

# GST Update

Weekly Update  
18.11.2017

- This Presentation covers the GST changes / observations/ press releases/ Tweet FAQs/ Sectoral FAQs released by CBEC since the last update on 11.11.2017. It supplements the earlier GST Updates.
- This presentation is based on CGST Act/Rules/ Notifications. Similar parallel provisions in State Laws may be referred to as required

- 12 CGST , 7 CGST(Rate) and 8 IGST Notifications issued by CBEC to give effect to decisions taken during the GST Council Meeting on 10<sup>th</sup> November, 2017
- CGST Rules, 2017 amended
- Similar notifications issued by States as well

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-55-central-tax-english.pdf>
  - Rule 97A inserted for Manual filing and processing Application for refund : GST RFD-01A prescribed;
  - Rule 107A inserted for Manual filing and processing for Advance Rulings
  - Any reference to electronic filing of an application, intimation, reply, declaration, statement or electronic issuance of a notice, order or certificate on the common portal shall, in respect of that process or procedure, include manual filing

# Amendment in CGST Rules, 2017 (Contd.)

- **Rule 109A inserted**
- **Appointment of Appellate Authority**
  - Commissioner(Appeals) - for orders passed by Addl./Joint Commissioner.
  - Addl. Commissioner (Appeals) - for orders passed by Deputy/Assistant Commissioner or Superintendent.

# Amendment in CGST Rules, 2017 (Contd.)

- For the purposes of rule 42 (Manner of determination of input tax credit in respect of inputs or input services and reversal thereof) and rule 43 (Manner of determination of input tax credit in respect of capital goods and reversal thereof), the aggregate value of exempt supplies shall exclude the value of supply of services made to Nepal and Bhutan against payment in INR.

# Continuation of GSTR-3B

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-56-central-tax-english.pdf>
  - GSTR-3B will continue till March, 2017 for all taxpayers
  - Last date -20<sup>th</sup> of succeeding month
  - Tax to be discharged by 20<sup>th</sup> of succeeding month
  - Every registered person need to discharge the tax liability, fees, penalty, interest as the case may be before filing GSTR-3B

# GSTR-1 for small taxpayers

- <http://www.cbec.gov.in/htdocs-cbec/gst/notfctn-57-central-tax-english.pdf>
  - **GSTR 1 for Small taxpayers on quarterly basis**
  - Registered persons having aggregate turnover of up to Rs.1.5 crore in the preceding financial year or the current financial year
  - To file GSTR-1 on quarterly basis
  - Return for period from July - September, 2017 : to be filed by 31st December, 2017
  - Return for period from October - December, 2017 : by 15th February, 2018
  - Return for period from January - March, 2018 : by 30th April, 2018



# GSTR-1 for other taxpayers

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-58-central-tax-english.pdf>
  - Notification No.30/2017-Central Tax dated 11.09.17 superseded
  - Dates for filing GSTR-1s till March, 2018 announced (for suppliers having turnover > 1.5 Crore in preceding or current FY)
    - July - Oct, 2017 : 31<sup>st</sup> December, 2017
    - November, 2017 : 10<sup>th</sup> January, 2018
    - December, 2107 : 10<sup>th</sup> February, 2018
    - March, 2018 : 10<sup>th</sup> May, 2018

# Time Limit for GSTR-4 (Composition Taxpayer)

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-59-central-tax-english.pdf>
  - Amends Notification No. 41/2017-Central Tax, dated the 13th October, 2017.
  - Time Limit for GSTR-4 (Composition Scheme Return) for the quarter July to September, 2017 extended to 24<sup>th</sup> December, 2017

## Time limit for GSTR-5

- <http://www.cbec.gov.in/htdocs-cbec/gst/notfctn-60-central-tax-english.pdf>
  - Time limit for furnishing the return by a non-resident taxable person, in FORM GSTR-5, for the months of July, 2017, August, 2017, September, 2017 and October, 2017
  - Extended till the 11th day of December, 2017

# Time Limit for GSTR-5A (OIDAR Suppliers)

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-61-central-tax-english.pdf>
  - Supersession of notification No. 42/2017-Central Tax, dated the 13th October, 2017
  - Time limit for furnishing the return in FORM GSTR-5A for the month of July, 2017, August, 2017, September, 2017 and October, 2017 by a person supplying online information and database access or retrieval services from a place outside India to a non-taxable online recipient
  - Extended till the 15th day of December, 2017

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-62-central-tax-english.pdf>
  - Supersession of Notification No. 43/2017-Central Tax, dated 13th October, 2017
  - The time limit for furnishing the return by an Input Service Distributor in FORM GSTR-6 for the month of July, 2017
    - Extended till 31<sup>st</sup> December, 2017
  - The extension of the time limit for furnishing the return for the month of August, 2017, September, 2017 and October, 2017 to be notified subsequently.

