

F N- V(16)Tech/Delegation/01/2020

Date :14.01.2020

ORDER

15.01.2020

Subject: Delegation of power under 86A of the CGST Rules, 2017- regarding

In exercise of power conferred under Rule 86A of the CGST Rules, 2017, and in partial modification to the letter/order of even number dated 11-01-2020 on the above subject, I hereby authorize **Ms Nishtha Sharma, Deputy Commissioner (Hqrs-Anti-Evasion), CGST, Jaipur** to block/unblock ITC of the taxpayer in accordance with the said provisions for the reasons mentioned therein. The Rule 86 A of the CGST Rules, 2017 reads as under:

"86A. Conditions of use of amount available in electronic credit ledger.-

(1) The Commissioner or an officer authorized by him in this behalf, not below the rank of an Assistant Commissioner, having reasons to believe that credit of input tax available in the electronic credit ledger has been fraudulently availed or is ineligible in as much as

a) the credit of input tax has been availed on the strength of tax invoices or debit notes or any other document prescribed under rule 36-

i. issued by a registered person who has been found non-existent or not to be conducting any business from any place for which registration has been obtained;

or

ii. without receipt of goods or services or both; or

b) the credit of input tax has been availed on the strength of tax invoices or debit notes or any other document prescribed under rule 36 in respect of any supply, the tax charged in respect of which has not been paid to the Government; or

c) the registered person availing the credit of input tax has been found non-existent or not to be conducting any business from any place for which registration has been obtained; or

d) the registered person availing any credit of input tax is not in possession of a tax invoice or debit note or any other document prescribed under rule 36,

may, for reasons to be recorded in writing, not allow debit of an amount equivalent to such credit in electronic credit ledger for discharge of any liability under section 49 or for claim of any refund of any unutilized amount.

(2) The Commissioner, or the officer authorized by him under sub-rule (1) may, upon being satisfied that conditions for disallowing debit of electronic credit ledger as above, no longer exist, allow such debit.

(3) Such restriction shall cease to have effect after the expiry of a period of one year from the date of imposing such restriction."

2. Every case of such exercise should be done with the prior approval of the Principal Commissioner/Commissioner, CGST, Jaipur.



(P K Singh)

Chief Commissioner (In-situ)
CGST Commissionerate, Jaipur

To,
Ms Nishtha Sharma
Deputy Commissioner (Anti-Evasion)
CGST, Jaipur

Copy for information and action to:

- Additional Commissioners (incharge Divs A,B,C,D,E,G,H,I,J and K)
- Joint Commissioner, CCO, Jaipur
- Deputy Commissioner/Asstt Commissioner, CGST, Jaipur (Divs- A,B,C,D,E,F,G,H,I,J and K)
- Supdt (Computer), CGST, Jaipur