TAXCONNECT

144th Issue: 05th November 2017 – 11th November

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EDITORIAL

Friends,

In this issue, we are putting before you the following developments –

1. Notification No. 49/2017-Central Tax, dated the 18th October 2017 has been issued by CBEC regarding evidences required to be produced by the supplier of deemed export supplies for claiming refund.
2. Notification No. 50/2017-Central Tax, dated the 24th October 2017 has been issued by CBEC regarding waiver of late fee for late filing of form GSTR-3B.
3. Notification No. 52/2017-Central Tax, dated the 28th October 2017 has been issued by CBEC regarding extention of due date for submission of details in form GST-ITC-01.
4. Notification No. 53/2017-Central Tax, dated the 28th October 2017 has been issued by CBEC regarding extention of due date for submission of details in form GST-ITC-04.
5. Notification No. 54/2017-Central Tax, dated the 30th October 2017 has been issued by CBEC regarding extension of time limit for filing GSTR 2 and 3 for the month of july 2017.
6. Notification No. 40/2017 - Integrated Tax (Rate) dated the 18th October 2017 has been issued by Department of Revenue regarding reduction in GST rate of food preparations.
7. Notification No. 41/2017 - Integrated Tax (Rate) dated the 23rd October 2017 has been issued by Department of Revenue regarding IGST rate of 0.1% on inter-state supply of taxable goods by registered supplier to a registered recipient for export.
8. Notification No. 107 – State Tax-2 dated 18th October 2017 has been issued by excise and taxation department regarding state tax on outward supply.
9. Notification No. 115 – State Tax-2 dated 18th October 2017 has been issued by excise and taxation department regarding certain supply of goods as deemed exports.
10. Notification No. 39/2017-State Tax (Rate) dated 18th October 2017 has been issued by Department of Finance regarding SGST rate on food preparations.
11. Notification No. 12(56)FD/Tax/2017-127 -State Tax dated 24th October 2017 has been issued by Department of Finance regarding waiver of the late fee for late filing of form GSTR-3B, for the month of August and September, 2017.

EDITORIAL

12. Notification No. 88/2017 dated 27th October, 2017 has been issued by CBDT regarding establishment of 'SWASTHYA SATHI SAMITI', by GOVERNMENT OF WEST BENGAL.

13. Notification No. 89/2017 dated 27th October, 2017 has been issued by CBDT regarding constitution of MADHYA PRADESH POLLUTION CONTROL BOARD.

14. Notification No. 97/2017 - Customs (N.T) dated 24th October, 2017 has been issued by CBEC regarding change in exchange rate of Qatari Riyal.

15. Notification No. 98/2017 - Customs (N.T) dated 27th October, 2017 has been issued by CBEC regarding change in exchange rate of South African Rand.

16. Notification No. 99/2017 - Customs (N.T) dated 27th October, 2017 has been issued by CBEC regarding amendment in various notifications.

17. Notification No. 100/2017 - Customs (N.T) dated 27th October, 2017 has been issued by CBEC regarding place for unloading of imported goods and loading of export goods.

18. Notification No. 101/2017 - Customs (N.T) dated 31st October, 2017 has been issued by CBEC regarding fixation of tariff value of edible oils, brass scrap, poppy seeds, areca nut, gold and sliver.

It may be noted that the Due Date for filing of Income Tax Return for the Companies and the assessee covered by Tax Audit is 7th Nov 2017.

It may be noted that Due Date for deposit of Tax deducted/collected for the month of October 2017 is 7th Nov 2017.

