

GOODS & SERVICES TAX / IDT UPDATE – 31

E-way Bill Mechanism

Following decisions were taken by the GST council in the 24th GST Council meeting for implementation of nationwide e-way Bill system :

- i) The nationwide e-way Bill system will be ready to be rolled out on a trial basis latest by 16th January, 2018. Trade and transporters can start using this system on a voluntary basis from 16th January, 2018.
- ii) The Rules for implementation of nationwide e-way Bill system for **Inter-State movement of goods** on a compulsory basis will be notified with effect from 1st February, 2018. This will bring uniformity across the States for seamless inter-State movement of goods.
- iii) While the System for both inter-State and intra-State e-way Bill generation will be ready by 16th January, 2018, the States may choose their own timings for implementation of e-way Bill for intra-State movement of goods on any date before 1st June, 2018. There are certain States which are already having system of e-way Bill for intra-State as well as inter-State movement and some of those States can be early adopters of national e-way Bill system for intra-State movement also. But in any case, the Uniform System of e-way Bill for inter-State as well as intra-State movement will be implemented across the country by 1st June, 2018.

(Release ID :174401)

[\[http://pib.nic.in/newsite/erelease.aspx\]](http://pib.nic.in/newsite/erelease.aspx)

Extension of time limits for filing GSTR 5, GSTR 5A and Form GST ITC-01

The Central Government has extended the time limit for filing the following forms:

<i>Form</i>	<i>Description</i>	<i>Due date prior to this Notification</i>	<i>Extended date</i>
GSTR ITC-01	Form to be filed by registered person after taking registration to the effect that he is eligible to avail the input tax credit	Prior to this Notification due date of filing Form GSTR ITC-01 by the registered persons, who have become eligible during the months of July, 2017, August, 2017 and September, 2017 was 31st October ,2017	By <i>Notification No. 67/2017 – Central Tax dated 21st December, 2017</i> due date of filing form GSTR ITC-01 by the registered persons, who have become eligible during the months of July, 2017, August, 2017, September, 2017, October,2017 and November,2017 is 31st

			January, 2018.
FORM GSTR-5	Form of Return by non-resident tax payers [Foreigners]	Prior to this Notification due date of filing Form FORM GSTR-5 for the months of July 2017, August, 2017, September, 2017 and October, 2017 was 11th December, 2017	By <i>Notification No.68/2017 – Central Tax dated 21st December, 2017</i> due date of filing FORM GSTR-5 for the months of July 2017, August, 2017, September, 2017, October, 2017, November, 2017 and December, 2017 is 31st January, 2018.
FORM GSTR-5A	Form and manner for submission of Return by persons providing online information and database access or retrieval services from a place outside India to a person in India other than a registered person	Prior to this Notification due date of filing Form FORM GSTR-5A for the months of July,2017 , August,2017 and September,2017 was 15th December 2017.	By <i>Notification No. 69/2017 – Central Tax dated 21st December, 2017</i> due date of filing FORM GSTR-5 for the months of July 2017, August, 2017, September, 2017, October, 2017, November, 2017 and December, 2017 is 31st January, 2018.

[*Notification No. 67/2017 – Central Tax dated 21st December, 2017; Notification No.68/2017 – Central Tax dated 21st December, 2017; Notification No. 69/2017 – Central Tax dated 21st December, 2017*]

Amendment in CGST Rules, 2017

Central Government vide *Notification No. 70/2017 – Central Tax dated 21st December, 2017* has made following amendments in the CGST Rules, 2017:

Substitution of Table 6 in Form GSTR 1 : In Table 6 “**Zero rated supplies and Deemed Exports**” two new columns have been inserted for furnishing details of central and state tax in case of merchant exporter.

Insertions in Form GST RFD-01: In GST RFD-01

- (a) In Table 7, in clause (h), for the words “Recipient of deemed export”, the words “Recipient of deemed export supplies/ Supplier of deemed export supplies” has been substituted.
- (b) After Statement 1, new Statement 1A has been inserted.
- (c) After Statement 5A, new Statement 5B has been inserted.

Insertions in Form GST RFD-01A : In GST RFD-01A

- (a) In Table 7, in clause (g), for the words “Recipient of deemed export”, the words “Recipient of deemed

export supplies/ Supplier of deemed export supplies” has been substituted.

(b) After Statement 1, new Statement 1A has been inserted.

(c) After Statement 5A, new Statement 5B has been inserted.

[Notification No. 70/2017 – Central Tax dated 21st December, 2017]

Manual filing and processing of refund claims on account of inverted duty structure, deemed exports and excess balance in electronic cash ledger

The Central Government vide *Circular No.24/24/2017- GST dated 21st December, 2017* has clarified that due to the non-availability of the refund module on the common portal the applications/documents/forms pertaining to refund claims on account of inverted duty structure, deemed exports and excess balance in electronic cash ledger shall be filed and processed **manually** till further orders.

It is also clarified that refund claims shall be filed for a tax period on a monthly basis in **FORM GST RFD-01A**. However, in case registered persons having aggregate turnover of up to Rs 1.5 crore in the preceding financial year or the current financial year are opting to file FORM GSTR-1 quarterly (notification No. 57/2017-Central Tax dated 15.11.2017 refers), such persons shall apply for refund on a quarterly basis.

