GOVERNMENT OF MEGHALAYA EXCISE, REGISTRATION, TAXATION & STAMPS DEPARTMENT

NOTIFICATION

No. 31/2019 - State Tax

Dated Shillong the 28th June, 2019.

No. ERTS(T) 4/2019/279 - In exercise of the powers conferred by section 164 of the Meghalaya Goods and Services Tax Act, 2017 (Act 10 of 2017), the Government of Meghalaya hereby makes the following rules further to amend the Meghalaya Goods and Services Tax Rules, 2017, namely:-

- 1. (1) These rules may be called the Meghalaya Goods and Services Tax (Fourth Amendment) Rules, 2019.
- (2) Save as otherwise provided in these rules, they shall come into force on the date of issue by the Government.
- 2. In the Meghalaya Goods and Services Tax Rules, 2017 (hereinafter referred to as the said rules), after rule 10, the following rule shall be inserted, namely: -
- "10A. Furnishing of Bank Account Details.-After a certificate of registration in FORM GST REG-06 has been made available on the common portal and a Goods and Services Tax Identification Number has been assigned, the registered person, except those who have been granted registration under rule 12 or, as the case may be rule 16, shall as soon as may be, but not later than forty five days from the date of grant of registration or the date on which the return required under section 39 is due to be furnished, whichever is earlier, furnish information with respect to details of bank account, or any other information, as may be required on the common portal in order to comply with any other provision."
- 3. In the said rules, in rule 21, after clause (c), the following clause shall be inserted, namely:"(d) violates the provision of rule 10A.".
- 4. In the said rules, after rule 32, with effect from the 1st day of July, 2019, the following rule shall be inserted, namely: -
- "32A. Value of supply in cases where Kerala Flood Cess is applicable.- The value of supply of goods or services or both on which Kerala Flood Cess is levied under clause 14 of the Kerala Finance Bill, 2019 shall be deemed to be the value determined in terms of section 15 of the Act, but shall not include the said cess."
- 5. In the said rules, in rule 46, after the fifth proviso, with effect from a date to be notified later, the following proviso shall be inserted, namely:-
- "Provided also that the Government may, by notification, on the recommendations of the Council, and subject to such conditions and restrictions as mentioned therein, specify that the tax invoice shall have Quick Response (QR) code.".
- 6. In the said rules, in rule 49, after the third proviso, with effect from a date to be notified later, the following proviso shall be inserted, namely:-

"Provided also that the Government may, by notification, on the recommendations of the Council, and subject to such conditions and restrictions as mentioned therein, specify that the bill of supply shall have Quick Response (QR) code.".

- 7. In the said rules, in rule 66, in sub-rule (2),-
- (a) for the words, letters and figures "suppliers in Part C of FORM GSTR-2A and FORM-GSTR-4A" the word "deductees" shall be substituted;
- (b) the words "the due date of" shall be omitted;
- (c) after the words, letters and figures "**FORM GSTR-7**" the words "for claiming the amount of tax deducted in his electronic cash ledger after validation" shall be inserted.
- 8. In the said rules, rule 67, in sub-rule (2),-
- (a) the words, letters and numbers "in Part C of FORM GSTR-2A" shall be omitted;
- (b) the words "the due date of" shall be omitted;
- (c) after the words, letters and figures "FORM GSTR-8" the words "for claiming the amount of tax collected in his electronic cash ledger after validation" shall be inserted.
- 9. In the said rules, in rule 87,-
- (a) in sub-rule (2), the second proviso shall be omitted.
- (b) in sub-rule (9),-
 - (i) the words, letters and figures "in FORM GSTR-02" shall be omitted;
 - (ii) the words and figures "in accordance with the provisions of rule 87" shall be omitted.
- (c) after sub-rule (12), with effect from a date to be notified later, the following sub-rule shall be inserted, namely:-
- "(13) A registered person may, on the common portal, transfer any amount of tax, interest, penalty, fee or any other amount available in the electronic cash ledger under the Act to the electronic cash ledger for integrated tax, central tax, State tax or Union territory tax or cess in **FORM GST PMT-09**."
- 10. In the said rules, in rule 91, in sub-rule (3), with effect from a date to be notified later, at all the places where they occur, for the words "payment advice", the words "payment order" shall be substituted.
- 11. In the said rules, in rule 92, with effect from a date to be notified later,-
- (a) in sub-rule (4), at all the places where they occur, for the words "payment advice", the words "payment order" shall be substituted;
- (b) in sub-rule (4), after the words "application for refund", the words "on the basis of a consolidated payment advice" shall be inserted;
- (c) after sub-rule (4), the following sub-rule shall be inserted, namely:-
- "(4A) The Central Government shall disburse the refund based on the consolidated payment advice issued under sub-rule (4).";
- (d) in sub-rule (5), for the words "an advice", the words "a payment order" shall be substituted.