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

TAX CALENDAR

Due date	COMPLIANCES FROM 05th November, 2017 to 11th November, 2017	Description
7th Nov 2017	Income Tax Return	Due Date for filing of Income Tax Return for the Companies and the assessee covered by Tax Audit
7th Nov 2017	TDS/TCS	Due Date for deposit of Tax deducted/collected for the month of October 2017

GST: CGST

NOTIFICATIONS/CIRCULARS

EVIDENCES REQUIRED TO BE PRODUCED BY THE SUPPLIER OF DEEMED EXPORT SUPPLIES FOR CLAIMING REFUND

OUR COMMENTS: The CBEC (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 49/2017-Central Tax, dated the 18th October 2017** hereby notifies that the following evidences are required to be produced by the supplier of deemed export supplies for claiming refund :-

- Acknowledgment by the jurisdictional Tax officer of the Advance Authorization holder or Export Promotion Capital Goods Authorization holder, or a copy of the tax invoice under which such supplies have been made by the supplier, duly signed by the recipient Export Oriented Unit that said deemed export supplies have been received by it.
- An undertaking by the recipient of deemed export supplies that no input tax credit on such supplies has been availed of by him.
- An undertaking by the recipient of deemed export supplies that he shall not claim the refund in respect of such supplies and the supplier may claim the refund.

WAIVER OF LATE FEE FOR LATE FILING OF FORM GSTR-3B

OUR COMMENTS: The CBEC (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 50/2017-Central Tax dated the 24TH October 2017** hereby waives the late fee payable for all registered persons who failed to furnish the return in **FORM GSTR-3B** for the months of August and September, 2017 within the due date i.e, 20th September 2017 and 20th October 2017 respectively.

EXTENTION OF DUE DATE FOR SUBMISSION OF DETAILS IN FORM GST-ITC-01

OUR COMMENTS: The CBEC (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 52/2017 - Central Tax, dated the 28th October 2017** hereby extends the time limit for making a declaration, in **FORM GST ITC-01**, by the registered persons, who have become eligible during the months of July, 2017, August,2017 and September 2017 to the effect that they are eligible to avail the input tax credit till the 30th day of November , 2017 .

EXTENTION OF DUE DATE FOR SUBMISSION OF DETAILS IN FORM GST-ITC-04

OUR COMMENTS: The Ministry of Finance (Dept. of Revenue) , Government of India vide **Notification No. 53/2017 - Central Tax dated the 28th October 2017** hereby extends the time limit for making the declaration in **FORM GST ITC-04**, in respect of goods dispatched to a job worker or received from a job worker or sent from one job worker to another, during the quarter July to September, 2017, till the 30th day of November, 2017.

EXTENSION OF TIME LIMIT FOR FILING GSTR 2 AND 3 FOR THE MONTH OF JULY 2017

OUR COMMENTS: The CBEC (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 54/2017 - Central Tax dated the 30th October 2017** hereby extends the time limit for furnishing the details or return in **Form GSTR 2** for the month of July, 2017 till 30th November, 2017 And for **Form GSTR 3** till 11th December 2017.

GST: IGST

NOTIFICATIONS/CIRCULARS

REDUCTION IN GST RATE OF FOOD PREPARATIONS

OUR COMMENTS: The Department of Revenue, Ministry of Finance, Government of India, vide **Notification No. 40/2017 - Integrated Tax (Rate) dated the 18th October 2017** hereby notifies that the rate of the integrated tax of 5% will be charged on food preparations which are put up in unit containers and intended for free distribution to economically weaker sections of the society under a program duly approved by the Central Government or State Government .

The above mentioned rate will be applicable subject to the condition that the supplier of such food preparations produces a certificate from an officer not below the rank of the Deputy Secretary to the Government of India or the Deputy Secretary to the State Government or the Deputy Secretary in the Union Territory concerned to the effect that such food preparations have been distributed free to the economically weaker sections of the society under a programme duly approved by the Central Government or the State Government concerned, within a period of five months from the date of supply of such goods or within such further period as the jurisdictional commissioner of the Central tax or jurisdictional commissioner of the State tax, or jurisdictional officer of the Union Territory Tax, as the case maybe, may allow in this regard.

