

Export of Services Rules under Service Tax

The Export of service Rules, 2005 were notified with effect from 15-03-2005 to determine whether a provision of service will be regarded as export of service. Like export of goods, service can also be exported without payment of duty/tax.

So before we move on to export our services outside India, let us understand in brief the basic conditions required to be fulfilled, so that it can be treated as Export of service.

As per clause (1) of rule 6A of service tax rules, any service provided or agreed to be provided shall be treated as export of service if all the below mentioned conditions satisfied cumulatively:-

A. The provider of service is located in the taxable territory :-

The first condition to be satisfied is that the service provider must be located in the taxable territory. Under section 63(52) of the act, the term 'taxable territory' means the territory to which the provisions of the act apply. Under section 64(1) of the act, the act extends to the whole of India except the State of Jammu & Kashmir.

From a combined reading of the aforesaid provisions, it is clear that the term 'taxable territory' means 'India' minus the State of Jammu & Kashmir.

It is also clear that any service provider located in the State of Jammu & Kashmir Cannot be treated as an 'exporter'.

B. The Recipient of service is located outside India :-

The second condition to be satisfied is that the recipient of service (service receiver) must be located outside India. This means that the service receiver must be located outside the territorial limits of India, including the State of Jammu & Kashmir.

If service provider is located within the State of Jammu & Kashmir, the case will not fall under 'Export of Service'.

C. The service is not a service specified in section 66D of the Act :-

The third condition to be satisfied is that the service must not be a service specified in the Negative List spell out in section 66D of the Act.

There are certain changes made in the negative list. Updated Negative list can be checked at following link :-

Exemption of Services –Notification No. 25 dated 20.06.2012 updated till date

D. The place of provision of the service outside India :-

The fourth condition to be satisfied is that the place of provision of the service must be outside India. The fulfillment of this condition will have to be determined in accordance with the place of provision of service laid down in Rules 3 to 14 of the PPP Rules which are as follows: .

Export Of Service Rules 2011

Tao Wei



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TAXATION LAW AND PRACTICE, Volume I BALACHANDRAN, V. ,THOTHADRI, S.,2012-09-19 This easy to read text covers the entire gamut of direct and indirect taxes The first eight chapters deal with direct taxes and generation of income from different sources The last five chapters focus on different forms of indirect taxes This text lucidly explains the acts rules sections laws of direct and indirect taxes with a view to integrating the relevance of these laws with tax planning The text fosters a clear understanding of the principles relating to computation of taxable income under each head of income It covers different types of excise duties methods of valuation for customs types of transactions under the Central Sales Tax Act variants of VAT and different methods of computation of VAT and service tax for management and professional services A number of solved Illustrations at the end of each chapter are provided for easy comprehension of the subject These along with chapter end questions consisting of short answer questions long answer questions and exercises enhance its value as a text This text is intended for the undergraduate students of management commerce and law BBA BCom and BL LLB Students pursuing professional courses such as CA BCS Bachelor of Corporate Secretaryship and the aspirants of Civil Services Examinations will also find the text immensely useful **Bihar Civil Services General Studies Solved Papers Prelim (2011 - 20) & Main (2019 - 21) Exams** Disha Experts,2021-09-01 **Potential Exports and Nontariff Barriers to Trade** Asian Development Bank,2021-11-01 This publication explores how Bhutan could boost its exports by addressing nontariff barriers to trade It focuses on sanitary and phytosanitary measures and technical barriers to trade and on export products that have the potential to increase their market share in Bangladesh India Maldives Nepal and Sri Lanka It considers options including legal reforms the upgrade of quality standards and laboratory equipment and institution building of accrediting bodies and conformity assessment bodies Practical recommendations suggest ways forward for both the public and private sectors *Metamorphosis -Service Tax To Goods Services Tax* Monish Bhalla,2020-05-24 2006 to 2017 for 11 long years the Author wrote a weekly column in the leading English daily DNA Service Tax Simplified Every week a recent burning issue a new current problem and the challenge for finding a solution A solution which had to be simple in lucid layman language Many of his professional colleagues asked him why he gives a free solution in public What he achieve in giving free advice And His response A SMILE Because that s what he give to his readers when they find their solutions a smile on their tense faces If his articles have brought back the smiles on the reader s faces if his articles have assisted them to resolve their service tax issues with the department without spending a penny if many articles have enriched the knowledge of his learned friends chartered accountants consultants tax professionals and his friends working with the service tax department then my efforts have been awarded He has learned that Life is a journey a journey with no destination It is this voyage one needs to learn to enjoy As you read this compilation of over 450 articles you will experience the evolution of service tax as if a small caterpillar has metamorphosed into a butterfly **Journal of the House of Representatives of**

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