## Time Limit for GST-ITC 04

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-63-central-tax-english.pdf>
  - Amends Notification No. 53/2017-Central Tax, dated 28<sup>th</sup> October, 2017
  - Time Limit for GST ITC-04 extended to 31<sup>st</sup> December, 2017.

# Reduction of Late Fees payable

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-64-central-tax-english.pdf>
  - Late fee for filing GSTR-3B from October 2017 onwards restricted to Rs.25 per day. (As per Section 47, earlier it was Rs.100/day)
  - If tax required to be paid is Nil....then late fee for filing GSTR 3B from October 2017 onwards restricted to Rs.10 per day.

# Threshold Limit for suppliers through E Commerce Operators

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-65-central-tax-english.pdf>
  - Suppliers of services through an e-commerce platform
    - Exempted from obtaining compulsory registration
    - Threshold limits of Rs. 20 lacs ( Rs.10 lacs in respect of special category states) for registration extended



- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-66-central-tax-english.pdf>
  - Time of Supply for all class of taxpayers (**suppliers of goods only**) to be at the time of issue of invoice
  - No GST on advance receipts
  - This exemption will not apply to advances received towards
    - supply of services and
    - to a person under composition scheme.

# Notification reducing rates of GST on various goods

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-41-cgst-rate-english.pdf>
  - Notification No.41/2017-Central Tax (Rate) dated 14.11.2017 issued to give effect to GST Council decision on rates of various goods.
  - GST rates of various goods\* reduced in line with the recommendations of the GST Council in its meeting on 10.11.2017.

\* for details of goods, refer to GST Update PPT of 11.11.2017

# Notification giving exemptions to various goods

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-42-cgst-rate-english.pdf>
  - Notification No.42/2017-Central Tax (Rate) dated 14.11.2017 issued to give effect to GST Council decision on exemption from GST to various goods.
  - Various goods\* exempted from GST in line with the recommendations of the GST Council in its meeting on 10.11.2017

\* for details of goods, refer to GST Update PPT of 11.11.2017

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-43-cgst-rate-english.pdf>
  - Raw Cotton under 5201
  - Purchases of raw cotton from Agriculturists by registered persons
  - GST to be paid by registered person (recipient) under reverse charge

# Refund of ITC restrictions on fabrics on which rate reduced to 5% from 12%

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-44-cgst-rate-english.pdf>
  - Amends notfn 5/2017-Central Tax (Rate) dt 28.6.17
  - Refund of ITC to be denied on following fabrics on which rate reduced to 5%
    - Knotted netting of twine, cordage or rope; made up fishing nets and other made up nets, of textile materials
    - Corduroy fabrics
    - Narrow woven fabrics, other than goods of heading 5807; narrow fabrics consisting of warp without weft assembled by means of an adhesive

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-45-cgst-rate-english.pdf>
  - Exemption ( subject to conditions ) from GST to Scientific Instruments and apparatus, accessories, computer software, prototypes (where aggregate value does not exceed 50000) etc., supplied to -
    - Public funded research institution other than a hospital or a University or an Indian Institute of Technology or Indian Institute of Science, Bangalore or a National Institute Technology/Regional Engineering College
    - Research institution, other than a hospital
    - Departments and laboratories of the Central Government and State Governments, other than a hospital
    - Regional Cancer Centre (Cancer Institute)

# Rate on Services

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-46-cgst-rate-english-i.pdf>
  - Rate for restaurants :
  - Other than those located in the premises of hotels, inns, guest houses, clubs, campsites or other commercial places meant for residential or lodging purposes having declared tariff of any unit of accommodation of less than Rs.7500/- day
    - 5% without ITC
  - Declared tariff more than Rs.7500/- day
    - 18% with ITC

# Exemption to certain services

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-47-cgst-rate-english.pdf>
  - Amends notfn 12/2017-Central Tax (Rate) dated 28.6.17
  - Services by way of admission to a protected monument so declared under the Ancient Monuments and Archaeological Sites and Remains Act 1958 or any of the State Acts, for the time being in force
  - Heading 9996
  - GST Rate- NIL



# Exemption to certain services

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-47-cgst-rate-english.pdf>
  - Amends notfn 12/2017-Central Tax (Rate) dated 28.6.17
  - Following entry substituted -
    - against serial number 11A, for the entry in column (3), the following entry shall be substituted, namely;

“Service provided by Fair Price Shops to Central Government, State Government or Union territory by way of sale of food grains, kerosene, sugar, edible oil, etc. under Public Distribution System against consideration in the form of commission or margin.”
    - the serial number 11B and the entries relating thereto, shall be omitted.