IGST RATE OF 0.1% ON INTER-STATE SUPPLY OF TAXABLE GOODS BY A REGISTERED SUPPLIER TO A REGISTERED RECIPIENT FOR EXPORT

OUR COMMENTS : The Department of Revenue, Ministry of Finance, Government of India, vide **Notification No. 41/2017 - Integrated Tax (Rate) dated the 23rd October 2017** hereby exempts the inter-State supply of taxable goods by a registered supplier to a registered recipient for export in excess of the amount calculated at the rate of 0.1% subject to fulfillment of the conditions that registered supplier shall:-

- Supply the goods to the registered recipient on a tax invoice.
- Export the said goods within a period of 90 days from the date of issue of a tax invoice by the registered supplier.
- Indicate the GSTIN and the tax invoice number issued by the registered supplier in respect of the said goods in the shipping bill or bill of export.
- Be registered with an Export Promotion Council or a Commodity Board recognized by the Department of Commerce.
- Place an order on registered supplier for procuring goods at concessional rate and a copy of the same shall also be provided to the jurisdictional tax officer.
- Move the said goods from place of registered supplier- directly to the Port, Inland Container Deport, Airport or Land Customs Station from where the goods are to be exported or directly to a registered warehouse from where the goods shall be move to the Port, Inland Container Deport, Airport or Land Customs Station from where the goods are to be exported.
- If the registered recipient intends to aggregate supplies from multiple registered suppliers and then export, the goods from each registered supplier shall move to a registered warehouse and after aggregation, the registered recipient shall move goods to the Port from where they shall be exported.
- The registered recipient shall endorse receipt of goods on the tax invoice and obtain acknowledgement of receipt of goods in the registered warehouse from the warehouse operator, to be provided to the registered supplier and jurisdictional tax officer of such supplier
- When goods have been exported, the registered recipient shall provide copy of shipping bill or bill of export containing details of GSTIN and tax invoice of the registered supplier along with proof of export general manifest or export report having been filed to the registered supplier as well as jurisdictional tax officer.

GST: SGST/UTGST

NOTIFICATIONS/CIRCULARS

STATE TAX ON OUTWARD SUPPLY

OUR COMMENTS: The Excise And Taxation Department, Government of Haryana vide **Notification No. 107 – State Tax-2 dated 18th October 2017** hereby notifies that the registered persons whose aggregate turnover in the preceding financial year did not exceed one crore and fifty lakh rupees or the registered person whose aggregate turnover in the year in which such person has obtained registration is likely to be less than One Crore and Fifty Lakh rupees and who did not opt for the composition the class of persons who shall pay the state tax on the outward supply of goods at the time of supply including this he shall accordingly furnish the details and returns as mentioned in Chapter IX of the HGST Act .

NOTIFYING CERTAIN SUPPLY OF GOODS AS DEEMED EXPORTS.

OUR COMMENTS: The Excise And Taxation Department, Government of Haryana vide **Notification No. 115– State Tax-2 dated 18th October 2017** hereby notifies the supplies of goods listed below as deemed exports :-

(i) Supply of goods by a registered person against Advance Authorization.

(ii) Supply of capital goods by a registered person against Export Promotion Capital Goods Authorization.

(iii) Supply of goods by a registered person to Export Oriented Unit.

(iv) Supply of gold by a bank or Public Sector Undertaking against Advance Authorization.

SGST RATE ON FOOD PREPARATIONS

OUR COMMENTS: The Department of Finance, Government of Gujarat vide **Notification No. 39/2017-State Tax (Rate) dated 18th October 2017** hereby notifies that the rate of the integrated tax of 2.5% will be charged on food preparations which are put up in unit containers and intended for free distribution to economically weaker sections of the society under a program duly approved by the Central Government or State Government .

The above mentioned rate will be applicable subject to the condition that the supplier of such food preparations produces a certificate from an officer not below the rank of the Deputy Secretary to the Government of India or the Deputy Secretary to the State Government or the Deputy Secretary in the Union Territory concerned to the effect that such food preparations have been distributed free to the economically weaker sections of the society under a program duly approved by the Central Government or the State Government concerned, within a period of five months from the date of supply of such goods or within such further period as the jurisdictional commissioner of the Central tax or jurisdictional commissioner of the State tax, or jurisdictional officer of the Union Territory Tax, as the case maybe, may allow in this regard.

WAIVER OF THE LATE FEE FOR LATE FILING OF FORM GSTR-3B, FOR THE MONTH OF AUGUST AND SEPTEMBER, 2017

OUR COMMENTS: The Department of Finance, Government of Rajasthan vide **Notification No. 12(56)FD/Tax/2017-127 -State Tax dated 24th October 2017** hereby waives the late fee payable under section 47 of the SGST Act, for all registered persons who failed to furnish the return in FORM GSTR-3B for the months of August and September, 2017 within the due date i.e, 20th September 2017 and 20th October 2017.

