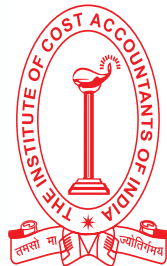


TAX Bulletin

July, 2018 Volume - 20



THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

(Statutory Body under an Act of Parliament)

www.icmai.in

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“The CMA Professionals would ethically drive enterprises globally by creating value to stakeholders in the socio-economic context through competencies drawn from the integration of strategy, management and accounting.”

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Objectives of Taxation Committee:

1. Preparation of Guidance Note and Analysis of various Tax matters for best Management Accounting Practices for the professional development of the members of the Institute in the field of Taxation.
2. Conducting webinars, seminars and conferences etc. on various taxation related matters as per relevance to the profession and use by various stakeholders.
3. Submit suggestions to the Ministry from time to time for the betterment of Economic growth of the Country.
4. Evaluating opportunities for CMAs to make effective value addition to the tax-economy.
5. Designing of Certificate Course on Direct and Indirect Tax for members and stake holders.

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FROM THE DESK OF THE CHAIRMAN

**“Nothing lasts forever... Forever is a lie...
All we have is what’s between a Hello and Goodbye!!”**

- Anonymous

Beginning with the October 2017 issue, this column has been a regular feature in the *“Tax Bulletin”*. *Writing as Chairman*, it has given me a unique platform from which I share important announcements, acknowledge the exceptional efforts and contributions of many others, and generally pound home the value and purpose of the *“Tax Bulletin”*. When I finish reading this issue, I will figuratively roll it up like a baton and pass it to the next pair of capable hands.

This year long run has been a challenging, yet exciting path for me, and I have enjoyed every minute of it. There have been many positive outcomes and experiences, but the most rewarding times are when I and my team at Tax Research Department receive an accreditation, or sometimes it's just a word of encouragement from another stakeholder who liked something that was added to our publications, seminars or webinars. Yes, we did face resistance and challenges in this journey! But, everyone made all of the work worthwhile.

Time and tenure aside, I believe this to be the perfect occasion for a new voice and a fresh perspective. Some of the task are awaiting success and some are yet to be achieved for the profession. I am hopeful that the dedication and devotion of the team would definitely bring in success. I wish Team- TRD, All the Best!! I and my team are open to your suggestions and insights.

To best summarize my parting thoughts, I’ll steal from the age-old metaphor that depicts the process of coal becoming diamond. Coal is not a derogatory descriptor - it is a diamond in the rough! Coal is for what we learn; diamonds are for what we become.

Best Wishes.

A handwritten signature in blue ink, appearing to read 'Niranjana Mishra'.

CMA Niranjana Mishra
Chairman - Taxation Committee
17th July, 2018

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Articles on the Topics of Direct and Indirect Taxation are invited from readers and authors. Along with the article please share a recent passport-sized photograph, a brief profile and the contact details. The articles should be the author's own original. Please send the articles to trd@icmai.in / trd.ad1@icmai.in



A COMPREHENSIVE GST CHECKLIST BEFORE FINALISATION OF BALANCE SHEET FOR THE FY 2017 - 2018 FOR REGISTERED PERSONS - PART 3

CMA SUSANTA KUMAR SAHA
GST Consultant

This being the concluding part of this series of articles, may be read with 'Part 1' and 'Part 2', published earlier, to form an overall idea in relation to the captioned headline. The following points may be checked for each GSTIN of a 'taxable person' having a single PAN. In this write up, some major chapters are discussed chronologically as they appear in GST law.

P	CHAPTER IX – 'Returns' including 'Transitional arrangements for input tax credit' under CHAPTER XX of the CGST Act, 2017 & corresponding SGST / UTGST Act, 2017	
Sl. No	Transactions and check points	Remarks
16.0	Financial activities carried out by Trade and Commerce, Business and Profession etc. are recorded in books of accounts under various statutes and such financial activities are reported to the authorities in prescribed formats, known as 'return' in common parlance. However in GST law 'return formats' have been prescribed for other than financial activities as well. Our discussions will be limited to the topic mentioned against point no P.	
16.1	Transitional arrangements for input tax credit – section 140 of the CGST Act, 2017 to be read with CGST Rules, 2017 and corresponding SGST/ UTGST Act, 2017 and SGST/UTGST Rules, 2017	
16.2	A registered person, other than a person opting to pay tax under section 10 (composition scheme), shall be entitled to take in his electronic credit ledger, the amount of CENVAT credit carried forward in the return relating to the period ending with the day immediately preceding the appointed day, i.e, 1 st July, 2017, furnished by him under the existing law. Sub-rule (1) of rule 117 of CGST Rules, 2017 stipulates that every registered person entitled to take credit of input tax under section 140 shall, within ninety days of the appointed day , submit a declaration electronically in FORM GST TRAN – 1 , duly signed, on the common portal specifying therein, separately, the amount of input tax credit of eligible duties and taxes. However, the period of submitting the declaration in FORM GST TRAN – 1 was extended quite a number of times as per details given below:	
16.3	i. Extension of time limit for submitting the declaration in FORM GST TRAN – 1 under rule 120A of the CGST Rules, 2017 till 31st October, 2017 , i.e, for revision of FORM GST TRAN – 1 already filed;	Vide Order No.02/2017-GST dated 18 th September, 2017 by Commissioner (GST)
	ii. Extension of time limit for submitting the declaration in FORM GST TRAN – 1 under rule 117 of the CGST Rules, 2017 till 31st October, 2017;	Vide Order No.03/2017-GST dated 21 st September, 2017 by Commissioner (GST)
	iii. Extension of time limit for submitting the declaration in FORM GST TRAN – 1 under rule 117 of the CGST Rules, 2017 till 30th November, 2017;	Vide Order No.07/2017-GST dated 28 th October, 2017 by Commissioner (GST)
	iv. Extension of time limit for submitting the declaration in FORM GST TRAN – 1 under rule 120A of the CGST Rules, 2017 till 30th November, 2017 , i.e, for revision of FORM GST TRAN – 1 already filed;	Vide Order No.08/2017-GST dated 28 th October, 2017 by Commissioner (GST)
	v. Extension of time limit for submitting the declaration in FORM GST TRAN – 1 under rule 117 of the CGST Rules, 2017 till 27th December, 2017;	Vide Order No.09/2017-GST dated 15 th November, 2017 by Commissioner (GST)
	vi. However, during this period due to technical glitches on the GST portal a lot of difficulties were faced by a section of taxpayers who being aggrieved filed writ petitions before Hon'ble High Courts. In the case of M/s.Continental India Private Limited And Another Vs Union Of India, Hon'ble High Court of Allahabad directed in it's order dated 24 th January, 2018 to reopen the portal within two weeks from the date of the order failing which the appropriate authorities would follow the directions as stated in the said order including entertaining manual application. Order passed by Hon'ble High Court of Allahabad, as discussed above, has been upheld by the Hon'ble Bombay High Court in the case of Abicor and Binzel Technoweld Pvt. Ltd. V/s The Union of India and Anr. In this regards the Hon'ble High Court further observed that "We would also be constrained to pass such order and that would not be restricted to the petitioner before us alone."	Where FORM GST TRAN – 1 couldn't be filed within 31 st March, 2018, balance of CENVAT Credit account as at 01.07.2017, may be kept at receivable accounts under current assets as at 31 st March, 2018 and be passed to the electronic credit ledger upon filing of FORM GST TRAN - 1 in the FY 2018 - 2019.

