

Zalak Sohil Dalal

Introduction: Tax Payer who is Registered under GST, has right to transfer Un utilised ITC lying in Electronic Credit Ledger in certain circumstances. When there is a change in the constitution of a registered person for situations like sale, merger, demerger, amalgamation, lease or transfer of the business with the specific provisions for transfer of liabilities in this situation the specific Registered person has been allowed to transfer the input tax credit which remains unutilised in his electronic credit ledger due to sold, merged, demerged, amalgamated, leased or transferred business. Legal Background : This provision is enumerated in Section 18(3) of CGST Act, 2017. Prescribed rule is Rule 41 in CGST Rules,2017 which provided ITC-02 has to be filled in the event of sale, merger, demerger, amalgamation, lease or transfer or change in the ownership of business for any reason. Form ITC-02 has to filled electronically on t.....