Further, the registered persons applying for refund must give an undertaking to the effect that the amount of refund sanctioned would be paid back to the Government with interest in case it is found subsequently that the requirements of the CGST Act have not been complied with in respect of the amount refunded. This undertaking should be submitted manually along with the refund claim till the same is available in FORM RFD-01A on the common portal.

[Circular No.24/24/2017- GST dated 21st December, 2017]

GST Portal updates

Form GSTR 5A is now available on the GST Portal.

Functionality to file Form GSTR 5A (*Form and manner for submission of Return by persons providing online information and database access or retrieval services from a place outside India to a person in India other than a registered person*) is now available on the GST Portal.

[\[gst.gov.in\]](http://gst.gov.in)

Form GST TRAN 2 is now available on the GST Portal.

Functionality to file Form GST TRAN 2 (*Statement for dealers or traders that are currently registered under GST but were previously unregistered under VAT/Excise, to avail credit of goods in stock on the appointed day, in respect of which they are not in possession of any document evidencing payment of duty*) is now available on the GST Portal.

As per Rule 117(4) of CGST Rules, 2017 the input tax credit shall be allowed at the rate of 60% on such goods which attract central tax at the rate of 9% or more and 40% for other goods of the central tax applicable on supply of such goods after the appointed date and shall be credited after the central tax payable on such supply has been paid.

Provided that where integrated tax is paid on such goods, the amount of credit shall be allowed at the rate of 30% and 20% respectively of the said tax.

[\[gst.gov.in\]](http://gst.gov.in)

Nil Return filing and Questionnaire based display in Form GSTR 3B for the Tax payers

Functionality to file Nil Return is available, in case a taxpayer selects option to file Nil GSTR 3B Return, he can straightaway file nil return, Earlier there was no such provision all taxpayers were shown all tiles along with payment tile. Now nil return can be filed at one click of mouse.

Further on logging and selecting Form GSTR 3B In Return dashboard, system will display a questionnaire to the taxpayer based on which relevant tables of GSTR 3B will be visible to the taxpayer. It will remove non-relevant tables of the return which are not applicable for a particular assessee such as interstate supply to unregistered.

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Advisory for Taxpayers Filing of Quarterly Returns FORM GSTR1

- Taxpayers opting for quarterly filing of return will have to select the last month of the quarter from the drop down menu. However, for the month of July 2017, GSTR-1 has to be filed separately by all taxpayers, as option to file quarterly returns is applicable for returns from August 2017 onwards.
- Thus, taxpayers who opt for quarterly return filing will have to file GSTR-1 of the various tax periods in the following manner:
 - For July: Monthly (by choosing July from drop down menu)
 - For 2nd Quarter (August and Sept): Quarterly, by choosing Sept.
 - For 3rd Quarter (Oct-Dec): Quarterly, by choosing December
- Taxpayer, who has already filed GSTR 1 for July 2017, will not be able to revise the same. However, amendment relating to invoices and other relevant document of July 2017 can be made through amendment Table (Table 9) in the next period return.
- Once taxpayer has chosen the option "Quarterly", they **cannot** change this option in the remaining part of the financial year 2017-18. Thus, they will be required to file Quarterly returns and they **cannot** opt for Monthly filing of returns during current financial year.

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CUSTOMS

Sale of goods and display of prices at duty free shops in Indian Currency

The Central Government vide *Circular no. 50/2017-Customs dated 18th December ,2017* has clarified that the passengers can make use of INR credit cards/debit cards for making payments at duty free shops located at International Terminals, without any need for conversion of foreign currency into Indian Rupees.

Further, for the effective implementation of the above, DFS's shall henceforth, mandatorily display the price of all goods on sale in Indian Rupees, only.

In view of the forgoing:

- Payments made through an INR credit card / debit card at Duty Free Shops located in the arrival hall shall be subject to a limit of Rs 25,000/- for an incoming passenger.
- However, payments through a INR credit card or debit card at Duty Free Shops located in the departure hall shall be without limit for an outgoing passenger.
- Duty Free Shops shall ensure that passenger making payments through an INR credit/debit card are not subject to paying for merchandise in foreign currency and accordingly do not have to bear any attendant charges for conversion of foreign exchange.
- Since prices of merchandise for sale at a Duty Free Shops shall, henceforth, only be displayed in INR, any passenger desiring to make a payment in any foreign currency, shall be charged in foreign currency by applying the rate of exchange notified under Section 14 of the Customs Act, 1962 from time to time.

[Circular no. 50/2017-Customs dated 18th December ,2017]

Requirement of Evaluators

The advent of GST would require a large number of evaluators who are having the knowledge of GST for evaluating CA exam papers. The advantage of being an evaluator is as under:

- a. Understand the GST law in a much deeper way to enhance professional advantage in employment or in practice.
- b. Be able to teach/ speak on the subject
- c. To contribute to ICAI and students quality
- d. Be able to be compensated reasonably for 3 weeks' time each half year

Application for empanelment as examiner can be made online at :

<http://examinerspanel.icaixam.icaai.org>

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