	<p>Notification No. 22/2018 – Central Tax dated 14th May, 2018 vide which the late fee payable under section 47 of the GST law was waived for the period October, 2017 to April, 2018 for the class of registered persons whose declaration in FORM GST TRAN – 1 was submitted but not filed on the common portal on or before the 27th day of December, 2017 but have filed on or before the 10th May, 2018 and the return in FORM GSTR – 3B on or before the 31st day of May, 2018, may be considered as a consequential measure by the Government of India in the light of similar orders, as discussed above, passed by different High Courts.</p>																																																													
16.4	<p>A taxpayer other than a person opted to pay tax under section 10, shall be entitled to take in his electronic credit ledger, the amount of CENVAT credit carried forward in the return furnished by him under the existing law relating to the period ended 30th June, 2017, within the stipulated time, discussed above. What would happen to the entitled CENVAT credit amount when such a taxpayer has not attempted to file unknowingly FORM GST TRAN – 1?</p> <p>Telangana & AP High Court admitted writ petition challenging Constitutional validity of time limit stipulated in Rule 117(1) of CGST Rules / Telangana GST Rules and first proviso thereto for filling of FORM GST TRAN – 1;</p> <p>Similar writ petition has been filed before Gujarat High Court challenging Constitutional validity and vires of second proviso to Section 140(1) of the Gujarat GST Act, 2017 and Constitutional validity and vires of Rule 117 of the Gujarat GST Rules, 2017 and Form GST Tran – 1;</p>	<p>As the outcome of the writ petitions are pending at the time of writing the article, or remain pending at the time of finalisation of balance sheet for the FY 2017 – 2018, eligible CENVAT credit amount which became contingent asset in nature, may not be considered for writing off in the FY 2017 - 2018. However, such a decision may be considered only after taking into cognizance of the effect of such decision in other statutes.</p>																																																												
16.5	<p>Whether the taxable person has taken 60%/40% credit on stock as at 30.06.2017 and has made corresponding reduction in the value of stock. The same may be also additionally verified from the stock statement submitted to banks/FIs.</p>	<p>Although not mandated in GST law, but is advisable to the closing inventory audited as at 30.06.2017 for future reference.</p>																																																												
16.6	<p>Last date of filing of Service tax return for the period April, 2017 to June, 2017 was 15th August, 2018 in term of Notification No. 18/2017 – Service Tax dated 22nd June, 2017. Liability to pay tax (ST) under reverse charge mechanism (RCM) arise on making payment to vendor.</p> <p>Where the invoice was received from vendor after 15th August, 2017, against service(s) made by the vendor in pre-GST regime and on payment being made to the vendor thereafter on receipt of invoice(s), liability of tax (ST) under RCM arose. Such amount of credit could not be taken in the ST return.</p>	<p>Taxpayers who have deposited the tax amount in compliance with the provision of the earlier law, credit of which could not be claimed, may consider to defer or not to defer writing off the amount appearing at the debit side of the receivable account at later period, depending on the materiality aspect.</p>																																																												
16.7	<p>It is recommended to prepare a list of statutory forms which were not received at the time of filing Form GST TRAN – 1 due to which input tax credit couldn't be carried forward to GST regime. Whether all pending forms have been received? It is advisable to prepare a detailed reconciliation statement as at the year end. A suggestive format is given below:</p> <table border="1" data-bbox="330 1516 1078 1875"> <thead> <tr> <th>TIN of Issuer</th> <th>Name of Issuer</th> <th>Sr. No. of Form</th> <th>Amount (₹)</th> <th>Applicable VAT Rate</th> <th>Differential Tax amount/Tax amount not carried forward (₹)</th> </tr> </thead> <tbody> <tr> <td colspan="6">C-Form</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">Total</td> </tr> <tr> <td colspan="6">F-Form</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">Total</td> </tr> <tr> <td colspan="6">H/I-Form</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">Total</td> </tr> </tbody> </table>	TIN of Issuer	Name of Issuer	Sr. No. of Form	Amount (₹)	Applicable VAT Rate	Differential Tax amount/Tax amount not carried forward (₹)	C-Form												Total						F-Form												Total						H/I-Form												Total						<p>a. Amount of input tax credit couldn't be carried forward due to non receipt of statutory forms, shall be refunded under the existing law when the said claims are substantiated in the manner prescribed [refer third proviso to sub-section (1) of section 140 of State/UT GST Acts, 2017].</p> <p>b. In case, it is ascertained by a taxpayer that there exists no possibility of receiving statutory form(s), corresponding ITC amount may be considered to be written off.</p>
TIN of Issuer	Name of Issuer	Sr. No. of Form	Amount (₹)	Applicable VAT Rate	Differential Tax amount/Tax amount not carried forward (₹)																																																									
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16.8	Filing of 'Return' in GST regime under CHAPTER IX																																																													
16.9	What has been the procedure envisaged in the law?	What has so far been done?																																																												

