TAX CONNECT
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TAX CONNECT

Knowledge Partner:

The Bengal Chamber of Commerce & Industry

BCC&I
THE BENGAL CHAMBER

INCOME TAX

CUSTOMS

TAX CONNECT
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EDITORIAL

Friends,

The initial jitters regarding GST are now slowly settling down. Infact as per reports and businesses, the Implementation of GST has been smoother than anticipated. Now, As far as the Taxation & IT Dept. in every organization is concerned, the next 1.5 months are the most crucial as the businesses ready themselves to file GST Returns.. Infact a flood of them to say the least!

Again, for filing returns of enterprises, a robust software may be most crucial. Infact we feel that for enterprises return filing, a robust software should have the following features –

1. Corporates spend most of the time segregating data for returns. For eg. they have to segregate Data into -

A. b2b
B. more than 2.5L inter state
C. Less than 2.5L inter state
D. Exports, etc

The software should do it

2. You just have to upload your purchase register in the software. It should automatically pull GSTR 2A data and do matching.

No need to do matching one by one manually

3. You should many users who can share the responsibilities. For eg. if you have business in 10 states, you should be able to create 10 user Ids & PWs

Not only this, a rule should be set giving the to the states to only alter data related to their state

4. The Head of Finance/Taxation should be able to get a one hand information on the status of return filing of all states at one place.

In this regard, we are the regional partners of "Clear Tax ASP" wherein we also providing managed services of return filing and handholding for enterprises.

Now Something on GSTR 3B :

All the Companies/GST dealers have to file form GSTR 3B, a summarised Return, for July by August 20 and for August, the same has to be filed by September 20.

GSTR-3B can be file via ONLINE mode only.

Following details are to be provided in GSTR-3B:

1. Basic Information;
2. Details of Outward Supplies and inward supplies liable to reverse charge;
3. details of inter-State supplies made to unregistered persons, composition taxable persons and UIN holders;
4. Details of Eligible and Ineligible ITC;
5. Value of exempt, nil-rated and non-GST inward supplies;
6. Detail of Payment of Tax;
7. Details of TDS / TCS credit.

However the form does not provide space for carry-forward of credit from the earlier regime. This essentially implies that the GST liability for the months of July and August will have to be settled in cash.

Further, GSTR-3B can be submitted only after making payment of taxes.

Further, The 20th GST Council meeting was held on 5th August, 2017 (Saturday). In the meeting following broad decisions taken:

EDITORIAL

1. GST Rate reduced to 5% for Job work services in respect of the textiles and textile products (including MMF yarn, garments, made-ups, etc.

2. GST Rate reduced to 12% with full ITC for Services by way of printing of newspapers, books (including Braille books), journals and periodicals where only content is supplied by the publisher and the physical inputs including paper used for printing belongs to the printer.

3. GST Rate reduced to 5% with full ITC for Services by way of printing of newspapers, books (including Braille books), journals and periodicals using physical inputs owned by others (including an unregistered publisher/supplier).

4. GST Rate reduced to 12% with full ITC for Works contract services provided to Government, local authority or governmental authority and in respect of post-harvest storage infrastructure for agricultural produce, mechanized food grain handling system.

5. GST Rate reduced to NIL on Margin/commission payable to Fair Price Shop Dealers by Central/ State Governments.

6. GST Rate reduced to 18% with full ITC for Admission to planetarium.

7. In case of Rent a cab service two options for GST rates are now available:
   a. GST rate of 12% with full ITC.
   b. GST rate of 5% with no ITC.

8. In case of GTA two options for GST rates are now available:
   a. GST rate of 12% with full ITC (under forward charge).
   b. GST rate of 5% with no ITC.

However, the GTA has to give an option at the beginning of financial yea.r

9. Liability to pay GST placed on Electronic Commerce Operators in case of small house-keeping service providers (plumbers/ carpenters) providing services through Electronic Commerce Operators.

10. For the purposes of levy (including exemption therefrom) of GST on legal services, Partnership firm or a firm includes LLP (Limited liability Partnership).

