



Government of India
Ministry of Finance, Revenue Department
Office of the Principal Commissioner GST, GST Bhavan
P.O. Box No. 81, Telangkhedi Road, Civil Lines,
Nagpur- 440001



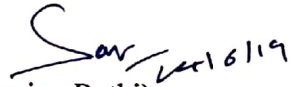
TRADE NOTICE NO. 03/2019

Dated: 24/06/2019

Subject: Advisory for Bill of Supply issued by composition taxable - reg.

The Joint Commissioner (GST), CBIC, GST Policy Wing, New Delhi has issued advisory for Bill of supply issued by composition taxable person vide F No. 356/6/2013-TRU(GST)Pt.II(Vol.I)/3514 dated 17.06.2019, which is hereby circulated for guidance and implementation.

All the office bearers of the Trade Associations are requested to bring the contents of this trade notice to their members/ constituents in particular and trade, public in general.

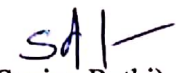

(Sanjay Rathi)
Commissioner

F.No. IV(16)30-05/GST Cell/NGP-1/2017 4000

Nagpur, Dated 24.06.2019

Copy to:

1. Chief Commissioner, CGST & CEX, Nagpur.
2. Commissioner (Appeals), CGST & CEX, Nagpur
- ✓ 3. Assistant Commissioner (Systems), CGST & CEX, Nagpur-1 to upload the same on the website.
4. Dy/Assistant Commissioner, CGST & CEX, Division- City / Hingna / Bhandara / Chandrapur , Nagpur-1.
5. Superintendent, Range- I / II / III / IV / V Division- City, Nagpur-1.
6. Superintendent, Range- Butibori- I / Butibori-II / Hingna / Umrer / Wardha , Division- Hingna, Nagpur-1.
7. Superintendent, Range- Bhandara / Tumsar / Sakoli / Gondia / Deori, Division- Bhandara, Nagpur-1.
8. Superintendent, Range- Chandrapur / Warora / Mul / Ballarpur / Gadchiroli, Division- Chandrapur, Nagpur-1.


(Sanjay Rathi)
Commissioner

Office of the Chief Commissioner of GST & Central Excise,
मुख्य आयुक्त, केन्द्रीय माल एवं सेवा कर तथा उत्पादन शुल्क का कार्यालय
GST Bhavan, Telangkhedi Road, Civil Lines, Nagpur -440001.

जी.एस.टी. भवन, तेलंगखेडी रोड, सिविल लाइंस, नागपूर-४४०००१.

Ph. No: (0712) 2560892, 2560283, 2564292, 2560725, 2564926

Fax No: (0712) 2565068, 2560152

Email id : cccexnag@gmail.com

C.No.IV(16)30-57/GST/2018/

Nagpur, Dtd.18.06.2019.

To,

The Commissioner,
GST & Central Excise,
Nagpur-I/ Nagpur-II/
Nashik/Aurangabad.

Sir,

Sub : Advisory for Bill of Supply issued by composition taxable person – Reg.

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Please find enclosed herewith a copy of letter F.No.356/6/2013-TRU (GST) Pt.II(Vol.I)/3514 Dtd.17.06.2019 received from the Joint Commissioner (GST), GST Policy Wing, CBIC, New Delhi on the above mentioned subject.

2. The Joint Commissioner (GST) has forwarded draft Advisory prepared on the issue regarding duping of consumers by dealers registered under composition scheme by charging GST which they are not eligible to collect on the supplies made. The Joint Commissioner (GST) has requested to give vide publicity to make the composition taxpayers and consumers aware about the correct legal provision.

3. It is requested that vide publicity may be given through Trade Notice/ Public Notice in Hindi or Regional language or both.

Encls : As above

Yours faithfully,



(Mukul S. Patil)
Joint Commissioner (CCO),
Nagpur Zone.

F. No. 356/6/2013-TRU(GST)Pt. II(Vol.I)

Government of India

Ministry of Finance

Department of Revenue

CBIC, GST (Policy Wing)

Room No. 159-A,

North Block, New Delhi

Date: 17th June, 2019

To

The Principal Chief Commissioners/Chief Commissioners/Principal Commissioners/Commissioners of Central Tax (All)

The Principal Director Generals/ Director Generals (All)

Madam/Sir

Subject: - Advisory for Bill of Supply issued by composition taxable person – reg.

Representations have been received that the GST is being charged by dealers registered under composition scheme and consumers who are not aware of the fact are being duped. The matter has been examined and it has been decided that, to ensure wide publicity of the provisions relating to the said scheme, an advisory may be issued.

2. As you are aware that sub rule (f) of rule 5 of CGST Rules, 2017 provides that the taxable person who has opted to pay tax under section 10 of CGST Act, 2017 shall mention the words "composition taxable person, not eligible to collect tax on supplies" at the top of the bill of supply issued by him. Further sub rule (g) of the said Rules regimes that such taxable person shall mention the words "composition taxable person" on every notice or signboard displayed at a prominent place at his principal place of business and at every additional place or places of business.

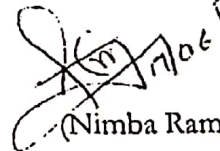
4. It appears that inspite of specific provisions in the law, some composition taxable persons are not following the same and may be charging GST from consumers which is not legal. Such taxpayers as well as the consumers need to be made aware about these legal provisions.

5. A draft Advisory prepared on the issue is enclosed herewith. In order to give vide publicity, the same may be issued through Trade Notice/Public Notice (in Hindi or Regional Language or both as case may be) to make the composition taxpayers and consumers aware about the correct legal provision.

This issues with the approval of Member (GST).

Encl. as above.

Yours faithfully

 17/06/2019

(Nimba Ram)

Joint Commissioner (GST)

Advisory for Bill of Supply issued by composition taxable person

Rule 5 of CGST Rules, 2017 provides conditions and restrictions for a taxable person exercise the option to pay tax under Section 10 of CGST Act, 2017 i.e. composition levy. Sub-rule 5(f) and 5(g) of said rule provides that:

- (f) he shall mention the words “composition taxable person, not eligible to collect tax on supplies” at the top of the bill of supply issued by him; and
- (g) he shall mention the words “composition taxable person” on every notice or signboard displayed at a prominent place at his principal place of business and at every additional place or places of business.

2. Therefore, it is advised that the composition taxable person should print “**COMPOSITION TAXABLE PERSON, NOT ELIGIBLE TO COLLECT TAX ON SUPPLIES**”(in bold and capital letters) on each and every bill of supply they issue and they should also mention “**COMPOSITION TAXABLE PERSON**”(in bold and capital letters) on every notice or signboard displayed at a prominent place at their principal place of business and at every additional place or places of business.

3. If composition taxable person fails to comply with the conditions as mentioned in rule 5 of CGST Rules, the proper officer may initiate appropriate action against such persons under GST Law. It may be noted that contravention of any provision of CGST Act, 2017 or rules made thereunder attract penalty, fine or prosecution as the case may be.