	<p>a. Furnishing details of outward supplies (Sec 37); b. Furnishing details of inward supplies (Sec 38); c. Furnishing of return (Sec 39);</p>	<p>a. Furnishing details of outward supplies (Sec 37); b. Furnishing return in FORM GSTR – 3B; (Vide Notification No. 17/2017 – Central Tax dated 27th July, 2017, sub-rule (5) of rule 61 of the CGST Rules, 2017 was substituted to include filing of return in FORM GSTR – 3B when time limit for furnishing of details in FORM GSTR – 1 u/s 37 and FORM GSTR – 2 u/s 38 has been extended)</p>																
16.10	<p>Other relevant sections: a. Section 41 of the CGST Act, 2017 stipulates that every registered person shall be entitled to take the credit of eligible input tax , as self assessed, in his return, and such amount shall be credited on a provisional basis to his electronic credit ledger; b. Section 42 of the CGST Act, 2017 stipulates about matching, reversal and reclaim of input tax credit in prescribed manner;</p>																	
16.11	<p>Broadly the online matching, addition, modification and deletion steps as were envisaged can be explained from the diagram given below:</p> <pre> graph TD S1[Step - 1: Outward supplies filed in Form GSTR - I] --> S2[Step - 2: Available to the recipients in Part - A of Form GSTR - 2A, 4A & 6A for addition, correction or deletion] S2 --> S3[Step - 3: Form GSTR - 2 of the recipient shall be filed.] S3 --> S4[Step - 4: All such modifications shall be electronically communicated to the supplier on common portal in GSTR - 1A] S4 --> S5[Step - 5: Supplier may accept or reject such modification, and Form GSTR - 1 of the supplier shall stand as amended] </pre>																	
16.12	<p>As input tax credit is self assessed and taken on a provisional basis by the taxable person, it is imperative to first understand the interconnectivity between FORM GSTR – 1 and FORM GSTR – 3B so that reconciliation of data can be done:</p> <table border="1"> <thead> <tr> <th>Details of outward supplies of goods and services</th> <th>Relevant Table in Form GSTR - 1</th> <th>Relevant table in FORM GSTR - 3B</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>Taxable outward supplies made to registered persons</td> <td>4A, 4B, 4C,</td> <td>3.1(a)</td> <td>B2B transactions – details of invoices of taxable supplies made to other registered persons.</td> </tr> <tr> <td>Taxable outward Inter-State supplies made to un-registered persons</td> <td>5A, 5B</td> <td>3.1(a)</td> <td>B2C transactions – details of invoices where invoice value is > ₹2.50 lakh.</td> </tr> <tr> <td>Taxable supplies (net of debit notes and credit notes) made to un-registered persons</td> <td>7</td> <td>3.1(a)</td> <td>B2C transactions – details of the followings: a. consolidated rate wise outward Intra-State supplies; b. Inter-State supplies where invoice value is up to ₹2.50 lakh;</td> </tr> </tbody> </table>	Details of outward supplies of goods and services	Relevant Table in Form GSTR - 1	Relevant table in FORM GSTR - 3B	Remarks	Taxable outward supplies made to registered persons	4A, 4B, 4C,	3.1(a)	B2B transactions – details of invoices of taxable supplies made to other registered persons.	Taxable outward Inter-State supplies made to un-registered persons	5A, 5B	3.1(a)	B2C transactions – details of invoices where invoice value is > ₹2.50 lakh.	Taxable supplies (net of debit notes and credit notes) made to un-registered persons	7	3.1(a)	B2C transactions – details of the followings: a. consolidated rate wise outward Intra-State supplies; b. Inter-State supplies where invoice value is up to ₹2.50 lakh;	
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Taxable supplies (net of debit notes and credit notes) made to un-registered persons	7	3.1(a)	B2C transactions – details of the followings: a. consolidated rate wise outward Intra-State supplies; b. Inter-State supplies where invoice value is up to ₹2.50 lakh;															

