



# GST Update

Weekly Update  
19.08.2017

- This Presentation covers the GST changes / observations/ press releases/ Tweet FAQs/ Sectoral FAQs released by CBEC since the last update on 12.08.2017. 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



## Amendment in CGST Rules, 2017



- Rule 3, 17, 40, 44 (44A), 61, 87, 107 of the CGST Rules, 2017 have been amended by Notification No. 22/2017-Central Tax dated 17<sup>th</sup> August, 2017
- Amendments have also been made in GST REG 01 and form GST REG-13
- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-22-central-tax-english.pdf>
- The changes are discussed in the following slides.

## Rule 3 (Composition Scheme)



- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-22-central-tax-english.pdf>
- Rule 3 of the CGST Rules, 2017:
- Intimation for composition scheme by registered person prior to the commencement of the financial year for which the option for composition scheme is exercised
- A registered person has to submit form GST ITC-03; Time period for the same enhanced to 90 days
  - *in rule 3 (4), for the words “sixty days”, the words “ninety days” shall be substituted*

## Rule 17 ( UIN for special entities)



- Assignment of UIN to certain special entities:
- Rule 17 (2): The proper officer may, upon submission of an application in FORM GST REG-13 or after filling up the said form, or after receiving a recommendation from the Ministry of External Affairs, Government of India assign a Unique Identity Number to the said person and issue a certificate in FORM GST REG-06 within a period of three working days from the date of the submission of the application.

[new insertion highlighted in green ]

- Recommendation by Min of Ext Affairs also sufficient to grant UIN

## Rule 40 (Form ITC-01 submission)



- Rule 40 of the CGST Rules, 2017: Manner of claiming credit in special circumstances
- “(b) the registered person shall within a period of thirty days from the date of becoming eligible to avail the input tax credit under sub-section (1) of section 18, ***or within such further period as may be extended by the Commissioner by a notification in this behalf,*** shall make a declaration, electronically, on the common portal in FORM GST ITC-01 to the effect that he is eligible to avail the input tax credit as aforesaid:
- ***Provided that any extension of the time limit notified by the Commissioner of State tax or the Commissioner of Union territory tax shall be deemed to be notified by the Commissioner.”;***

[ New insertion highlighted in Green]

## Rules 44A inserted



- Rule 44A inserted as below:

*“44A. Manner of reversal of credit of Additional duty of Customs in respect of Gold dore bar.- The credit of Central tax in the electronic credit ledger taken in terms of the provisions of section 140 relating to the CENVAT Credit carried forward which had accrued on account of payment of the additional duty of customs levied under sub-section (1) of section 3 of the Customs Tariff Act, 1975 (51 of 1975), paid at the time of importation of gold dore bar, on the stock of gold dore bar held on the 1<sup>st</sup> day of July, 2017 or contained in gold or gold jewellery held in stock on the 1<sup>st</sup> day of July, 2017 made out of such imported gold dore bar, shall be restricted to one-sixth of such credit and five-sixth of such credit shall be debited from the electronic credit ledger at the time of supply of such gold dore bar or the gold or the gold jewellery made therefrom and where such supply has already been made, such debit shall be within one week from the date of commencement of these Rules.”;*

## Rule 61 ( Filing of returns )



- **Deferment of GST Returns for the month of July and August, 2017:**
- Rule 61 (5):
- *“Where the time limit for furnishing of details in FORM GSTR-1 under section 37 and in FORM GSTR-2 under section 38 has been extended and the circumstances so warrant, the Commissioner may, by notification, ~~specify that~~ **specify the manner and conditions subject to which the** return shall be furnished in **FORM GSTR-3B electronically** through the common portal, either directly or through a Facilitation Centre notified by the Commissioner.”*

[Green portion new insertion]



## CGST Rules Amended



- Rule 87: Electronic Cash Ledger; Proviso clauses to rule 87(2) inserted for giving the time limit for a challan and mode of payment by OIDAR Services supplier
- ***“Provided that the challan in FORM GST PMT-06 generated at the common portal shall be valid for a period of fifteen days. Provided further that a person supplying online information and database access or retrieval services from a place outside India to a non taxable online recipient referred to in section 14 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017) may also do so through the Board’s payment system namely, Electronic Accounting System in Excise and Service Tax (EASIEST) from the date to be notified by the Board.”;***

## CGST Rules, 2017 amended



- Rule 87(3)- Proviso added for allowing OIDAR supplier to pay GST through SWIFT payment network

*“Provided further that a person supplying online information and database access or retrieval services from a place outside India to a non-taxable online recipient referred to in section 14 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017) may also make the deposit under sub-rule (2) through international money transfer through Society for Worldwide Interbank Financial Telecommunication payment network, from the date to be notified by the Board.”*

## Rule 103- AAR



- Rule 103- Qualification and appointment of members of the Authority for Advance Ruling.-
- The clause “The Central Government and the State Government shall appoint officer of the rank of Joint Commissioner as member of the Authority for Advance Ruling” has been replaced by ...