- 12. In the said rules, in rule 94, with effect from a date to be notified later, for the words "payment advice", the words "payment order" shall be substituted.
- 13. In the said rules, after rule 95, with effect from the 1st day of July,2019, the following rule shall be inserted, namely: -

"95A. Refund of taxes to the retail outlets established in departure area of an international Airport beyond immigration counters making tax free supply to an outgoing international tourist.-

- (1) Retail outlet established in departure area of an international airport, beyond the immigration counters, supplying indigenous goods to an outgoing international tourist who is leaving India shall be eligible to claim refund of tax paid by it on inward supply of such goods.
- (2) Retail outlet claiming refund of the taxes paid on his inward supplies, shall furnish the application for refund claim in **FORM GST RFD- 10B** on a monthly or quarterly basis, as the case may be, through the common portal either directly or through a Facilitation Centre notified by the Commissioner.
- (3) The self-certified compiled information of invoices issued for the supply made during the month or the quarter, as the case may be, along with concerned purchase invoice shall be submitted along with the refund application.
- (4) The refund of tax paid by the said retail outlet shall be available if-
 - (a) the inward supplies of goods were received by the said retail outlet from a registered person against a tax invoice;
 - (b) the said goods were supplied by the said retail outlet to an outgoing international tourist against foreign exchange without charging any tax;
 - (c) name and Goods and Services Tax Identification Number of the retail outlet is mentioned in the tax invoice for the inward supply; and
 - (d) such other restrictions or conditions, as may be specified, are satisfied.
- (5) The provisions of rule 92 shall, mutatis mutandis, apply for the sanction and payment of refund under this rule.

Explanation.- For the purposes of this rule, the expression "outgoing international tourist" shall mean a person not normally resident in India, who enters India for a stay of not more than six months for legitimate non-immigrant purposes.".

- 14. In the said rules, in rule 128,-
- (a) in sub-rule (1), after the words "receipt of a written application," the words "or within such extended period not exceeding a further period of one month for reasons to be recorded in writing as may be allowed by the Authority," shall be inserted;
- (b) in sub-rule (2),
 - i. after the words "All applications from interested parties on issues of local nature" the words, "or those forwarded by the Standing Committee" shall be inserted;
 - ii. after the words "the State level Screening Committee and the Screening Committee shall," the words "within two months from the date of receipt of a written application, or within such extended period not exceeding a further period of one month for reasons to be recorded in writing as may be allowed by the Authority," shall be inserted.
- 15. In the said rules, in rule 129, in sub-rule (6), for the word "three" used in the phrase "shall complete the investigation within a period of three months", the word "six" shall be substituted.
- 16. In the said rules, in rule 132, in sub-rule (1), before the words "Director General of Anti-profiteering" the word "Authority," shall be inserted.