	Exports, supplies to SEZ units or SEZ Developer	6A, 6B, 6C	3.1(b)	B2B transactions – details of invoices of taxable supplies made to other registered persons.
	Nil rated, exempted and non GST outward supplies	8A, 8B, 8C, 8D	3.1(c) and 3.1(d)	Details of supplies made during a tax period although the phrase ‘non GST’ has not been defined in GST law.
<p>Data from monthly accounts are fed into FORM GSTR – 1 and FORM GSTR – 3B. Hence, it is advisable to carry out some checks to identify mismatches, if any, between monthly accounts vis-a-vis FORM GSTR – 3B vis-a-vis FORM GSTR – 1, more particularly so as FORM GSTR – 3B has been filed earlier for all the months during the F.Y 2017 – 2018.</p>				
16.13	<p>Few suggestive checks with regard to outward supplies are given below:</p> <ul style="list-style-type: none"> • whether there has been a wrong reporting in rate of tax; • whether there has been any error committed in identifying PoS, i.e, inter-State supply has been reported as intra-State supply and vice versa; • whether any invoice remains unreported; • whether any invoice has been over reported or under reported; • proper disclosure of outward supply liable to reverse charge; • whether every case of sales return has been reported; • whether tax has been charged against a supply which subsequently has been identified as a unit of SEZ where supply will be made against LUT? • whether a supply with tax made to a SEZ unit has been inadvertently shown under B2B supply? 			<p>In case of any inadvertent error, whether the same has been properly dealt with. Reference may be drawn to Circular No.26/26/2017-GST dated 29th December, 2017 for corrective course of action.</p>
16.14	<p>Similarly few checks are suggested on inward supplies:</p> <ul style="list-style-type: none"> • whether all the purchase returns have been properly adjusted; • whether any ITC remained unreported; • whether ITC has been under reported or over reported; • whether ITC on inter-State inward supply has been erroneously reported as intra-State ITC and vice versa; • whether ITC has been reversed as per law including reversal of common credit; • whether ineligible ITC has been properly reported; 			<p>In case of any discrepancy, whether the same has been properly dealt with. Reference may be drawn to Circular No.26/26/2017-GST dated 29th December, 2017 for corrective course of action.</p>
16.15	<p>As matching tax invoice on online portal through auto mated process, as explained above, has been kept in abeyance for the time being, it is advisable to carry out ‘vendor GST compliance assessment test’ for each registered vendor of a taxable person right from the period July, 2018 onwards.</p> <p>FORM GSTR-2A is a system generated ‘draft’ statement of inward supplies of a tax person which is auto populated from invoices uploaded / filed by the suppliers and become available for viewing.</p> <p>It is advisable to carry out month wise reconciliation of input tax credit (ITC) other than arising out of RCM, claimed by a taxpayer in his return in FORM GSTR – 3B vis-a-vis the details appearing in FORM GSTR-2A.</p> <p>Following actions may be initiated:</p> <ul style="list-style-type: none"> ❖ Identify the input tax credit (ITC) which has auto populated from Form GSTR-1/Form GSTR-5/Form GSTR -6; ❖ Similarly identify the input tax credit (ITC) which was claimed in FORM GSTR – 3B in a particular tax period but either has appeared in subsequent tax period(s) or hasn’t appeared in any tax period in FORM GSTR – 2A and the matter be taken up with corresponding vendor accordingly; ❖ Furthermore if any input tax credit (ITC), arising out of inward supplies made during any tax period in the F.Y 2017 – 2018, is identified as not claimed in FORM GSTR – 3B by the recipient of supply, such incidence(s) may immediately be scrutinised to ascertain whether the conditions are satisfied for availing input tax credit. ❖ In case the conditions are satisfied to avail ITC, CGST/SGST/IGST Receivable account with corresponding value be recorded as at 31st March, 2018 in the Balance Sheet; ❖ Such balance be transferred to electronic credit ledger and corresponding entries be made in the books of accounts; 			
Q Payment of Tax – Chapter X				
17.0	<p>The following checks may be carried out:</p> <ul style="list-style-type: none"> • Whether tax has been paid within the due date, as due date of filing of FORM GSTR – 3B for different tax periods has been deferred; • whether late filing fees for some tax periods have been refunded to electronic cash ledger within 31st 			

	<p>March, 2018 and corresponding entries been made;</p> <ul style="list-style-type: none"> Notification details regarding waiver / reduction of late fees are as follows: <table border="1"> <thead> <tr> <th>Period</th> <th>Notification No. and date</th> </tr> </thead> <tbody> <tr> <td>July, 2017</td> <td>Late fees waived vide notification no. 28/2017 – Central Tax dated 01st September, 2017</td> </tr> <tr> <td>August and September, 2017</td> <td>Late fees waived vide notification no. 50/2017 – Central Tax dated 24th October, 2017</td> </tr> <tr> <td>October 2017 onwards</td> <td>1. Reduction in late fees from ₹ 50/- to ₹ 25/- for every day in case of central tax payable other than cases where central tax payable in the return is 'nil' vide notification no. 64/2017 – Central Tax dated 15th November, 2017, and 2. where central tax payable in the return is 'nil', the amount of late fees payable is exempted in excess of ₹ 10/-.</td> </tr> <tr> <td>October 2017 to April, 2018</td> <td>Late fees waived for class of registered persons vide notification no. 22/2018 – Central Tax dated 14th May, 2018.</td> </tr> </tbody> </table> <ul style="list-style-type: none"> whether any amount has been inadvertently paid as penalty, and if yes whether refund has been claimed; whether an incidence of short payment of tax has been identified, and whether a provision for payment of tax has been made which is reportable u/s 43B of the IT Act, 1961; It is strongly recommended to reconcile monthly statements of electronic cash ledger, electronic credit ledger, electronic liability ledger with books of accounts and the closing balance of each ledger as at 31st March, 2018 be reconciled; 	Period	Notification No. and date	July, 2017	Late fees waived vide notification no. 28/2017 – Central Tax dated 01 st September, 2017	August and September, 2017	Late fees waived vide notification no. 50/2017 – Central Tax dated 24 th October, 2017	October 2017 onwards	1. Reduction in late fees from ₹ 50/- to ₹ 25/- for every day in case of central tax payable other than cases where central tax payable in the return is 'nil' vide notification no. 64/2017 – Central Tax dated 15 th November, 2017, and 2. where central tax payable in the return is 'nil', the amount of late fees payable is exempted in excess of ₹ 10/-.	October 2017 to April, 2018	Late fees waived for class of registered persons vide notification no. 22/2018 – Central Tax dated 14 th May, 2018.
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October 2017 to April, 2018	Late fees waived for class of registered persons vide notification no. 22/2018 – Central Tax dated 14 th May, 2018.										
R	Advance Ruling – Chapter XVII										
18.0	Sub-section (2) of section 97 of the CGST Act, 2017 stipulates the questions on which the advance ruling can be sought by the applicant. More than 90 Advance Rulings have been passed at the time of writing this article. Although the ruling is not binding on other registered persons, perhaps it would perhaps be prudent to review the rulings in case similar issue(s) being faced any registered person and an approach contrary to the ruling has been made by such taxable person.										
S	Anti-profiteering measure - Section 171 of the CGST Act, 2017 with corresponding SGST/UTGST Act, 2017										
19.0	It is recommended to calculate and compare gross profit ratio between the FY 2016 – 2017 and FY 2017 – 2018, and similarly between the period April, 2017 to June, 2017 and July, 2017 to March, 2018. A micro analysis would reveal whether reduction in rate of tax and availability of additional input tax credit have attributed to increase in gross profit. It is also pertinent to note that GP ratios are also to be reported in income tax audit report.										

