



GST Update

Weekly Update
21.04.2018

- This Presentation covers the GST changes / observations/ press releases/ Tweet FAQs/ Sectoral FAQs released by CBEC since the last update on 14.04.2018. 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

- One Central Notification issued amending the CGST Rules, 2017
- Two Press releases issued by CBIC

4th Amendment in CGST Rules



- http://www.cbec.gov.in/resources//htdocs-cbec/gst/Notification-21-2018-central_tax-English.pdf
- Fourth Amendment to CGST rules notified vide notification no.21/2018-Central Tax dated 18.04.2018.
- Sub-rule 5 of rule 89 substituted as under (formula for refund of ITC on account of inverted rate structure redefined.)
- Maximum Refund Amount = {(Turnover of inverted rated supply of goods **and services**)x Net ITC ÷ Adjusted Total Turnover} - tax payable on such inverted rated supply of goods and services.



Amounts to be credited to the Consumer Welfare Fund



- Rule 97 -Consumer Welfare Fund; Comprehensive provisions pertaining to credit and utilization from the fund notified.
- Following amounts will be credited to the Fund
- All amounts of duty/central tax/ integrated tax /Union territory tax/cess and income from investment along with other monies specified in section 12C(2) of the Central Excise Act, 1944, section 57 of the CGST Act, 2017 read with section 20 of the IGST Act, 2017, section 21 of the UTGST Act, 2017 and section 12 of the GST(Compensation to States) Act, 2017 shall be credited to the Fund
- An amount equivalent to fifty per cent of the amount of integrated tax determined under section 54 (5) of the CGST, 2017, read with section 20 of the IGST Act, 2017, shall be deposited in the Fund



Payments from the Fund and Audit by CAG



- Where any amount, having been credited to the Fund, is ordered or directed to be paid to any claimant by the proper officer, appellate authority or court, the same shall be paid from the Fund.
- Accounts of the Fund maintained by the Central Government shall be subject to audit by the Comptroller and Auditor General of India



Standing Committee in respect of Consumer Welfare Fund to be constituted



- The Government shall, by an order, constitute a Standing Committee with a Chairman, a Vice-Chairman, a Member Secretary and such other members as it may deem fit and the Committee shall make recommendations for proper utilisation of the money credited to the Fund for welfare of the consumers.
- The Committee shall meet as and when necessary, generally four times in a year;

- in FORM GST ITC-03, after entry 5 (e), for the instruction against “**”, the following shall be substituted, namely:-
- “The value of capital goods shall be the invoice value reduced by 1/60th per month or part thereof from the date of invoice”;
- Earlier the instruction was – *“The value of capital goods shall be the invoice value reduced by five percentage points per quarter of a year or part thereof from the date of invoice”*

Final Return Format



- Form GSTR-10 – Final Return under Rule 81 of the CGST Rules, 2017 specified
- Final return is required to be filed under Section 45 of the CGST Act, 2017 by every registered person who is required to furnish a return under section 39(1) and
 - whose registration has been cancelled
 - within three months of the date of cancellation or date of order of cancellation, whichever is later



FORM GST DRC-07 Format



- Format of the FORM GST DRC-07 specified
- Under rule 142(5) of the CGST Rules, 2017, a **summary of the order** issued under section 73(9) or section 74(9) or section 76(3) shall be uploaded electronically in FORM GST DRC-07, specifying therein the amount of tax, interest and penalty payable by the person chargeable with tax.

Clarification on Filing of Table 4A of GSTR-4



- [http://www.cbec.gov.in/resources//htdocs-cbec/press-release/Press release GSTR4 17apr.pdf](http://www.cbec.gov.in/resources//htdocs-cbec/press-release/Press%20release%20GSTR4%2017apr.pdf)
- FORM GSTR-4- Composition Dealers
- For the tax periods July, 2017 to September, 2017 and October, 2017 to December, 2017, serial 4A of Table 4 shall not be furnished.
- It is clarified that since auto-population of the details of the inward supplies including supplies on which tax is to be paid on reverse charge is not taking place, taxpayers who have opted to pay tax under the composition levy shall not furnish the data in serial number 4A of Table 4 of FORM GSTR-4 for the tax periods January, 2018 to March, 2018 and subsequent tax periods.



E Way Bill Updates

National Academy of Customs, Indirect Taxes and Narcotics (NACIN)

E Way Bill in UTs



- Notn No. 02 to 06 /2018-UT Tax all dated 31st March, 2018
- No E way Bill requirement for Intra-State Supplies in 5 Union Territories viz Lakshadweep, Daman & Diu, Dadra & Nagar Haveli, Chandigarh and Andaman & Nicobar Islands



E way Bill for Intra State Movement



- [http://www.cbec.gov.in/resources//htdocs-cbec/press-release/Press Note E-way Bill-2nd new.pdf](http://www.cbec.gov.in/resources//htdocs-cbec/press-release/Press%20Note%20E-way%20Bill-2nd%20new.pdf)
- E-Way Bill system for intra-State movement of goods already started in Andhra Pradesh, Gujarat, Karnataka, Kerala, Telangana and Uttar Pradesh; and would be implemented from 20th April, 2018 in the following six States:-
 - Bihar
 - Jharkhand
 - Haryana
 - Himachal Pradesh
 - Tripura
 - Uttarakhand



GST Portal Updates

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New Functionality -Registration



- **Application for Revocation of cancellation of registration**
- Facility to apply for Revocation of cancellation of Registration has been enabled on GST Portal (refer Rule 23(1) of the CGST Rules, 2017).
- This form will enable Tax payers whose registration has been cancelled via Suo-moto Cancellation route, to apply for revocation of their cancellation of registration.