- 17. In the said rules, in rule 133,-
- (a) in sub-rule (1), for the word "three" the word "six" shall be substituted;
- (b) after sub-rule (2), the following sub-rule shall be inserted, namely:-
- "(2A) The Authority may seek the clarification, if any, from the Director General of Anti Profiteering on the report submitted under sub-rule (6) of rule 129 during the process of determination under sub-rule (1).";
- (c) in sub-rule (3), in clause (c), after the words "fifty per cent. of the amount determined under the above clause", the words "along with interest at the rate of eighteen per cent. from the date of collection of the higher amount till the date of deposit of such amount" shall be inserted;
- (d) in sub-rule (3), in the Explanation, after the words "the expression, "concerned State" means the State", the words, "or Union Territory" shall be inserted;
- (e) after sub-rule (4), the following sub-rule shall be inserted, namely:-
- "(5) (a) Notwithstanding anything contained in sub-rule (4), where upon receipt of the report of the Director General of Anti-profiteering referred to in sub-rule (6) of rule 129, the Authority has reasons to believe that there has been contravention of the provisions of section 171 in respect of goods or services or both other than those covered in the said report, it may, for reasons to be recorded in writing, within the time limit specified in sub-rule (1), direct the Director General of Anti-profiteering to cause investigation or inquiry with regard to such other goods or services or both, in accordance with the provisions of the Act and these rules.
- (b) The investigation or enquiry under clause (a) shall be deemed to be a new investigation or enquiry and all the provisions of rule 129 shall mutatis mutandis apply to such investigation or enquiry.".
- 18. In the said rules, in rule 138, in sub-rule (10),-
- (a) in the Table, in column (3), against serial no. 1 to serial no. 4, after the words "Over Dimensional Cargo", the words "or multimodal shipment in which at least one leg involves transport by ship" shall be inserted;
- (b) after the second proviso, the following proviso shall be inserted, namely:-
- "Provided also that the validity of the e-way bill may be extended within eight hours from the time of its expiry.".
- 19. In the said rules, in rule 138E, in sub-clause (a),-
- (a) after the words "being a person paying tax under section 10" the words and figures "or availing the benefit of notification of the Government of Meghalaya, No. 02/2019– State Tax (Rate), issued vide notification No. ERTS (T) 4/2019/40, dated the 7th March, 2019, published in the Gazette of Meghalaya, Extraordinary, Part II A, *vide* number 135, dated the 19th March, 2019," shall be inserted;
- (b) for the word "returns" the words, letters and figures "statement in FORM GST CMP-08" shall be substituted;
- (c) for the words "tax periods" the word "quarters" shall be substituted.
- 20. In the said rules, in **FORM GST REG-01**, in the Table appended to "List of Documents to be uploaded", against serial no. 4, in the heading, after the words "Bank Account Related Proof", the words ", where details of such Account are furnished:" shall be inserted.

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21. In the said rules, in FORM GST REG-07, in PART-B, after entry 12, the following entry

4. Inward supplies including supplies on which tax is to be paid on reverse charge

GSTIN of supplier	Invo	oice de	tails	Rate	Taxable value		Place of supply (Name of			
	No.	Date	Value			Integrated Tax	Central Tax	State/UT Tax	CESS	State/UT)
1	2	3	4	5	6	7	8	9	10	11
4A. Inv	ward sı	applies	receive	d fro	m a regis	tered suppl	ier (other	than supplies	attractin	ng reverse
4B. Inv	ward su	ipplies	receive	d froi	m a regis	tered suppl	ier (attrac	ting reverse	charge)	
4C. Inv	ward su	ipplies	receive	d froi	m an unr	egistered su	ıpplier			
4D. Im	port of	servic	e							

5. Summary of self-assessed liability as per FORM GST CMP-08

(Net of advances, credit and debit notes and any other adjustment due to amendments etc.)

Sr.	Description	Value	Amount of tax					
No.			Integrated	Central	State/ UT	Cess		
			tax	tax	tax			
1	2	3	4	5	6	7		
1.	Outward supplies (including exempt supplies)	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>		
2.	Inward supplies attracting reverse charge including import of services	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>		
3.	Tax paid (1+2)	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>		
4.	Interest paid, if any	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>		

6. Tax rate wise details of outward supplies / inward supplies attracting reverse charge during the year

(Net of advances, credit and debit notes and any other adjustment due to amendments etc.)