An endeavour to the best of the ability has been made to identify and capture issues relating to Goods and Services Tax that might require a double check before finalisation of books of accounts for the FY 2017 – 2018, though the identified issues may not be an exhaustive list. Similarly issues identified are not any industry specific but are generic in nature. Hope the readers will find the information useful.

Disclaimer: The views expressed in these three consecutive articles under the captions, 1. “A comprehensive GST checklist before finalisation of Balance Sheet for the FY 2017 – 2018 for registered persons - Part 1”, 2. “A comprehensive GST checklist before finalisation of Balance Sheet for the FY 2017 – 2018 for registered persons - Part 2” and 3. “A comprehensive GST checklist before finalisation of Balance Sheet for the FY 2017 – 2018 for registered persons - Part 3” are strictly personal views of the author. These publications contain information solely for informational purpose. It is neither a guidance note nor is intended to address any specific circumstance or situation of any particular individual or entity and does not constitute professional advice at all. The author does not accept any responsibility for any loss or damage of any kind arising out of any information in these three articles or for any actions taken in reliance thereon.



ANTI-PROFITEERING AND ITS AUDIT CONTROL

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I begin this article with my own quote “**Profit is good but not profiteering**”. The Indian Constitution does not restrict any businessman to earn profit in their business but subject to public interest. Earning profit is a main fundamental scenario for every business activities but making excess profit legally or illegally is restricted. So the government has designed the Anti-Profiteering Provision as per section 171 of CGST Act 2017 in order to protect the Consumer by restricting the company to get the benefits. Let us thoroughly discuss the Anti-Profiteering provision here.

Statutory Provision under GST Law: As Per Section 171 of CGST ACT 2017, Any **reduction in rate of tax on any supply of goods or services or the benefit of input tax credit** shall be passed on to **the recipient** by way of commensurate reduction in prices. “The Main objective of this provision is to pass on the benefits to the ultimate consumer due to reduction in rate of output tax and reduction in rate of Input tax”.

The Benefit of ITC:

Mr. DAA, a Work Contractor provided a Construction of Building service to Mr. Y on 01-06-2017 and Mr. Z on 01-07-2017 respectively. The work contractor could not avail the Cenvat Credit on Purchase of Cements and Bricks for Mr. Y’s Service because as per Rule 2(k) CCR-2004, it can’t be considered as Input so the cost of the work contract would have got increased because of the non availment of Inputs but the same work contractor can get the ITC on purchase of Cements and Bricks as per Section 17 of CGST Act 2017 so the cost of Work Contract should be reduced according to the reduction in Input tax.

Reduction in Output Tax:

CMA Ltd in Chennai, a manufacturing company has sold the goods to CA Ltd in Coimbatore on 01-06-2017 and 01-07-2017 respectively. On 01-06-2017, MCC would have charged around 31% taxes which include (ED - 12.5% VAT - 14.5% and Octroi + LBT + Other taxes 4%) but on 01-07-2017 the MCC has charged taxes at 28% only. The reduction in Output tax of 3% will have to set off against the cost of production then the final price should be reduced.

Twelve Possibilities of Anti-Profiteering:

Particulars	Increase in Input tax	Constant in Input tax	Decrease in Input tax
Decrease in Output tax	Depends on variation	Yes	Yes
Increase in Output tax	No	No	Depends on variation

Particulars	Increase in output tax	Constant in output tax	Decrease in output tax
Decrease in Input tax	Depends on variation	Yes	Yes
Increase in Input tax	No	No	Depends on variation

Factors to be considered for the reduction in Cost of Production:

The following steps have to be noted and should reduce/add from the Current Cost of Production of the final product so that it will help us for the good comparison.

- ✓ Central Sales Tax (2%) paid on Inter State Sales
- ✓ If you are Trader– Non creditable of entire CVD 12.5% on Imports.
- ✓ If you are Service Provider- Non Creditable of entire SCVD of 4% Imports.
- ✓ Entry tax,
- ✓ Octroi Duty
- ✓ Local Body Tax
- ✓ Cenvat Credit of Taxes paid on Cements and other items which are used in the Construction of factory building.
- ✓ Transportation Cost from Place of removal to Factory Building.
- ✓ Cenvat credit on Office equipments

- ✓ Tax Paid on Captively Consumption Products
- ✓ Abolition of Cesses
- ✓ Any reduction in taxes on Inputs purchased
- ✓ Taxable in Previous regime but now exempted

Factors to be considered for the Inflation in Cost of Production:

- ✓ Compliance Cost Increased
- ✓ Increase in tax by 3% on many services
- ✓ Exempted in previous regime but now taxable and credit can't be availed

Checklist for Anti-Profiteering Audit:

No	Particulars	Reason
1	Cost Audit Report	To Know about the inadmissible Inputs/Inputs Service used
2	CAS-4 Certificate	To know about the Cost of Production of Captively Consumption
3	Income Tax Audit Report	To Know about the Capital goods and its cenvat details
4	VAT Return	To Know about the CST Payment
5	ER-1	To know about the stock/branch transfers To know about the imports and other related payments
6	ST-3	To know about the Work contract Service and RCM Details
7	Trail Balance	To Know about the other payment of tax which has subsumed under GST?
8	Fixed Asset Register	To know about the details of Asset purchased in office
9	Other documents if any	Tran-1, Financial Statement and Purchase orders If any

Analysis need to be done from Auditor's side:

- ✓ Prepare a Comprehensive Cost Sheet of the final product by considering all the factors which has mentioned above and find out the corrected Cost of Production.
- ✓ Ask the client about the pre GST regime details and prepare a cost sheet based on that.
- ✓ Make a Comparison with both and finalize the solution whether cost has to be reduced or not.

