



GST ALERT XLI

Sub: GST Refund on Supply as “Deemed Exports”

The Government of India have issued notification no 47 & 48 in the captioned matter.

Briefly, Notification No.47 notifies following supplies which will be treated as “Deemed Exports”

Table

| Sr. No. | Description of supply |
|----------------|--|
| (1) | (2) |
| 1. | Supply of goods by a registered person against Advance Authorization |
| 2. | Supply of capital goods by a registered person against Export Promotion Capital Goods Authorization |
| 3. | Supply of goods by a registered person to Export Oriented Unit |
| 4. | Supply of gold by a bank or Public-Sector Undertaking specified in the notification No. 50/2017-Customs, dated the 30 th June, 2017 (as amended) against Advance Authorization. |

Vide Notification No. 47, the Govt. have clarified that claim of refund pertaining to “Deemed Exports” can be filed by:

- (a) The recipient of deemed export supplies; or
- (b) The supplier of deemed export supplies in cases where the recipient does not avail of input tax credit on such supplies and furnishes an undertaking to the effect that the supplier may claim the refund.

For your ready reference, aforesaid Notification NO.48 & 47 are appended hereunder.

Flash News

Due dates for GST returns have been extended as under:

| <u>Form No.</u> | <u>Extended due date</u> |
|------------------------|---------------------------------|
| TRAN – 1 | 30 th November, 2017 |
| GSTR - 2 for July'17 | 30 th November, 2017 |
| GSTR – 3 for July'17 | 11 th December, 2017 |

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For any queries email at consult@dnvca.com

Date: 31st October, 2017

[TO BE PUBLISHED IN PART II, SECTION 3, SUB-SECTION (i) OF THE
GAZETTE OF INDIA, EXTRAORDINARY]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
Department of Revenue
CENTRAL BOARD OF EXCISE AND CUSTOMS

Notification No. 48/2017-Central Tax

New Delhi, the 18th October, 2017

G.S.R. (E).- In exercise of the powers conferred by section 147 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby notifies the supplies of goods listed in column (2) of the Table below as deemed exports, namely:-

Table

| S.No. | Description of supply |
|-------|--|
| (1) | (2) |
| 1. | Supply of goods by a registered person against Advance Authorisation |
| 2. | Supply of capital goods by a registered person against Export Promotion Capital Goods Authorisation |
| 3. | Supply of goods by a registered person to Export Oriented Unit |
| 4. | Supply of gold by a bank or Public Sector Undertaking specified in the notification No. 50/2017-Customs, dated the 30 th June, 2017 (as amended) against Advance Authorisation. |

Explanation -

For the purposes of this notification, -

1. "Advance Authorisation" means an authorisation issued by the Director General of Foreign Trade under Chapter 4 of the Foreign Trade Policy 2015-20 for import or domestic procurement of inputs on pre-import basis for physical exports.
2. Export Promotion Capital Goods Authorisation means an authorisation issued by the Director General of Foreign Trade under Chapter 5 of the Foreign Trade Policy 2015-20 for import of capital goods for physical exports.
3. "Export Oriented Unit" means an Export Oriented Unit or Electronic Hardware Technology Park Unit or Software Technology Park Unit or Bio-Technology Park Unit approved in accordance with the provisions of Chapter 6 of the Foreign Trade Policy 2015-20.

[F.No. 349/58/2017-GST(Pt)]

(Gunjan Kumar Verma)
Under Secretary to the Government of India

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|-----|-----|----|
| | | | | | | | | | any | any | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | | | | | | | .. |

(b) for "Statement-4", the following Statement shall be substituted, namely:-

"Statement-4 [rule 89(2)(d) and 89(2)(e)]

Refund Type: On account of supplies made to SEZ unit or SEZ Developer (on payment of tax)

(Amount in Rs.)

| GSTIN of recipient | Invoice details | | | Shipping bill/ Bill of export/ Endorsed invoice by SEZ. | | Integrated Tax | | Cess | Integrated tax and cess involved in debit note, if any | Integrated tax and cess involved in credit note, if any | Net Integrated tax and cess (8+9+10-11) |
|--------------------|-----------------|------|-------|---|------|----------------|------|------|--|---|---|
| | No. | Date | Value | No. | Date | Taxable Value | Amt. | | | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| | | | | | | | | | | | .. |

[F. No. 349/58/2017-GST(Pt.)]

(Gunjan Kumar Verma)
Under Secretary to the Government of India

Note:- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) vide notification No. 3/2017-Central Tax, dated the 19th June, 2017, published vide number G.S.R 610 (E), dated the 19th June, 2017 and last amended vide notification No. 45/2017-Central Tax, dated the 13th October, 2017, published vide number G.S.R 1251 (E), dated the 13th October, 2017.