Sr.	Type of supply	Rate of tax	Value		Amou	int of tax	
No	(Outward/ Inward)	(%)		Integrate	Central	State/	Cess
	iliwaiu)			d tax	tax	UT	
•						tax	
1	2	3	4	5	6	7	8
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7. TDS/TCS Credit received

	GSTIN of Deductor / e-	Gross Value		Amount
	commerce operator		Central Tax	State/UT Tax
	1	2	3	4
ſ				

8. Tax, interest, late fee payable and paid

Sr. No.	Type of tax	Tax amount payable (As per table 6)	Tax Amount already paid (Through FORM GST CMP- 08)	Balance amount of tax payable, if any (3-4)	Interest payable	Interest paid	Late fee payable	Late fee paid
1	2	3	4	5	6	7	8	9
1.	Integrated tax	<auto></auto>	<auto></auto>	<auto></auto>				
2.	Central tax	<auto></auto>	<auto></auto>	<auto></auto>				
3.	State/UT tax	<auto></auto>	<auto></auto>	<auto></auto>				
4.	Cess	<auto></auto>	<auto></auto>	<auto></auto>				

9. Refund claimed from Electronic cash ledger

Description	Tax	Interest	Penalty	Fee	Other	Debit Entry
						Nos.
1	2	3	4	5	6	7
(a) Integrated tax						
(b) Central Tax						
(c) State/UT						
Tax						
(d) Cess						
Bank Account Deta	ils (Dro	p Down)				

Verification

I hereby solemnly affirm and declare that the information given herein above is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

Signature of Authorised Signatory

Place Name of Authorised Signatory

Date Designation /Status

Instructions:-

1. Terms used:

(a) GSTIN: Goods and Services Tax Identification Number

(b) TDS: Tax Deducted at Source

(c) TCS: Tax Collected at Source

2. The details in **FORM GSTR-4**, for every financial year or part thereof, should be furnished till the thirtieth day of April following the end of such financial year.

- 3. Aggregate turnover of the taxpayer for the immediate preceding financial year would be auto-populated.
- 4. Table 4 to capture information, on a consolidated basis, related to inward supplies, rate-wise, GSTIN wise:
 - (i) Table 4A to capture inward supplies from registered supplier other than those attracting reverse charge;
 - (ii) Table 4B to capture inward supplies from registered supplier attracting reverse charge;
 - (iii) Table 4C to capture supplies from unregistered supplier;
 - (iv) Table 4D to capture import of services.
- 5. Table 5 to capture details (and adjustments thereof) of outward supplies (including exempt supplies) and inward supplies attracting reverse charge including import of services as declared earlier in **FORM GST CMP-08** during the financial year.
- 6. TDS/TCS credit received from deductor/e-commerce operator would be auto-populated in Table 7."

24. In the said rules, in **FORM GSTR-9**,-

- (a) in the Table, in serial no. 8, in column 2, in row C, for the words and figures "to September, 2018", the figures and word "2018 to March 2019" shall be substituted;
- (b) in the Table, in Pt. V, in column 2, in the heading, for the words and letters "previous FY declared in returns of April to September of current FY or upto date of filing of annual return of previous FY whichever is earlier", the letters, figures and words "FY 2017-18 declared in returns between April 2018 till March 2019" shall be substituted;
- (c) in instructions, serial no. 3 shall be omitted;
- (d) in instructions, in serial no. 4, after the sentence ending with "declared in this part.", the following words, letters and figures shall be inserted, namely:-
- "It may be noted that additional liability for the FY 2017-18 not declared in **FORM GSTR-1** and **FORM GSTR-3B** may be declared in this return. However, taxpayers cannot claim input tax credit unclaimed during FY 2017-18 through this return.";
- (e) In the instructions, in serial no. 5, in the Table, in column 2,-
 - (i) against serial no. 8A, after the words, letters and figures "corresponding suppliers in their **FORM GSTR-1.**", the following words, letters and figures shall be inserted, namely:-
 - "It may be noted that the **FORM GSTR-2A** generated as on the 1st May, 2019 shall be auto-populated in this table.";
 - (ii) against serial no. 8C, for the words "to September 2018", the figures and words "2018 to March 2019" shall be substituted;
- (f) in the instructions, in serial no. 7,-
 - (i) for the words, letters, brackets and figures "of April to September of current FY or date of filing of Annual Return for previous financial year (for example in the annual return for the FY 2017-18, the transactions declared in April to September 2018 for the FY 2017-18 shall be declared), whichever is earlier", the words and figures "between April 2018 to March 2019" shall be substituted;

