy, or</p> <p>(4) Petroleum operations undertaken under specified contracts under the Marginal Field Policy (MFP), or</p> <p>(5) Coal bed methane operations undertaken under specified contracts under the Coal Bed Methane Policy.</p> <p>(6) Petroleum operations or coal bed methane operations undertaken under specified contracts under the Hydrocarbon Exploration Licensing Policy (HELP) or Open Acreage Licensing Policy (OALP)</p>	6%	1.

4.2 Other Amendments w.r.t. GST Rate - Scientific and technical equipments

Notification No. 11/2022-Central Tax (Rate)

Notification No. 11/2022-Integrated Tax (Rate)

Notification No. 11/2022-Union Territory Tax (Rate)

- Change the concessional GST rate of 5% on scientific and technical equipment's to rate applicable on such scientific and technical equipments w.e.f. 18.07.2022



4. Way forward

Way Forward

Revisit whether any change in GST rate related to supply engaged in

Apply revised rate from 18.07.2022

Refer Section 14 of the CGST Act for transition

Representations is recommended for any difficulty during implementation



THANK YOU



Firm

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