***“The Government shall appoint officers not below the rank of Joint Commissioner as member of the Authority for Advance Ruling.”***

## GST REG-01 and GST REG-13



- The following instructions has been added in the instructions for submission of the registration form  
*“Government departments applying for registration as suppliers may not furnish Bank Account details”*
- GST REG-13 Form for grant of UIN to UN Bodies/ Embassies/Others has been amended to add a few fields like details of Letter of recommendation of MEA etc.

## Last Date for GSTR-3B



- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/notfctn-23-central-tax-english.pdf>
- Registered persons entitled to avail input tax credit in terms of section 140 of the Act (Transitional Credit) read with rule 117 of the said Rules but opting not to file FORM GST TRAN- 1 on or before the 28th August, 2017
- Last date for filing GSTR-3B: extended to 25<sup>th</sup> August, 2017 (earlier 20<sup>th</sup> August , 2017 )

## Last Date for GSTR-3B



- Registered persons entitled to avail input tax credit in terms of section 140 of the Act (Transitional Credit) read with rule 117 of the said Rules and opting to file FORM GST TRAN-1 on or before the 28th August, 2017
- Last Date for filing GSTR-3B: extended to 28<sup>th</sup> August, 2017
  - ✓ File FORM GST TRAN-1 under rule 117(1) of the said Rules before the filing of FORM GSTR-3B;
  - ✓ Pay the amount to be in cash by 25<sup>th</sup> August, 2017; Any difference will have to be paid along with interest
- Any other registered person - Last Date for filing GSTR-3B is 25<sup>th</sup> August, 2017

## GST on Tractor Parts



- GST on various tractor parts have been reduced from **28% to 18%**
- Tyres/ Tubes for tractors; Hydraulic pumps, bumpers, break assembly, gear boxes, bumpers, radiator assemble, silencer, clutch assembly, steering wheel etc for tractors as listed in Notn No 19/2017-Central Tax (rate) dated 18<sup>th</sup> August, 2017
- <http://www.cbec.gov.in/resources//htdocs-cbec/gst/Notification19-CGST.pdf>

## Exports to Bhutan



- Requirement of Bank certificate evidencing receipt of payment in freely convertible currency as required under Notification No. 45/2001-CE (NT) dated 26.06.2001
- Export of commodities to Bhutan in the case of export for the following Hydroelectric projects, namely, Kurichu Hydro Electric Project, Tala Hydro Electric Project, Punatsangechhu-I Hydro Electric Project, Punatsangchhu-II Hydro-Electric Project, Mangdechhu Hydro-Electric Project and Kholongchhu Hydro Electric Project, which are being constructed with the assistance of Government of India as part of Bilateral Agreements with Bhutan.



## Exports to Bhutan



- Article VII of the India-Bhutan Agreement on Trade, Commerce and Transit provides that bilateral trade between India and Bhutan shall be in INR or Ngultrums.
- Payment condition relating to currency with regard to export of commodities to Bhutan for the said Hydroelectric projects shall be considered to have been discharged in cases where payment has been received in Indian currency through the banking channels.
- <http://www.cbec.gov.in/resources//htdocs-cbec/excise/cx-circulars/cx-circulars-2017/circ1058-2017cx.pdf>

## Temporary Imports for Project etc.



- Temporary Import of Machinery, equipment or tools, falling under Chapters 84, 85, 90 or any other Chapter of the First Schedule to the Customs Tariff Act, 1975 for execution of contract etc and re-export
- IGST Exempted
- Customs Duty to be refunded to the extent of use of the subject goods in India
- Equivalent to Notn No. 27/2002-Customs which is superseded by Notn No. 72/2017 dated 16<sup>th</sup> August, 2017
- <http://www.cbec.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2017/cs-tarr2017/cs72-2017.pdf>

## 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**