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LEGISLATIVE SUPPLEMENT

	Contents	<i>Pages</i>
Part - I	Acts <i>Nil</i>	
Part - II	Ordinances <i>Nil</i>	
Part - III	Delegated Legislation Notification No. S.O.28/P.A.5/2017/S.172/ 2019, dated the 22nd March, 2019, containing the Punjab Goods and Services Tax (Removal of Difficulties) Order, 2019.	.. 159-160
Part - IV	Correction Slips, Republications and Replacements <i>Nil</i>	

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF EXCISE AND TAXATION
(EXCISE AND TAXATION-II BRANCH)

ORDER

The 22nd March, 2019

No. S.O.28/P.A.5/2017/S.172/2019.-WHEREAS, sub-section (1) of section 10 of the Punjab Goods and Services Tax Act, 2017 (Punjab Act No.5 of 2017) (hereafter in this Order referred to as the said Act) provides that-

(i) a registered person engaged in the supply of services, other than supply of service referred to in clause (b) of paragraph 6 of Schedule II to the said Act, may opt for the scheme under the said sub-section;

(ii) a person who opts for the said scheme may supply services (other than those referred to in clause (b) of paragraph 6 of Schedule II to the said Act), of value not exceeding ten per cent of turnover in a State or Union territory in the preceding financial year or five lakh rupees, whichever is higher;

AND WHEREAS, clause (a) of sub-section (2) of section 10 of the said Act provides that the registered person shall be eligible to opt under sub-section (1), if, save as otherwise provided in sub-section(1), he is not engaged in the supply of services;

AND WHEREAS, rendering of services as part of the savings and investment practice of business, by way of extending deposits, loans or advances, in so far as the consideration is represented by way of interest or discount, is resulting in their ineligibility for the aforesaid scheme, causing hardships to a lot of small businesses and because of that, certain difficulties have arisen in giving effect to the provisions of section 10;

NOW, THEREFORE, in exercise of the powers conferred by section 172 of the Punjab Goods and Services Tax Act, 2017 and in supersession of the Punjab Goods and Services Tax (Removal of Difficulties) Order, 2018 published vide No.S.O. 02/P.A.5/2017/S.172/2018, dated the 10th January, 2018, published in the Punjab Government Gazette, (Extraordinary), Part-III, dated the 17th January, 2017, except as respects things done or omitted to be done before such supersession, and all other powers enabling him in this behalf, the Governor of Punjab, on recommendations of the Council, is pleased to make the following Order, namely: —

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1. (1) Short title. —This Order may be called the Punjab Goods and Services Tax (Removal of Difficulties) Order, 2019.
(2) This order shall be deemed to have come into force on and with effect from the 1st day of the February, 2019.
 2. For the removal of difficulties.-it is hereby clarified that the value of supply of exempt services by way of extending deposits, loans or advances in so far as the consideration is represented by way of interest or discount, shall not be taken into account-
 - (i) for determining the eligibility for composition scheme under second proviso to sub-section (1) of section 10;
 - (ii) in computing aggregate turnover in order to determine eligibility for composition scheme.

M.P. SINGH,
Additional Chief Secretary-cum-
Financial Commissioner (Taxation)
to Government of Punjab,
Department of Excise and Taxation.