- (ii) in the Table, in column 2-
 - (A) against serial no. 10 & 11, for the words "to September of the current financial year or date of filing of Annual Return for the previous financial year, whichever is earlier", the figures and words "2018 to March 2019" shall be substituted;
 - (B) against serial no. 12, for the words "to September of the current financial year or date of filing of Annual Return for the previous financial year, whichever is earlier", the figures and words "2018 to March 2019" shall be substituted;
 - (C) against serial no. 13, for the words "to September of the current financial year or date of filing of Annual Return for the previous financial year whichever is earlier", the figures and words "2018 to March 2019" shall be substituted.
- 25. In the said rules, after **FORM GST PMT –07**, with effect from a date to be notified later, the following form shall be inserted, namely:-

FORM GST PMT -09

[See rule 87(13)]

Transfer of amount from one account head to another in electronic cash ledger

1.	GSTIN	
2.	(a) Legal	<auto></auto>
	name	
	(b) Trade	<auto></auto>
	name, if any	
3.	ARN	
4.	Date of ARN	

5. Details of the amount to be transferred from one account head to another (Amount in Rs.)

Amount to be	transferre	d from	Amount to	be transferred	d to
Major head	Minor	Amount	Major	Minor	Amount
	head	available	Head	head	transferred
1	2	3	4	5	6
<central tax,<="" td=""><td>Tax</td><td></td><td><central< td=""><td>Tax</td><td></td></central<></td></central>	Tax		<central< td=""><td>Tax</td><td></td></central<>	Tax	
State/ UT	Interest		tax,	Interest	
tax,	Penalty		State /	Penalty	
Integrated	Fee		UT tax	Fee	
tax, Cess>	Others		Integrated	Others	
	Total		tax, Cess>	Total	

6. Verification

I hereby solemnly affirm and declare that the information given herein above is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

Place Signature

Name of Authorized Signatory

Date

Designation /Status

Instructions -

- 1. Major head refers to Integrated tax, Central tax, State/UT tax and Cess.
- 2. Minor head refers to $-\tan x$, interest, penalty, fee and others.

- 3. The form may be filled up if amount from one major / minor head is intended to be transferred to another major/minor head. Minor head for transfer of amount may be same or different.
- 4. The amount from one minor head can also be transferred to another minor head under the same major head.
- 5. Amount can be transferred from the head only if balance under that head is available at the time of transfer.

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- 26. In the said rules, in FORM GST RFD-05, with effect from a date to be notified later,-
 - (a) in Line 3 for the word "Advice", the word "order" shall be substituted;
 - (b) in Line 4 for the word "Advice", the word "order" shall be substituted;
 - (c) in Line 6, for the words and letters "To <Centre> PAO/ Treasury/ RBI/ Bank", the words and letters "To PAO, CBIC" shall be substituted.
- 27. In the said rules, after **FORM GST RFD 10**, with effect from the 1st day of July, 2019, the following form shall be inserted, namely:-

"

FORM GST RFD-10 B

[See rule 95A]

Application for refund by Duty Free Shops/Duty Paid Shops (Retail outlets)

- 1. GSTIN:
- 2. Name:
- 3. Address:
- 4. Tax Period (Monthly/Quarterly): From <DD/MM/YY>To <DD/MM/YY>
- 5. Amount of Refund Claim: <INR><In Words>
- 6. Details of inward supplies of goods received and corresponding outward supplies:

					Γ	DETAIL	S OF SUI	PPLIES	5					
	Inward Supplies													es
GSTI	I	nvoice	detai	lls	Ra	Taxa	Aı	nount o	f tax			Invoic	e deta	uils
N of suppl ier	No / Dat e.	HS N Co de	Qt y.	Val ue	te	ble value	Integra ted Tax	Centr al Tax	Sta te /U T Ta x	Ce ss	No . / Da te	HS N Co de	Qt y.	Taxa ble Value

