

**ANALYSIS OF CIRCULAR No.161/12/2012 –ST DATED
06.07.2012**

As we all are aware that after introduction of New Regime of Service Tax (i.e. Negative List Approach), classification of services has been omitted and now service tax is payable on all taxable services except those given in negative list and mega exemption notification. Earlier assessee was required to pay tax under relevant accounting code for various taxable services. Now we need not to search for number of accounting code as the CBEC vide caption circular clarified that service tax shall be deposited in single code only and it is as under:

Name of Services	Accounting codes					
	Tax collection	Other Receipts (Interest etc.)	Penalties	Deduct refunds	Education Cess	Secondary and Higher Education Cess
All Taxable Services	00441089	00441090	00441093	00441094	00440298	00440426

I hope above analysis is useful for you. Your feed back in respect of same would be highly appreciated.

(Disclaimer: The above analysis has been drafted as per various provisions of Finance Act 1994, and notifications and circulars issued thereunder. The analysis may not be entirely correct for reader to reader due to different interpretations by different readers. The readers are advised to take into the consideration the prevailing legal position before acting on any of the comments in this reply. We shall not be responsible for any loss caused based on this interpretation.)

With Warm Regards,

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Annexure

Circular No.161/12/2012 -ST

F.No.341/21/2012-TRU
Government of India
Ministry of Finance
Department of Revenue
Central Board of Excise & Customs
Tax Research Unit

153, North Block,
New Delhi, 6th July, 2012

To
Chief Commissioners of Customs and Central Excise (All),
Chief Commissioners of Central Excise & Service Tax (All),
Director General (Service Tax), Director General(Systems),
Director General (Central Excise Intelligence), Director General
(Audit),
Commissioners of Service Tax (All),
Commissioners of Central Excise (All) &
Commissioners of Central Excise and Customs (All).

Madam/Sir,

Subject: Accounting Code for payment of service tax under the Negative List approach to taxation of services, with effect from the first day of July 2012 - regarding.

Negative List based comprehensive approach to taxation of services came into effect from the first day of July, 2012. For payment of service tax under the new approach, a new Minor Head - 'All taxable Services' has been allotted under the Major Head "0044-Service Tax".

2. Accounting codes for the purpose of payment of service tax under the Negative List approach, with effect from 1st July, 2012 is as follows:

Name of Services	Accounting codes			
	Tax collection	Other Receipts	Penalties	Deduct refunds
All Taxable Services	00441089	00441090	00441093	00441094

NOTE: (i) service specific accounting codes will also continue to operate, side by side, for accounting of service tax pertaining to the past period (meaning, for the period prior to 1st July, 2012); (ii) Primary Education Cess on all taxable services will be booked under 00440298 and Secondary and Higher Education Cess on all taxable services will be booked under 00440426; (iii) a new sub-head has been created for payment of "penalty"; the sub-head "other receipts" is meant only for payment of interest etc. leviable on delayed payment of service tax; (iv) the sub-head "deduct refunds" is not to be used by the assessees, as it is meant for use by the Revenue/Commissionerates while allowing refund of tax.

3. Trade Notice/Public Notice may be issued to the field formations and tax payers. Please acknowledge the receipt of this Circular. Hindi version follows.

(S. Jayaprahasam)
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