11. It is to clarify that legal services (including representational services) provided by an individual advocate or a senior advocate or a firm of advocates (including LLP) provided to a business entity in taxable territory are covered under reverse charge mechanism

12. Goods required by FIFA and Services provided by and to FIFA and its subsidiaries in connection with FIFA U-17 World Cup to be hosted in India in 2017 shall be exempted from GST

13. New crop insurance schemes Pradhan Mantri Fasal Bima Yojana (PMFBY) introduced from Kharif 2016-17 in place of National Agricultural Insurance Scheme (NAIS) and Modified National Agricultural Insurance Scheme (MNAIS), and Restructured Weather Based Crop Insurance Scheme (RWCIS) introduced in place of Weather Based Crop Insurance Schemes, shall be extended exemption from GST.

We do hope that this bulletin adds value to your professional sphere.

Just to reiterate that we remain available over telecom or e-mail.

Truly Yours

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SYNOPSIS

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TAX CALENDAR

Due date	COMPLIANCES FROM 30th July, 2017 to 05th August, 2017	Name of State
15th Aug	Filing of Service tax return for the period of 1st April, 2017 to 30th June, 2017	India

GST: CGST

NOTIFICATIONS/CIRCULARS

EXTENSION OF THE TIME LIMIT FOR FILING OF FORM GSTR-1

OUR COMMENTS: The Department of Revenue, Ministry of Finance, Government of India vide **Notification No. 18/2017 – Central Tax, dated 08th August, 2017** hereby extends the time limit for filing **FORM GSTR-1**. The dates for the same has been mentioned below:-

Sl. No.	Month	Time period for filing of details of outward supplies in FORM GSTR-1
1	July, 2017	1st to 5th September, 2017
2	August, 2017	16th to 20th September, 2017.

EXTENSION OF THE TIME FOR FILING OF FORM GSTR-2

OUR COMMENTS: The Department of Revenue, Ministry of Finance, Government of India vide **Notification No. 19/2017 – Central Tax, dated 08th August, 2017** hereby extends the time limit for filing **FORM GSTR-2**. The dates for the same has been mentioned below:-

Sl. No.	Month	Time period for filing of details of outward supplies in FORM GSTR-2
1	July, 2017	6th to 10th September, 2017
2	August, 2017	21st to 25thSeptember, 2017

EXTENSION OF THE TIME LIMIT FOR FILING OF FORM GSTR-3

OUR COMMENTS: The Department of Revenue, Ministry of Finance, Government of India vide **Notification No. 20/2017 – Central Tax, dated 08th August, 2017** hereby extends the time limit for filing **FORM GSTR-3**. The dates for the same has been mentioned below:-

Sl. No.	Month	Time period for filing of details of outward supplies in FORM GSTR-3
1	July, 2017	11th to 15th September, 2017
2	August, 2017	26th to 30th September, 2017.

EXTENSION OF THE TIME LIMIT FOR FILING OF FORM GSTR-3B

OUR COMMENTS: The Department of Revenue, Ministry of Finance, Government of India vide **Notification No. 21/2017 – Central Tax, dated 08th August, 2017** hereby extends the time limit for filing **FORM GSTR-3B**. The dates for the same has been mentioned below:-

Sl. No.	Month	Time period for filing of details of outward supplies in FORM GSTR-3B
1	July, 2017	20th August, 2017
2	August, 2017	20th September, 2017

GST: IGST

ANALYSIS

DECISION TAKEN ON SERVICES AT 20TH GST COUNCIL MEETING ON 5TH AUGUST, 2017

The 20th GST council meeting was held on 5th August, 2017 in and the following major decisions regarding the changes in GST rates on services has been taken by GST Council of India:-

