NOTIFICATION
No. 54/ State Tax

No. F-10-55/2018/CT/V (95).—In exercise of the powers conferred by section 164 of the Chhattisgarh Goods and Services Tax Act, 2017 (7 of 2017), the State Government hereby makes the following rules further to amend the Chhattisgarh Goods and Services Tax Rules, 2017, namely:-

1. (1) These rules may be called the Chhattisgarh Goods and Services Tax (Twelfth Amendment) Rules, 2018.

(2) They shall deemed to have come into force from 9th October, 2018.

2. In the Chhattisgarh Goods and Services Tax Rules, 2017 (hereinafter referred to as the said rules), in rule 89, for sub-rule (4B), the following sub-rule shall be substituted, namely:-

"(4B) Where the person claiming refund of unutilised input tax credit on account of zero rated supplies without payment of tax has—

(a) received supplies on which the supplier has availed the benefit of the State Government, Commercial Tax Department, notification No. 40/2017-State Tax (Rate), F-10-94/2017/CT/V(173), dated the 15th November, 2017 published in the Gazette (Extraordinary) of Chhattisgarh, No. 506, dated the 21st November, 2017 or notification No. 41/2017-Integrated Tax (Rate), dated the 23rd October, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1321(E), dated the 23rd October, 2017; or

(b) availed the benefit of notification No. 78/2017-Customs, dated the 13th October, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1272(E), dated the 13th October, 2017 or notification No. 79/2017-Customs, dated the 13th October, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1299(E), dated the 13th October, 2017,

the refund of input tax credit, availed in respect of inputs received under the said notifications for export of goods and the input tax credit availed in respect of other inputs or input services to the extent used in making such export of goods, shall be granted.”.

3. In the said rules, in rule 96, for sub-rule (10), the following sub-rule shall be substituted, namely:-

"(10) The persons claiming refund of integrated tax paid on exports of goods or services should not have—

(a) received supplies on which the benefit of the State Government, in the Commercial Tax Department, notification No. 48/2017-State Tax, F-10-87/2017/CT/V(153), dated the 18th October, 2017 published in the Gazette (Extraordinary) of Chhattisgarh, No. 468, dated the 28th October, 2017, except so far it relates to receipt of capital goods by such person against Export Promotion Capital Goods Scheme or State Government, in the Commercial Tax Department, notification No. 49/2017-State Tax (Rate), F-10-94/2017/CT/V(173), dated the 15th November, 2017 published in the Gazette (Extraordinary) of Chhattisgarh, No. 506, dated
the 21st November, 2017 or notification No. 41/2017-Integrated Tax (Rate), dated the 23rd October, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), vide number G.S.R 1321 (E), dated the 23rd October, 2017 has been availed; or

(b) availed the benefit under notification No. 78/2017-Customs, dated the 13th October, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1272(E), dated the 13th October, 2017 or notification No. 79/2017-Customs, dated the 13th October, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1299 (E), dated the 13th October, 2017 except so far it relates to receipt of capital goods by such person against Export Promotion Capital Goods Scheme.”.

By order and in the name of the Governor of Chhattisgarh,
SANGEETHA P., Special Secretary.