INCOME TAXES

NOTIFICATIONS/CIRCULARS

ESTABLISHMENT OF 'SWASTHYA SATHI SAMITI', BY GOVERNMENT OF WEST BENGAL

OUR COMMENTS: The CBDT (Directorate of Income Tax (systems)), Ministry of Finance, Government of India vide **Notification No. 88/2017 dated 27th October, 2017** hereby notifies that the income earned by 'Swasthya Sathi Samiti', Kolkata, a body established by the Government of West Bengal, in respect of the specified income arising to that body, either through Grant received from the Government of West Bengal or Interest income on grants.

This notification shall be effective subject to the conditions that Swasthya Sathi Samiti, Kolkata :-

- shall not engage in any commercial activity.
- activities and the nature of the specified income shall remain unchanged throughout the financial years.
- shall file return of income in accordance with the provision of section 139(4C)(g) of the Income Tax Act.

CONSTITUTION OF MADHYA PRADESH POLLUTION CONTROL BOARD

OUR COMMENTS: The CBDT (Directorate of Income Tax(systems)), Ministry of Finance, Government of India vide **Notification No. 89/2017 dated 27th October, 2017** hereby notifies for the purposes of Madhya Pradesh Pollution Control Board, a Board constituted by Government of Madhya Pradesh, in respect of the following specified income arising to that Board :-

- consent fee or no objection certificate fees under the Water and Air Act
- renewal of consent issued fees
- analysis fees on air quality and water quality or noise level survey fees
- authorization fees
- cess re-imbursement and cess appeal fee
- reimbursement of the expenses received from the Central Pollution Control Board towards National Air Monitoring Program, the monitoring of Indian National Aquatic resources and like schemes
- sale of books relating to environmental law, regulations, important judicial orders and environmental issues where no profit element is involved and the activity is not commercial nature
- interest on deposits
- public hearing fees
- vehicle emission monitoring test fees
- fees received for processing by State Environmental Impact Assessment Authority
- fees collected for training conducted by the Environmental Training Institute of the Board where no profit element is involved and the activity is not commercial in nature
- fees received under the Right to Information Act, 2005 (22 of 2005) and appeal fees
- pollution cost or forfeiture or bank guarantee due to non-compliance
- income from sale of old or scrap items, tender fees.

This notification shall be effective subject to the conditions that Madhya Pradesh Pollution Control Board :-

- shall not engage in any commercial activity
- activities and the nature of the specified income shall remain unchanged throughout the financial years
- shall file return of income in accordance with the provision of section 139(4C)(g) of the Income Tax Act

This notification shall be deemed to have been applied for the Financial Year 2016-2017 and shall apply with respect to the Financial Years 2017-2018, 2018-2019, 2019-2020 and 2020-2021.

CUSTOMS

NOTIFICATIONS/CIRCULARS

CHANGE IN EXCHANGE RATE OF QATARI RIYAL

OUR COMMENTS: The CBEC (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 97/2017 - Customs (N.T) dated 24th October, 2017** hereby makes the following amendments in the **Notification No.96/2017-Custom (N.T.)**, dated 18th October, 2017, with effect from 25th October, 2017, for foreign currency namely Qatari Riyal with exchange rate for imported goods as 18.40 and for export goods as 17.40.

CHANGE IN EXCHANGE RATE OF SOUTH AFRICAN RAND

OUR COMMENTS: The CBEC (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 98/2017 - Customs (N.T) dated 27th October, 2017** hereby makes the following further amendments in the **Notification No.96/2017-Custom (N.T.)**, dated 18th October, 2017, with effect from 25th October, 2017, for foreign currency namely South African Rand with exchange rate for imported goods as 4.70 and for export goods as 4.40.

