

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 Tax Rules 2012

**CA Madhukar Hiregange, CA Roopa
Nayak, Shubham Khaitan**



Export Of Service Tax Rules 2012:

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

Indirect Taxes Dr. H.C. Mehrotra, Prof. V.P. Agarwal,2022-04-29 Indirect Taxes For B Com III Year of Bundelkhand University B Com Hons Semester IV of Binod Bihari Mahato Koylanchal University Dhanbad BBMKU Sido Kanhu Murmu University Dumka SKMU M Com Semester IV of Binod Bihari Mahato Koylanchal University Dhanbad BBMKU Vinoba Bhave University Hazaribag VBU Sido Kanhu Murmu University Dumka SKMU The present edition of the book has been thoroughly revised and the language has been made much simplified Amendments made by the Finance Act 2017 have been incorporated in the book and the numerical illustrations have been revised accordingly The effect has also been given to the latest rules circulars and notifications Several new illustrations have been added at appropriate places Most of these illustrations and numerical questions are given in the book have been taken from the latest examination papers of various Universities

Tax laws and practice DR.VEENA SONI,2022-09-30

Special Economic Zones in India Arpita Mukherjee,Parthapratim Pal,Saubhik Deb,Subhobrota Ray,Tanu M Goyal,2016-07-14 This book examines India s ten years of experience developing Special Economic Zones SEZs and the performance of SEZs in the context of India s growing international engagement its endeavours to attract domestic and foreign investment in manufacturing and services and its aim to increase and diversify exports of goods and services SEZs are industrial enclaves clusters within a country that receive certain incentives and business facilitation benefits that are not generally available to the rest of the country To facilitate private and foreign investment in SEZs India introduced the SEZ policy in 2000 which was followed by the SEZ Act in 2005 After ten years under the Act India now has one of the largest number of approved SEZs in the world and its SEZ policy remains heatedly debated with a number of studies arguing both for and against it Given this background the book also identifies the challenges faced by SEZs in India and offers policy recommendations on how to make the SEZs an engine for India s economic growth and development that can more effectively link the country s manufacturing and services sectors

to global value chains *Student's Handbook on Indirect Taxes* Madhukar N Hiregange, Vishal Jain A and Roopa Nayak, Full Syllabus Coverage of Service Tax Central Excise Customs VAT and CST Use of simple language with a clear examination focus Recent Amendments made by Finance Act 2014 highlighted Recent Circulars Notifications and Case Laws Examples and Solved Illustrations for Crystallization of Concepts Use of Tables and Flowcharts for Easy Understanding of Concepts Student friendly Presentation for Effective Learning Chapter Overview at the beginning of each Chapter Self Examination Questions at the end of each Chapter Short Revision Notes for Quick Revision at the end of each Chapter **Annual Report** India. Ministry of Finance,2013 *Madhukar Hiregange's Practical Guide to GST on Textile Industry* CA Madhukar Hiregange,CA Roopa Nayak,Shubham Khaitan,2020-05-28 The purpose of this book is to enable the taxable person to understand the applicability and impact of GST provisions with respect to the Textile Industry The comprehensive and in depth practical knowledge of the three authors would help in the implementation of the provisions in an easy manner This book is divided into eight parts as follows Part 1 Introduction and Overview Part 2 GST impact analysis on relevant sectors Manufacturers and Traders Service Providers Job workers and other supplies Part 3 Conceptual law containing classification ITC valuation place of supply reverse charge and transitional provisions Part 4 Procedural law containing registration payment returns refunds assessment audit advance ruling appeals penalties demands etc Part 5 Import and export containing SEZ supplies and FTP incentives Part 6 Disputes mitigation and department actions focussing on prevention of possible disputes their resolution Part 7 Tax planning and professional services Part 8 Miscellaneous containing FAQs and filled forms **Deciphering India's Services Sector Growth** Shashanka Bhide,V.N. Balasubramanyam,K.L. Krishna,2020-11-18 This book addresses a range of issues relating to the nature and implications of growth of India's services sector including factors contributing to the rise of services output measurement and heterogeneity growth of services exports and employment in services sectors From service tax exchange rate and services exports policy interest employment potential and diversity of the sector to challenges in financial inclusion trajectories of ICT services and contribution of education to GDP it brings together diverse themes to highlight major concerns in the wake of the prominent role that services have played in placing India among the fast growing economies in the world in recent years The services sector in India accounts for more than 60 per cent of the GDP of the country and 28.6 per cent of its employed across government private or state corporations and non government organisations The volume explores whether the services sector beyond agriculture and industry holds the promise of fulfilling the benefits from India's demographic dividend for its economic transformation through sustainable growth With key empirical analyses of household enterprise and macroeconomic data for India within both formal and informal sectors this topical book will be useful to scholars and researchers of economics Indian economy political economy development economics development studies public policy and South Asian studies and also to development professionals policy makers and industry specialists Bihar Civil Services

General Studies Solved Papers Prelim (2011 - 20) & Main (2019 - 21) Exams Disha Experts, 2021-09-01 **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

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