Consequences for violating this Provision:

- ✓ Cancellation of Registration
- ✓ The Authority will ask us to reduce the price along with 18% interest.
- ✓ Penalty.

Recent Order from National Profiteering Authority:

National Anti-Profiteering Authority Vs KRBL Ltd (Case no.03/2018 dated on 04-05-2018)

Issue: The Increase in final Price of "India Gate Basumathi Rice" and Input tax credit was not passed on.

Fact: The Output tax at 5% was levied for the final product on 01-07-2017 so the Input tax credit would be available for the company. The Cost of the paddy has been increased by 30% in 2017. There was no possibility to pass on the credit and due to increase in cost of paddy the price of basumathi rice has been increased. Total Input tax availed for the company were from 2.66% to 3% but the output tax was 5%. Prices of rice will depend upon the market factors.

Decision: Due to the imposition of the GST on the above product as well as the increase in the purchase price of the paddy does not appear to be denial of benefit of ITC as has been alleged by the Applicant as there has been no net benefit of ITC available to the Respondent which could be passed on to the consumers.

Conclusion and Suggestion:

- ✓ The Intension of this article is to identify the practical challenges involved in the Anti-Profiteering and I would suggest the GST Councils to prescribe the manner of conducting the proper audit for the business betterment.
- ✓ The GST Councils has to prescribe the Applicability of this provision based on turnover basis.



IMPORTANT JUDGEMENTS

CA SACHIN KUMAR JAIN
Senior Partner, Sachin K Jain & Co

GST Important Judgements Updates:-



Important Judgement:

1. **Smt. Anuradha Agarwal, 103, Rajendra Marg, Bhilwara- (Raj)- 311001 Versus Income Tax Officer, Ward-3, Income Tax Office, Bilwara (Raj) –**

Date of Pronouncement: 25.05.2018

Merely because the loan was sanctioned for housing purpose, it cannot be said that the Assessee cannot use it for advancing loans to others for earning interest. It may amount to the violation of terms and conditions of the agreement so entered with the bank while sanctioning of the loan, but there is no contravention under the Income Tax Act for advancing such funds for earning interest income.

Orders of the Id. CIT(A) Ajmer dated 05/10/2017 for the A.Y. 2013-14 in the matter of order u/s 143(3) of the Income-tax Act, 1961 [hereinafter referred to as 'the Act', for short]. In all these appeals, a common issue has been taken, therefore, all the appeals are being heard together and the Bench decided to dispose of all these appeals by a consolidated order. At the time of hearing, none appeared on behalf of the Assessee. Even though, the Assessee filed adjournment petition but nobody was there to prosecute the adjournment petition. Accordingly, the Bench decided to dispose of the appeals after hearing the Id Departmental Representative.

In all these appeals, the common issue involved is against confirming the disallowance on interest payment claimed U/s 57 of the Act.

2. **Shri Kallepu Sharath Chander Vs. ACIT, Hyderabad**

Date of pronouncement: 30.05.2018

Where the land is shown in revenue record as agricultural land, it is immaterial whether any agricultural income is shown in the return or not, the gains from sale are exempt from taxation. Therefore, the reason given by the AO for

not accepting the assessee's contention is not sustainable and that the land sold by the Assessee being agricultural land, no capital gain is taxable on the profit from sale of such land.

3. **M/s A Daga Royal Arts Vs. ITO, Jaipur**

Date of Pronouncement: 15.05.2018

Rule 6DD is not exhaustive. The fact that the transaction does not fall with Rule 6DD does not mean that a disallowance has to be per force made. Further, the second proviso to section 40A(3) refers to "the nature and extent of banking facility, consideration of business expediency and other relevant factors" which means that the object of the legislature is not to make disallowance of cash payments which have to be compulsory made by the assessee on account of business expediency.

4. **Abicor and BinzelTechnoweld Pvt. Ltd. Versus The Union of India** Lack of access to online profile on the Goods and Service Tax Network - petitioner unable to generate e-way bills - Held that - The special sessions of Parliament or special or extraordinary meetings of Council would mean nothing to the assessee unless they obtain easy access to the website and portals. The regime is not tax friendly.

Abicor hearing update 6.03.2018 Bombay High Court

1) Court has taken minutes of meeting between GSTPAM and Commissioners on record and directed the Council and Commissioners to resolve the problems pointed out by GSTPAM. This meeting was held as per directions of the Court on 27.02.2018.

2) Counsel for Petitioner pointed out that the Economic Survey of India 2017-18 shows 98 Lakhs registrations till December 2017. However Government Affidavit shows only 38 lakh ppl have filed GSTR 1. Govt Affidavit further shows that composition taxpayers are only 17.41 lakhs as on date. This means that around 50 lakh registered persons have not filed the returns. It cannot be said that 50 lakh taxpayers are deliberately defaulting in filing of returns. Only reasonable inference is that the system is preventing large swathes of taxpayers from compiling with the statute.

