Changes of Finance Act 2020 – Effective from 30th June 2020

(vide Notification No 49/2020- Central Tax ,dt. 24-06-2020)

Section of Finance Act 2020	Corresponding Section of CGST Act	Section Heading	Language of Finance Act	Author Comment
Section 118 of Finance Act	Section 2(114) of CGST Act	Definition of Union Territory	In section 2 of CGST Act, 2017, in clause (114), for sub-clauses (c) and (d), the following sub-clauses shall be substituted, namely:— “(c) Dadra and Nagar Haveli and Daman and Diu; (d) Ladakh;”	Due to the 1st Merger of 2 separate Union territory i.e. Dadra and Nagar Haveli and Daman and Diu; into one (Dadra and Nagar Haveli and Daman and Diu) so 2 separate clause in the definition has been merged. And 2nd ‘Ladakh’ being a Union territory having no separate legislature so it has been added in the definition.
Section 125 of Finance Act	Section 109 of CGST Act	Constitution of Appellate Tribunal and Benches thereof.	In section 109 of CGST Act, in sub-section (6), (a) the words “except for the State of Jammu and Kashmir” shall be omitted; (b) the first proviso shall be omitted.	Separate provision for Jammu & Kashmir was there for constitution of appellate Tribunal. Now the word ‘Except J&K’ and ‘ Proviso for J&K’ has been deleted and made the constitution of Appellate Tribunal at Par for all State / UT.
Section 129 of Finance Act	Section 168 of CGST Act	Power to issue instructions or directions	In section 168 of CGST Act, in sub-section (2), for the words, brackets and figures “sub-section (5) of section 66, sub-section (1) of section 143”, the words, brackets and figures “sub-section (1) of section 143, except the second proviso thereof” shall be substituted.	Sub-section (2) of section 168 designates the Commissioner or Joint Secretary posted in the Board for exercising certain powers conferred under specific provisions. Such powers would be exercised with the approval of the Board. Commissioner which is given in ***2nd Proviso*** of Sub Section (1) of Sec 143 (Job Work Procedure) has been excluded from Sec 168. Extract of ***2nd Proviso of Sub Section (1) of Sec 143*** Provided further that the period of one year and three years may, on sufficient cause being shown, be extended by the Commissioner for a further period not exceeding one year and two years respectively.]
130	Section 172 of CGST Act	Removal of difficulties	130. In section 172 of CGST Act, in sub-section (1), in the proviso, for the words “three years”, the words “five years” shall be substituted	Time limit to issue the ROD Order by the Govt. has been increased to 5 years (i.e. 30th June 2022)