

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 257 CUTTACK, SATURDAY, FEBRUARY 2, 2019/MAGHA 13, 1940

FINANCE DEPARTMENT

ORDER

The 2nd February, 2019

THE ODISHA GOODS AND SERVICES TAX (REMOVAL OF DIFFICULTIES) ORDER, 2019

Order No. 1/2019-State Tax

S.R.O. No.41/2019— WHEREAS, sub-section (1) of Section 10 of the Odisha Goods and Services Tax Act, 2017 (Odisha Act 7 of 2017) (hereinafter 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 the State 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 of the said Act;

NOW, THEREFORE, in exercise of the powers conferred by Section 172 of the Odisha Goods and Services Tax Act, 2017 and in supersession of the Odisha Goods and Services Tax (Removal of Difficulties) Order, 2017, published in the *Odisha Gazette*, Extraordinary issue number 1645 of the *Odisha Gazette*, dated the 13th October, 2017, except as respects things done or omitted to be done before such supersession, the State Government, on recommendations of the Goods and Services Tax Council, hereby makes the following Order, namely: —

1. Short title. —This Order may be called the Odisha Goods and Services Tax (Removal of Difficulties) Order, 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.

[No. 3762–FIN-CT1-TAX-0043/2017/FIN.]

By Order of the Governor

SAUMYAJIT ROUT

Deputy Secretary to Government