3) Similarly Counsel for Petitioners pointed out that Government Affidavit shows 64 lakh taxpayers are migrated registrants as on date. But TRAN-01 was filed only by 9 lakh taxpayers. Even adjusting for composition taxpayers this means that only 15% of the total migrated taxpayers have filed FORM TRAN-01. It cannot be said that all of the other 85% migrated taxpayers were ineligible for TRAN-01 or deliberately gave up their rights. It is clear that many ppl have been unable to file TRAN-01 due to system errors.

4) Court has made adverse observations during hearing on the blockage of returns due to non-payment of late fees and enquired with the Additional Solicitor General whether there is a provision for such blockage.

5) Till the issue of validity of blockage of returns for nonpayment of late fees is decided, as an interim measure Petitioner was allowed to file returns for past many months which were stuck due to nonpayment of late fees. Undertaking taken from Government to refund late fees within 7 days or auto direct the late fees to "tax" head within 7 days from date of payment.

6) Court has asked the Council and the Commissioners to streamline the system so that it works in accordance with the provisions of law and not outside it.

7) Court has set a deadline of 24 April 2017 to resolve various issues pointed out by GSTPAM. Failure to do so would compel the Court to pass directions against the Government and the GST Network.

5. In **Mohit Minerals Pvt Ltd. Vs Union of India (Gujarat High Court)** Special Civil Application No. 726 of 2018 dated 09/02/2018 being filled for challenged vires of and Entry 10 of the . The petitioner is an importer of non-cooking coal and on such imports, the petitioner pays Custom duty, the value of which includes Ocean Freight. On the same valuation, the petitioner also pays tax under the ["IGST Act" for short]. The petitioner's grievance is that under the impugned Notifications, the petitioner is asked to pay tax at the prescribed rate all over again on the ocean freight. The petitioner's challenge has principally three elements viz. [a] having paid the tax under IGST Act on the entire value of imports; inclusive of the ocean freight, the petitioner cannot be asked to pay tax on the ocean freight all over again under a different notification; [b] In case of CIF contracts, the service provider and service recipient both are outside the territory of India. No tax on such service can be collected even on reverse charge mechanism, and [c] In case of High Sea sales, the burden is cast on the petitioner as an importer whereas, the petitioner is not the recipient of the service at all. It is the petitioner's seller of goods on high sea basis who has received the services from the exporter/ transporter. th The decision is pending and interim relief till 9 March 2018 granted.

CGST AND CGST RATE NOTIFICATIONS (01.07.2017 TO 30.06.2018)

Compiled by Team TRD

Notification No.	Date	Subject	Description
01/2017-Central Tax	19/06/2017	Seeks to bring certain sections of the CGST Act, 2017 into force w.e.f. 22.06.2017	Provisions in respect of definitions, officers, appointment, powers, composition levy, registration, migration, common portal and power of government to make rules notified.
02/2017-Central Tax	19/06/2017	Notifying jurisdiction of Central Tax Officers	Appointment & Jurisdiction of Central Tax Officers.
03/2017-Central Tax	19/06/2017	Notifying the CGST Rules, 2017 on registration and composition levy	Rules on registration and composition notified.
04/2017-Central Tax	19/06/2017	Notifying www.gst.gov.in as the Common Goods and Services Tax Electronic Portal	www.gst.gov.in" is the website managed by GSTN which is notified as Common Goods and Services Tax Electronic Portal for facilitating registration, payment of tax, furnishing of returns, computation and settlement of integrated tax and electronic way bill.
05/2017-Central Tax	19/06/2017	Seeks to exempt persons only engaged in making taxable supplies, total tax on which is liable to be paid on reverse charge basis	Persons only engaged in making taxable supplies, the total tax on which is liable to be paid on reverse charge basis is exempted from obtaining registration u/s 23(2).
06/2017-Central Tax	19/06/2017	Modes of verification under CGST Rules, 2017	Aadhaar based Electronic Verification Code (EVC) & Bank account based One Time Password (OTP) are notified as modes of verification.
07/2017-Central Tax	27/06/2017	Notification No. 7/2017- Central Tax amending Notification No. 3/2017- Central Tax has been issued	Central Goods and Services Tax (Amendment) Rules, 2017 issued.
08/2017-Central Tax	27/06/2017	Seeks to notify the turnover limit for Composition Levy for CGST	Aggregate turnover for Composition Levy is 75L. For Special Category States, the limit is 50L. No benefit of Composition on Ice cream and other edible ice, Pan Masala and Tobacco and manufactured tobacco substitutes.
09/2017-Central Tax	28/06/2017	Seeks to bring into force certain sections of the CGST Act, 2017 w.e.f 01.07.2017	Provisions in respect of scope of supply, levy and collection tax liability on composite and mixed supplies, time and value of supply, ITC, tax invoice, credit and debit notes, accounts and records, returns, payment of tax, interest, penalty and other amounts, refunds assessment, audit, inspection, search and seizure, demand and recovery, advance ruling, appeals and revisions, offences and penalties, transitional provisions and some miscellaneous provisions notified.
10/2017-Central Tax	28/06/2017	Seeks to amend CGST Rules notification no 3/2017-Central Tax dt 19.06.2017	Amendments to Central Goods and Services Tax Rules, 2017 called the Central Goods and Services Tax (Second Amendment) Rules 2017 <ul style="list-style-type: none"> • Valuation rules notified • Input tax credit rules • TAX INVOICE, CREDIT AND DEBIT NOTES rules • Accounts and Records rules • Return rules • Payment of tax rules • Refund rules • Assessment and Audit rules • Advance ruling rules • Appeals and revision rules • Transitional rules • Anti-Profiteering rules • E-way Rules
11/2017-Central Tax	28/06/2017	Seeks to amend Notification no 6/2017-Central Tax dt 19.06.2017	Electronic verification code generated through net banking login on the common portal & Electronic verification code generated on the common portal are substituted for OTP as modes of verification under GST.