S. No.	Description of service	From	To
1	Job work services in respect of the textiles and textile products	18%/5%	5%
2	Services by way of printing of newspapers, books	18% with full ITC	12% with full ITC
3	Services by way of printing of newspapers, books	18% with full ITC	5% with full ITC
4	Works contract services provided to Government, local authority or governmental authority and in respect of post-harvest storage infrastructure for agricultural produce, mechanized food grain handling system	18% with full ITC	12% with full ITC
5	Margin/commission payable to Fair Price Shop Dealers by Central/ State Governments	18% with full ITC	Nil
6	Admission to planetarium	28% with full ITC	18% with full ITC
7	Rent-a-cab service	Allowed option of 12% GST with full ITC. 5% GST with no ITC will also continue	
8	Goods Transport Agency Service (GTA	Allowed option of 12% GST with full ITC under forward charge. 5% GST with no ITC will also continue.	
9	In case of small house-keeping service providers (plumbers/carpenters) providing services through Electronic Commerce Operators (ECO), liability to pay GST placed on ECO.		
10	Partnership firm or a firm includes LLP (Limited liability Partnership) for the purposes of levy (including exemption therefrom) of GST on legal services.		
11	To clarify that legal services (including representational services) provided by an individual advocate or a senior advocate or a firm of advocates (including LLP) provided to a business entity in taxable territory are covered under reverse charge mechanism		
12	Goods required by FIFA and Services provided by and to FIFA and its subsidiaries in connection with FIFA U- 17 World Cup to be hosted in India in 2017 shall be exempted from GST		
13	New crop insurance schemes Pradhan Mantri Fasal Bima Yojana (PMFBY) introduced from Kharif 2016- 17 in place of National Agricultural Insurance Scheme (NAIS) and Modified National Agricultural Insurance Scheme (MNAIS), and Restructured Weather Based Crop Insurance Scheme (RWCIS) introduced in place of Weather Based Crop Insurance Schemes , shall be extended exemption from GST		

GST: SGST/UTGST

NOTIFICATIONS/CIRCULARS

AMENDMENTS IN THE RATE OF STATE TAX

OUR COMMENTS: The Commercial Tax Department of Delhi, Lt. Governor of the National Capital Territory of Delhi, vide **No. 18/2017 -State Tax (Rate), dated 31st July, 2017** hereby makes amendments in the notification of the Government of National Capital Territory of Delhi, Finance Department (Revenue-I), No.1/2017 – State Tax, dated the 30th June, 2017 relating to the rate of the state tax.

The products like mineral or chemical fertilisers, nitrogenous,(other than those which are clearly not to be used as fertilizers) bearing the HSN of 3102, 3103, 3104, 3105(Mineral or chemical fertilisers containing two or three of the fertilising elements nitrogen, phosphorus and potassium; other fertilisers; goods of this Chapter in tablets or similar forms or in packages of a gross weight not exceeding 10 kg; other than those which are clearly not to be used as fertilizers; has been notified as under Schedule I – 2.5%.

AMENDMENTS IN THE EXEMPTION LIST OF INTRASTATE SUPPLY OF GOODS

OUR COMMENTS: The Commercial Tax Department of Uttarakhand, Government of Uttarakhand, vide **Notification No. 629/2017/9(120)/XXVII(8)/2017, dated 3rd August, 2017** hereby makes amendments in the Notification No. 518/2017/9(120)/XXVIII(8) /2017 Dated 29 June, 2017 in relation to Exemption of intra-State supplies of all goods of seed quality and Aquatic feed including shrimp feed and prawn feed, poultry feed & cattle feed, including grass, hay & straw, supplement & husk of pulses, concentrates & additives, wheat bran & de-oiled cake.

EXTENTION OF DATE FOR FILING OF GSTR 1

OUR COMMENTS: The Commercial Tax Department of Uttarakhand, Government of Uttarakhand, vide **Notification No: 2320/CSTUK/GST-Vidhi Section/2017-18, dated 08th August, 2017** hereby declares the date for filing of FORM GSTR 1 for July, 2017 from 1st to 5th September, 2017 and for August 2017 from 16th to 20th September, 2017.

