



Circular No.: IEX/MO/315/2019

Date: 18th January, 2019

Dear Members,

In pursuance of Rules, Bye-Laws and Business Rules of the Exchange and in continuation to circulars 307, Members of the Exchange are notified as under:-

Members may kindly be informed that in the matter of **Tax Deduction at Source (TDS) operationalized under Section 51**, on 31st of December 2018, the Ministry of Finance (Department of Revenue), Central Board of Indirect Taxes and Customs has issued a Notification No. 73/2018 – Central Tax, Government of India has inserted the following proviso in the notification no. 50/2018 as below:-

“Provided also that nothing in this notification shall apply to the supply of goods or services or both which takes place between one person to another person specified under clauses (a), (b), (c) and (d) of sub-section (1) of section 51 of the said Act”.

With reference to the above amendment, members may note that, in case if the REC/ESCert trade pairing on the exchange is done between the following buyers and sellers, then TDS will not be deducted from the buyer.

- (a) an authority or a board or any other body,-
 - (i) set up by an Act of Parliament or a State Legislature; or
 - (ii) established by any Government, with fifty one percent, or more participation by way of equity or control, to carry out any function;
- (b) Society established by the Central Government or the State Government or local authority under Societies Registration Act, 1860 (21 of 1860)
- (c) Public Sector Undertakings (PSUs).
- (d) such persons or category of persons as may be notified by the Government on the recommendations of the Council,

All other information provided in the Circular number 304 remains the same. Members will allow trading to only those clients who confirm to the above processes. This circular will come into effect from January 2019 REC trading session.

Enclosure: Notification No. 73/2018 – Central Tax, Government of India

**For and on behalf of
Indian Energy Exchange Limited**

**Akhilesh Awasthy
Director- Market Operations**

[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Subsection
(i)]

Government of India
Ministry of Finance
(Department of Revenue)
Central Board of Indirect Taxes and Customs
Notification No.73/2018 – Central Tax

New Delhi, the 31st December, 2018

G.S.R.(E).— In exercise of the powers conferred by sub-section (3) of section 1 read with section 51 of the Central Goods and Services Tax Act, 2017 (12 of 2017), hereafter in this notification referred to as the said Act, the Central Government, on the recommendations of the Council, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance, Department of Revenue No. 50/2018-Central Tax dated the 13th September, 2018 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R 868 (E) dated the 13th September, 2018, namely:—

In the said notification, after the second proviso, the following proviso shall be inserted, namely:—

“Provided also that nothing in this notification shall apply to the supply of goods or services or both which takes place between one person to another person specified under clauses (a), (b), (c) and (d) of sub-section (1) of section 51 of the said Act.”.

[F.No.20/06/16/2018-GST]

(Dr. Sreeparvathy S. L.)
Under Secretary to the Government of India

Note:- The principal notification No. 50/2018- Central Tax, dated the 13th September, 2018 was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R 868 (E), dated the 13th September, 2018 and last amended vide notification No. 61/2018-Central Tax, dated the 05th November, 2018, published vide number G.S.R 1084(E), dated the 05th November, 2018.