New Functionality- Registration of UINs



- **Application for grant of UIN to UN Bodies/Embassies/ Other Notified Person**
- Facility to apply for grant of Unique Identity Number to UN Bodies/Embassies/Other Notified Person has been enabled on GST Portal (refer Rule 17(1) of the CGST Rules, 2017).
- This form will enable UN Bodies/Embassies/Other Notified Person to apply for grant of Unique Identity Number to them.



Online Transmission & Statement upload functionality in RFD-01A now available on GST Portal



Online Transmission & statement upload functionality in RFD-01A is now available on GST Portal

Filing of Form RFD-01A, which is a workaround of refund, is now available with added features of statement upload of invoices and online transmission of this data to the jurisdictional tax officers, while filing of Refund of ITC on account of export of goods outside India and export to SEZ developers and SEZ units.



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[/Goods&ServicesTaxNetwork](https://www.youtube.com/channel/UC...)

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New Functionality-Refund



- **Statement Upload Functionality in RFD-01A**
- As per existing refund workaround implementation, refund application RFD-01A is filed by taxpayer, without any facility for statement upload.
- The refund application is filed on a summary level and taxpayer approaches refund processing officer with details. Refund processing officer, based on the details provided by the taxpayer, manually processes the refund claim and updates the refund claim status through RFD-01B on the online portal.
- A functionality of uploading the statement by the taxpayer, while filing refund application in Form GST RFD-01A, has been provided.
- The refund processing officer can view and download this statement in CSV format, with the refund application in RFD-01B.

New Functionality-Refund

- **Display of Pending Refund Applications Functionality at BO RFD-01B Workaround**
- As per existing refund processing workaround implementation, the refund processing officer is not able to view all the refund applications assigned to it and can only view any application based on the ARN/GSTIN search functionality. If refund application belongs to tax officer's jurisdiction, then the refund application can be processed by the tax officer. If the GSTIN doesn't belong to the tax payer's jurisdiction, then the same would not be available to tax officer for processing.
- The functionality of displaying pending refund applications in Back Office workaround (RFD-01B) has been changed so that tax officer will now be able to view all the refund applications assigned to its jurisdiction on the dash board. From the list, the refund applications can be searched based on ARN or GSTIN for processing.

New Functionality- Refund

- **Changing the computation method of allowable refund of unutilized ITC in case of inverted duty Structure**
- In the existing workaround of refund application for refund related to unutilized ITC in case of inverted duty structure, the taxpayer is declaring its turnover of inverted rated supplies of goods, adjusted turnover, tax payable on inverted rated supply of goods head wise and net ITC head wise. Based on the prescribed formula the maximum refund amount is computed. The net ITC availed in the tax period is getting auto-populated head wise including transition ITC claimed in that period through TRAN 1/2 and the specified formula for maximum refund is being applied head wise which is resulting in erroneous computation of maximum refund amount.

- After these changes, the Net Input Tax Credit in table “Computation of Refund to be claimed” will now be computed after considering net ITC availed for the heads of CGST/SGST/IGST, which shall be equal to or less than the ITC availed in its return, for the respective tax period for which refund is claimed excluding any transition ITC that may have been posted in the ledger on account of transition ITC claims in the said period. Similarly refund of Cess will be computed separately.
- Further, total Refund to be Claimed entered in the heads of CGST/IGST/SGST, when taken on aggregate level for all heads (excluding Cess) shall be less than or equal to total of CGST/IGST/SGST calculated under head Maximum refund allowable.



Surrender of registration by the taxpayers



- Form GST REG-29 {application for cancellation of provisional registration (by migrated taxpayers who have not done any activity in GST), refer Rule 24 (4) of the CGST Rules, 2017} has been disabled on GST Portal, since last date to file Form GST REG-29 was 31st March, 2018.
- Now, these taxpayers have to file their cancellation of registration request, in Form GST REG-16 (application for cancellation of registration, refer Rule 20 of the CGST Rules, 2017).



Any ISSUES/ queries?



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

Any ISSUES/ queries?



- Twitter Handles
- For General Questions
- https://twitter.com/askGST_GoI
- For technology related issues
- <https://twitter.com/askGSTech>
- NACIN twitter
- https://twitter.com/NACIN_OFFICIAL



THANK YOU