EXTENTION OF DATE FOR FILING OF GSTR 2

OUR COMMENTS: The Commercial Tax Department of Uttarakhand, Government of Uttarakhand, vide **Notification No: 2321/CSTUK/GST-Vidhi Section/2017-18, dated 08th August, 2017** hereby declares the date for filing of FORM GSTR 2 for July, 2017 from 6th to 10th September, 2017 and for August 2017 from 21st to 25th September, 2017.

EXTENTION OF DATE FOR FILING OF GSTR 3B

OUR COMMENTS: The Commercial Tax Department of Rajasthan, Government of Rajasthan, vide **Notification No. F.17(131) ACCT/GST/2017/2309 - Dated 8th August, 2017 hereby declares the date for filing of GSTR 3B** for July, 2017 till 20th August, 2017 and for August 2017 till 20th September, 2017.

OUR COMMENTS: The Commercial Tax Department of Puducherry, Government of Puducherry, vide **Notification No. F. No. 3240/CTD/GST/2017- Dated 8th August, 2017** hereby declares that the date for filing of GSTR 3B for July, 2017 is till 20th August, 2017 and for August 2017 till 20th September, 2017.

OUR COMMENTS: The Commercial Tax Department of Odisha, Government of Odisha, vide **Notification No. 12250/CT., Pol-41/1/2017, dated 8th August, 2017** hereby declares that the date for filing of GSTR 3B for July, 2017 is till 20th August, 2017 and for August 2017 till 20th September, 2017.

ANALYSIS

INDIAN ADVANCE PRICING AGREEMENT REGIME

Indian Advance Pricing Agreement regime moves forward with signing of nine APAs by CBDT in July, 2017:-

The Central Board of Direct Taxes (CBDT) entered into nine Unilateral Advance Pricing Agreements (UAPAs) with Indian taxpayers in the month of July, 2017. Some of the UAPAs signed had rollback provisions also.

The APA Scheme endeavours to provide certainty to taxpayers in the domain of transfer pricing by specifying the methods of pricing and determining the Arm's Length Price of international transactions in advance for a maximum period of five future years.

Further, the taxpayer has the option to rollback the APA for four preceding years, as a result of which, a total of nine years of tax certainty is provided.

Since its inception, the APA scheme has attracted tremendous interest among Multi National Enterprises (MNEs).

The nine APAs signed in the month of July, 2017 pertain to diverse sectors of the economy. CBDT has signed its first APA with a taxpayer engaged in supplying rigs used in Oil & Gas exploration. Other than the Oil & Gas Sector, the APAs pertain to Education, Banking, Pharmaceutical, Manufacturing and Information Technology sectors of the economy.

The international transactions covered in these nine APAs include:

- provision of software development services,
- provision of IT enabled services,
- provision of engineering design services,
- distribution, contract manufacturing, etc.

The number of UAPAs signed in the current financial year is 18 and the number of BAPAs signed in the current financial year is one.
With this, the total number of APAs signed till date stands at 171 (Unilateral-159 and Bilateral-12). The CBDT expects more APAs to be signed in the near future.

The progress of the APA Scheme strengthens the Government's commitment to foster a non-adversarial tax regime.

SPECIFIED AUTHORITY FOR SUBMITING BULK INFORMAITION

OUR COMMENTS: The CBDT (Dept. of Revenue), Ministry of Finance, Government of India vide **Order-Instruction – Dated 26th July, 2017 – Income Tax** hereby directs that **Principal Director General of Income-tax (Systems), New-Delhi** (Pr. DGIT(Systems)) shall be the specified authority for furnishing the 'bulk information' to Joint Secretary, Ministry of Corporate Affairs (MCA), Government of India

CUSTOMS

NOTIFICATIONS/CIRCULARS

CUSTOMS-LEVIABILITY OF INTEGRATED GOODS AND SERVICES TAX (IGST) ON HIGH SEA SALES OF IMPORTED GOODS AND POINT OF COLLECTION

OUR COMMENTS: The CBDT (Dept. of Revenue), Ministry of Finance, Government of India vide **Circular No. 33/2017-Cus, dated 1st August, 2017** hereby clarifies regarding the Leviability of Integrated Goods and Services Tax (IGST) on High Sea Sales of imported goods and point of collection thereof.