AMENDMENT IN VARIOUS NOTIFICATIONS

OUR COMMENTS: The CBEC (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 99/2017 - Customs (N.T) dated 27th October,** hereby makes the amendments in the **Notification No.82/2017-Custom (N.T.)**, dated 24th August, 2017,regarding appointment of Commissioners, Additional or Joint Commissioners and Deputy or Assistant Commissioners of Customs, **Notification No.85/2017-Custom (N.T.)**, dated 24th August, 2017 , regarding defining jurisdiction of customs officers for the purpose of audit and **Notification No.92/2017-Custom (N.T.)**, dated 28th August, 2017 regarding defining jurisdiction of customs officers for the purpose of appeals.

For further clarification reader may refer the above mentioned notification.

PLACE FOR UNLOADING OF IMPORTED GOODS AND LOADING OF EXPORT GOODS.

OUR COMMENTS: The CBEC (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 100/2017 - Customs (N.T) dated 27th October, 2017** hereby appoints Kapashera situated in New Delhi as Air Freight Station for purpose of unloading of imported goods and loading of export goods.

FIXATION OF TARIFF VALUE OF EDIBLE OILS, BRASS SCRAP, POPPY SEEDS, ARECA NUT, GOLD AND SLIVER

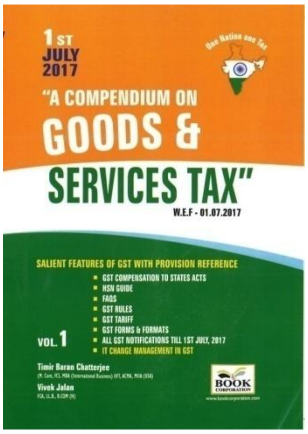
OUR COMMENTS: The CBEC (Dept. of Revenue), Ministry of Finance, Government of India vide **Notification No. 101/2017 - Customs (N.T) dated 31st October, 2017** hereby makes the following amendment in the notification of the Government of India in the **Notification No. 36/2001-Customs (N.T.)**, dated the 3rd August, 2001, for the tariff value of the following goods mentioned in the given below table:-

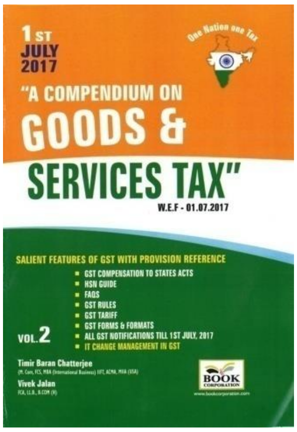
Sl. No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value
1	1511 10 00	Crude Palm Oil	721
2	1511 90 10	RBD Palm Oil	754
3	1511 90 90	Others - Palm Oil	738
4	1511 10 00	Crude Palmolein	755
5	1511 90 20	RBD Palmolein	758
6	1511 90 90	Others - Palmolein	757
7	1507 10 00	Crude Soya bean Oil	839
8	7404 00 22	Brass Scrap (all grades)	3664
9	1207 91 00	Poppy seeds	2645
10	71 or 98	Gold	409 per 10 grams
11	71 or 98	Silver	539 per kilogram
12	080280	Areca nuts	396

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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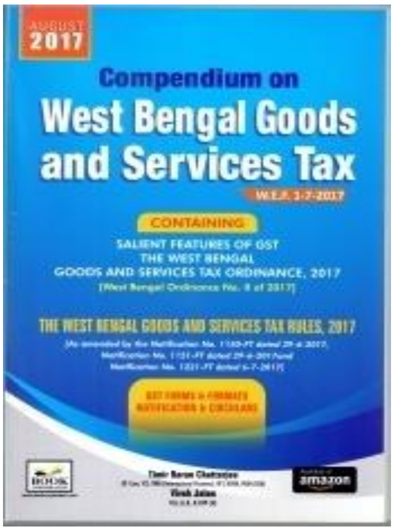
AVAILABLE IN STANDS

A COMPENDIUM ON WEST BENGAL GOODS & SERVICES TAX
(Including ALL Notifications till date)



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1. The Rules related to WBGST available in public Domain till date.
2. The Notifications, Circulars and Orders issued by The SGST Authority till date.
3. The Forms and formats related to GST available in public Domain till date.

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