7. Refu	ınd applie	d for:			
Centr	al Tax	State/UT Tax	Integrated Tax	Cess	Total
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100		(Total)	(Total)	\10tai>	Total
8. Deta	ails of Ban	k Account:			
i.	Bank A	Account Number			
ii	. Bank	Account Type			
iii	. Name	of the Bank			
iv	. Name	of the Account Holde	er/Operator		
v	. Addre	ss of Bank Branch			
vi	. IFSC				
vii	. MICR				
9.	Declarati	on:			
I	as an	authorized representa	ative of	Name of Duty	Free Shop/Duty Paid Shop
– retail	outlet) he	ereby solemnly affirm	and declare that,-		
(i)		d has not been clain		e invoices in	respect of outward supplies
(ii)	the in	_	ein above is true and	correct to the	best of my knowledge and
Date:			Signature of	of Authorized S	Signatory:
Place	:		Name:		
			Designation	on / Status	
Instru	ctions:				
1.		on for refund shall be	• •	arterly basis de	pending upon the frequency
2.	advised t		pplied only for those		e only once. Therefore, it is invoices the goods received
3.	Applican	t should ensure that	all the invoices declar	· ·	e the GSTIN of the supplier (retail outlet) clearly marked

on them.

- 4. Documents to be attached with the refund application:
 - a) Undertaking that all indigenous goods on which refund is being claimed have been received by the Duty-Free Shop/Duty Paid Shop (retail outlet);
 - b) Undertaking that the indigenous goods have been sold to eligible outgoing international tourist;
 - c) Copy of the returns for the period for which application is being filed.

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28. In the said rules, for **FORM GST DRC-03**, the following FORM shall be substituted, namely:—

"

"FORM GST DRC- 03

[See rule 142(2) & 142 (3)]

Intimation of payment made voluntarily or made against the show cause notice (SCN) or statement

(BCI1) or stat	emen	L										
1.	GSTIN												
2.	Name					< Auto>							
3.	Cause	of pay	yment			<< drop do	own>>						
						Audit, invereturn, reco	_		•				
4.	Section		r which v	volunta	nry	<< drop do	own>>						
5.		nt is m	ow cause nade with			Reference		Date of is	Date of issue				
6.	Financi	ial Ye	ar										
7.	Details (Amou	- '	-	ade inc	cluding in	terest and pe	enalty, if	applica	ble				
Sr. No.	Tax Period	Act	Place of supply (POS)	Tax/ Cess	Interest	Penalty, if applicable	Others	Total	Ledger utilised (Cash / Credit)	Debit entry no.	Date of debi entr		
1	2	3	4	5	6	7	8	9	10	11	12		

8. Reasons, if any - << Text box>>

9. Verification-

I hereby solemnly affirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

Signature of Authorized Signatory

Name

Designation / Status

Date - ".

Sd/-

S. A. Synrem

Commissioner & Secretary to the Government of Meghalaya Excise, Registration, Taxation & Stamps Department -A Dated Shillong the 28th June, 2019.

Memo No. ERTS (T) 4/2019/279-A

Copy forwarded to :-

- 1. P. S. to Chief Minister for favour of information of the Chief Minister.
- 2. P. S. to Chief Secretary for favour of information of the Chief Secretary.
- 3. The Secretary to the Govt. of India and ex-officio Secretary to the GST Council, New Delhi-110001.
- 4. Principal Accountant General (Audit), Meghalaya (Attention: CASS Section), Shillong-793001.
- 5. Accountant General (A & E), Meghalaya, Shillong-793001
- 6. The Secretary to the Govt. of Meghalaya, Finance Department.
- 7. The Commissioner of Taxes, Meghalaya, Shillong for favour of information and necessary action.
- 8. All Administrative Departments.
- 9. All Heads of Department.
- 10. The Director, Printing and Stationery, Meghalaya, Shillong with a request to cause publication of the above Notification in the Gazette of Meghalaya Extra Ordinary issue and furnish this Department with 50 spare copies.
- 11. Assembly Secretariat.
- 12. NIC, Shillong for uploading in the Meghalaya Website.

By order etc.,

Deputy Secretary to the Government of Meghalaya Excise, Registration, Taxation & Stamps Department

Note: The principal rules were published in the Gazette of Meghalaya, Extraordinary, Part II A, *vide* notification No. ERTS (T) 79/2019/470, dated the 29th December, 2017, published *vide* number 308, dated the 29th December, 2017and last amended *vide* notification No. 20/2019 - State Tax issued vide Notification No. ERTS (T) 4/2019/228, dated the 23rd April, 2019, published *vide* number 180, dated the 2nd May, 2019.