

### Agenda Note

It is proposed to amend rule 117 (1) of the CGST Rules, 2017. At present, the said sub-rule reads as:

*“(1) Every registered person entitled to take credit of input tax under section 140 shall, within ninety days of the appointed day, submit a declaration electronically in FORM GST TRAN-1, duly signed, on the common portal specifying therein, separately, the amount of input tax credit to which he is entitled under the provisions of the said section:*

....

The amended sub-rule (1) shall read as:

*“(1) Every registered person entitled to take credit of input tax under section 140 shall, within ninety days of the appointed day, submit a declaration electronically in FORM GST TRAN-1, duly signed, on the common portal specifying therein, separately, the amount of input tax credit **of eligible duties and taxes, as defined in Explanation 2 to section 140,** to which he is entitled under the provisions of the said section.”*

This change will ensure that the definition of ‘eligible duties and taxes’ applies uniformly to transition of all credits and clarifies that there will be no transition of credit of various cesses in GST, since they are not covered in the definition of ‘eligible duties and taxes’.