# Amendment of IGST Rules, 2017

- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-12-igst-english.pdf>
  - Apportionment of IGST with respect to advertisement services under section 12 (14) of the IGST Act, 2017
  - Newspapers and publications
    - Value of advertisement service attributable to the dissemination in each state or UT
  - Pamphlets, leaflets, Diaries, Calendar etc
    - Amount payable for distribution of a specific number of such material in a particular State shall be the value of the advt service attributable to the dissemination in each State or UT

# Amendment of IGST Rules, 2017 (Contd.)

- Apportionment of IGST with respect to advertisement services under section 12 (14) of the IGST Act, 2017
- Hoarding other than trains
  - Amount payable for each hoarding shall be the value of advertisement service attributable to the dissemination in each state or UT
- Advertisement placed on trains
  - Break up calculated on the basis of ratio of the length of the railway track in each state for that train of the amount payable for such advertisement shall be the value of the advt. service attributable to the dissemination in each State or UT

# Amendment of IGST Rules, 2017 (Contd.)

- Apportionment of IGST with respect to advertisement services under section 12 (14) of the IGST Act, 2017
- Advertisement on the back of utility bills of Oil and gas companies
  - Amount payable for the advertisements on bills pertaining to the consumers having billing addresses in each state/UT shall be the value of advertisement service attributable to the dissemination in each state or UT
- Advertisement placed on railway tickets
  - Break up calculated on the basis of ratio of the number of railway stations in each state / UT, when applied to the amount for such advertisements shall be the value of the advt service attributable to the dissemination in each State  
UT

# Amendment of IGST Rules, 2017 (Contd.)

- Apportionment of IGST with respect to advertisement services under section 12 (14) of the IGST Act, 2017
- Advertisement on the radio stations
  - Amount payable to such radio stations which by virtue of their name in part of a State or UT, shall be the value of advertisement service attributable to the dissemination in each state or UT

# Amendment of IGST Rules, 2017 (Contd.)

- Advertisement placed on television channels
- Viewership of the channel in each state to be calculated on the basis of
  - Figures published by the Broadcast Audience Research Council
  - Figures published for the last week of a given quarter shall be used for calculating viewership for the succeeding quarter
  - If more than one state, ratio of the populations of the states to be considered
  - Ratio of viewership so calculated, when applied to the amount payable for the service shall be the value of advertisement service attributable to the dissemination in each state or UT

# Amendment of IGST Rules, 2017 (Contd.)

- Apportionment of IGST with respect to advertisement services under section 12 (14) of the IGST Act, 2017
- Advertisement in the cinema halls
  - Amount payable for the advertisements to a cinema hall or a multiplex in a state or UT shall be the value of advertisement service attributable to the dissemination in each state or UT

# Amendment of IGST Rules, 2017 (Contd)

- Advertisement placed on internet
  - Based on the internet subscribers which shall be calculated on the basis of
    - » Figures published by TRAI
    - » Figures published for the last quarter of a FY shall be used for calculating viewership for the succeeding FY
    - » If more than one state, ratio of the populations of the states to be considered
    - » Ratio of subscriber figures so calculated, when applied to the amount payable for the service shall be the value of advertisement service attributable to the dissemination in each state or UT



# Amendment of IGST Rules, 2017 (Contd.)

- Advertisement through short messaging service
  - Based on the telecom subscribers which shall be calculated on the basis of
    - » Figures published by TRAI on its site [www.trai.gov.in](http://www.trai.gov.in)
    - » Figures published for a given quarter shall be used for calculating viewership for the succeeding quarter
    - » If more than one state, ratio of the populations of the states to be considered
    - » Ratio of subscriber figures so calculated, when applied to the amount payable for the service shall be the value of advertisement service attributable to the dissemination in each state or UT



# GST Portal Updates

# GSTR-1



- GSTR-1 for July, 2017 has been opened again for filing on the GST Portal
- Those who missed the same can file now
- GSTR-2 has been deferred as of now

# New Functionality released by GST Portal

- Opt out from composition scheme: From future date
- Registration and processing of Non-resident tax payers
  - Registration for Non-Resident Foreign Taxpayers through FORM GST REG-09 now available on the GST Portal
- Locate GST Practitioners on the GST Portal.
- FAQ and User Manuals for Refund, NRFTP and GSTR 4 Offline are now available on the GST Portal.

## Any ISSUES/ queries?



- <https://cbec-gst.gov.in/>
- [CBEC MITRA HELPDESK](#)
  - 1800 1200 232
  - [cbecmitra.helpdesk@icegate.gov.in](mailto:cbecmitra.helpdesk@icegate.gov.in)
- GSTN Help Desk
  - [helpdesk@gst.gov.in](mailto:helpdesk@gst.gov.in)
  - Help Desk Number: 0120-4888999

# Any ISSUES/ queries?

- Twitter Handles
- For General Questions
- [https://twitter.com/askGST\\_GoI](https://twitter.com/askGST_GoI)
- For technology related issues
- <https://twitter.com/askGSTech>
- NACIN twitter
- <https://twitter.com/GSTNACIN>

**THANK YOU**