The above mention circular clarifies the following points:-

In case of High-sea sale transactions or imports IGST will be levied and collected only once at the hands of last importer on the final price of the item at the time when import declaration will be filed before the customs authorities for the customs clearance purposes for the first time.

However, the importer or the last buyer in the chain would be required to furnish the entire chain of documents such as original invoice, high-seas-sales-contract, details of service charges and commission paid to establish a link between the first contracted price of the goods and the last transaction, it added.

"High-sea sales of imported goods are akin to inter-State transactions," stressed the CBEC. Under GST laws, IGST, which is refundable, is levied on imports and exports.

Field formations are requested to decide the cases of high sea sales of imported goods accordingly. Difficulties, in the implementation of this circular may be brought to the knowledge of the Board.

RATE OF EXCHANGE OF CONVERSION OF THE FOREIGN CURRENCY RELATING TO IMPORT AND EXPORT WITH EFFECT FROM 4TH AUGUST, 2017

OUR COMMENTS: The CBDT (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 75/2017 - Customs (N.T.), dated 3rd August, 2017** hereby determines the rate of exchange of conversion of each of foreign currencies into the Indian currency or vice versa, which will be effected from 4th August, 2017.

Readers may refer the above mentioned notification for the detailed list of rate of exchange.

CONTINUATION OF ANTI-DUMPING DUTY ON IMPORTS OF "OPAL GLASSWARE"

OUR COMMENTS: The CBDT (Dept. of Revenue), Ministry of Finance, Government of India vide **NOTIFICATION No. 37/2017-Customs (ADD), dated 9th August, 2017** hereby clarifies that an anti-dumping duty will be levied on imports of "Opal Glassware" falling under the tariff item 7013 of the First Schedule to the Customs Tariff Act, originating in or exported from China PR and UAE, at the rate to be worked out as percentage of the CIF value of imports.

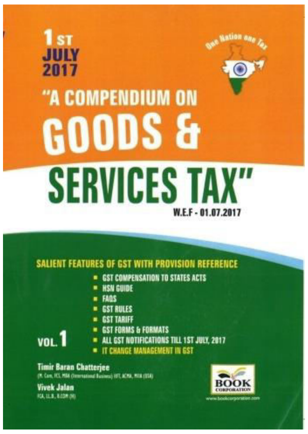
The anti-dumping duty imposed shall be effective for a period of five years (unless revoked, superseded or amended earlier) from the date of publication of this notification in the Official Gazette and shall be payable in Indian currency.

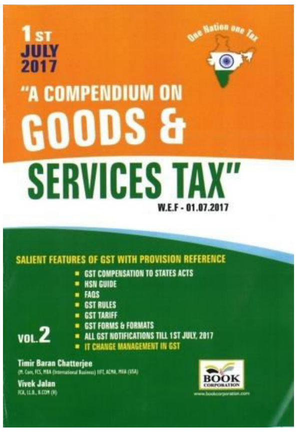
Explanation.- For the purposes of this notification, rate of exchange applicable for the purposes of calculation of such anti-dumping duty shall be the rate which is specified in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Act.

AVAILABLE IN STANDS

A COMPENDIUM ON GOODS & SERVICES TAX

(Including ALL Notifications till 09th July, 2017)





ABOUT THE BOOK: PART A of the Book provides a Chapter wise and Topic wise Analysis of the Law. Along with this it provides Section and Rules where in the reader may find the Legal Provisions. It will help the reader to first understand the provision and then to exactly locate the provision. It provides an insight into the following:

1. Section-wise Compilation of IT Changes under GST
2. The GST Rates as finalised by The GST Council along with the HSN Code Referencer.
3. FAQs on GST
4. CGST, IGST, UTGST and The GST Compensation to States Acts
5. The Rules related to GST available in public Domain as on 17th June 2017.
6. The Forms and formats related to GST available in public Domain as on 17th June 2017.

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