M/s Thinklab Edusoft LLP

Authority for Advance Ruling — Rajasthan

Advance Ruling No. RAJ/AAR/2019-20/35, Date of Ruling 13.03.2020 Dated **13.03.2020**

Q Questions Before the Authority

- Is a FIRC available in respect of export proceeds for services where funds are received through service providers such as PayPal or Worldremit?
- What documents are required to claim export without payment of tax, to prove receipt of export proceeds in foreign currency, where a FIRC is not receivable for such transactions?
- What measure should be followed if refund proceedings arise because a FIRC or other supporting document is not available, and the GST department relies on such documents?

F Facts

The applicant, a registered LLP, is engaged in software consultancy and wishes to act as an exporter of these services, claiming refund of GST on zero-rated supplies. Its overseas customers pay in foreign currency into a PayPal account, and the funds are then converted and transferred to its Indian bank account. The applicant's receiving bank does not issue FIRC certificates except where the amount involved is in the nature of FDI, so the applicant asked how it could furnish FIRC or equivalent evidence for refund purposes.

H Ruling

The authority held that the questions raised fall **outside the scope of Section 97(2)** of the CGST Act, 2017. The application was therefore **not admitted** and rejected under Section 98(2) without examining the merits of the questions. No view was expressed on whether a FIRC is mandatory or what alternative documents would suffice.

R Reasoning

The authority reviewed the categories of questions on which an advance ruling may be sought under Section 97(2), namely classification, applicability of a notification, time and value of supply, input tax credit, liability to tax, registration, and whether an activity amounts to a supply. It found that the applicant's questions on FIRC availability and refund documentation do not fall within any of these categories. The jurisdictional officer's comment that Rule 89(2) of the CGST Rules requires FIRC or BRC evidence was noted, along with a PayPal process for obtaining FIRC copies, but the authority did not decide any of these points. The application was therefore rejected at the threshold under Section 98(2).

P Provisions Relied On

Section 97(2) CGST Act, 2017	Section 98(2) CGST Act, 2017

Prepared as a reading aid. Where this summary and the original order differ, the order governs.

Section 99 CGST Act, 2017 (referred to in the appeal note)

Section 100 CGST Act, 2017 (appeal within 30 days, referred to in the appeal note)

Rule 89(2) CGST Rules, 2017 (cited only in the jurisdictional officer's comments, not by the authority)

! For the Practitioner

This order is useful mainly as a warning that questions about FIRC availability and refund documentation are unlikely to be admitted by the Advance Ruling Authority, because they fall outside the Section 97(2) categories. It does not decide whether a FIRC is mandatory for zero-rated service exports, or whether PayPal or similar transaction records are acceptable evidence. Practitioners facing such a problem should pursue the refund route before the proper officer and rely on the rules, rather than expect an advance ruling.

Source

Summary prepared from the published order, which is a scanned document. It is a reading aid and not the authority: where the two differ, the order governs. Verify every provision against the original before relying on it.

Original order: www.gstcouncil.gov.in -> raj_aar_35_2019-20_13.03.2020_te_llp.pdf

Prepared 20-11-2026.

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