12/2017-Central Tax	28/06/2017	Seeks to notify the number of HSN digits required on tax invoice	8 digit coding system for HSN is not required in any case. Only 4 digits for more than 5 crore turnover, 2 digits for more than 1.5 crore to 5 cr & no HSN upto 1.5 crores, is required.
13/2017-Central Tax	28/06/2017	Seeks to prescribe rate of interest under CGST Act, 2017	Rate of interest- 18% and 24% for tax, 6% and 9% for refunds.
14/2017-Central Tax	01/07/2017	Assigning jurisdiction and power to officers of various directorates	Assigning jurisdiction and power to officers of various directorates.
15/2017-Central Tax	01/07/2017	Amending CGST Rules notification 10/2017-CT dt 28.06.2017	Further to amend the Central Goods and Services Tax Rules, 2017 called the Central Goods and Services Tax (Third Amendment) Rules, 2017 <ul style="list-style-type: none"> • Inspection, Search and Seizure rules • DEMANDS AND RECOVERY rules Offences and Penalties rules
16/2017-Central Tax	07/07/2017	Notification No. 16/2017-CT (conditions and safeguards for furnishing a Letter of Undertaking in place of a bond for export without payment of integrated tax)	(a) a status holder as specified in paragraph 5 of the Foreign Trade Policy 2015- 2020; or (b) who has received the due foreign inward remittances amounting to a minimum of 10% of the export turnover, which should not be less than one crore rupees, in the preceding financial year and he has not been prosecuted for any offence under CGST Act where the amount of tax evaded exceeds two hundred and fifty lakh rupees shall be allowed to furnish LUT.
17/2017-Central Tax	27/07/2017	Seeks to amend the CGST Rules, 2017.	Called the Central Goods and Services Tax (Fourth Amendment) Rules, 2017
18/2017-Central Tax	08/08/2017	Seeks to extend time period for filing of details of outward supplies in FORM GSTR-1 for months of July and August.	Details of outward supplies in FORM GSTR-1 for the m/o July'17 can be filed from 1st to 5th September, 2017 and for Aug'17 from 16th to 20th September, 2017.
19/2017-Central Tax	08/08/2017	Seeks to extend time period for filing of details of inward supplies in FORM GSTR-2 for months of July and August.	Details of inward supplies in FORM GSTR-2 for the m/o July'17 can be filed from 6th to 10th September, 2017 and for Aug'17 from 21st to 25th September, 2017.
20/2017-Central Tax	08/08/2017	Seeks to extend time period for filing of details in FORM GSTR-3 for months of July and August.	Details in FORM GSTR-3 for the m/o July'17 can be filed from 11th to 15th September, 2017 and for Aug'17 from 26th to 30th September, 2017.
21/2017-Central Tax	08/08/2017	Seeks to introduce date for filing of GSTR-3B for months of July and August.	Date for filing of GSTR-3B for the m/o July'17 to be 20th August, 2017 and for Aug'17 to be 20th September, 2017.
22/2017-Central Tax	17/08/2017	Seeks to amend the CGST Rules, 2017	Further to amend the Central Goods and Services Tax Rules, 2017
23/2017-Central Tax	17/08/2017	Seeks to notify the date and conditions for filing the return in FORM GSTR-3B for the month of July, 2017	Notified that the registered person who shall submit TRANS-1 before FORM GSTR-3B for the month of July, 2017, the last date for filing Form-3B to be 28th August, 2017.
24/2017-Central Tax	21/08/2017	Seeks to further extend the date for filing of return in FORM GSTR-3B for the month of July, 2017.	Further extended the date for filing of return in FORM GSTR-3B for the month of July, 2017.
25/2017-Central Tax	28/08/2017	Seeks to extend time period for filing of details in FORM GSTR-5A for month of July	Time limit for furnishing the return for the month of July, 2017, by a person supplying online information and database access or retrieval services from a place outside India to a non-taxable online recipient for the m/o July'17 extended to 15th day of September, 2017.
26/2017-Central Tax	28/08/2017	Seeks to extend time period for filing of details in FORM GSTR-6 for months of July & August.	Time limit for furnishing the return by an Input Service Distributor for the m/o July'17 extended to 8th September and for Aug'17 till 23rd September.
27/2017-Central Tax	30/08/2017	Seeks to further amend the CGST Rules, 2017	Further Amendment in CGST Rules.
28/2017-Central Tax	01/09/2017	Seeks to waive the late fee for late filing of FORM GSTR-3B, for the month of July	Waiver of the late fee payable for all registered persons who failed to furnish the return in FORM GSTR-3B for the month of July, 2017 by the due date.
29/2017-Central Tax	05/09/2017	Seeks to extend due dates for furnishing details>Returns for the months of July, 2017 and August, 2017.	Extended due dates for furnishing details>Returns for the months of July, 2017 and August, 2017.
30/2017-Central Tax	11/09/2017	Seeks to extend the time limit for filing of GSTR-1, GSTR-2 and GSTR-3.	Extended time limit for filing GSTR-1, GSTR-2 and GSTR-3 to 10th October, 2017, 31st October, 2017, 10th November, 2017 respectively.
31/2017-	11/09/2017	Seeks to extend the time limit for	Extended the time limit for furnishing the return by an Input

Central Tax		filing of GSTR-6.	Service Distributor for the month of July, 2017 up to the 13th October, 2017.
32/2017- Central Tax	15/09/2017	Seeks to granting exemption to a casual taxable person making taxable supplies of handicraft goods from the requirement to obtain registration.	Exemption to a casual taxable person making taxable supplies of handicraft goods from the requirement to obtain registration.
33/2017- Central Tax	15/09/2017	Notifying section 51 of the CGST Act, 2017 for TDS.	Notifying section 51 of the CGST Act, 2017 for TDS.
34/2017- Central Tax	15/09/2017	Seventh amendment to the CGST Rules, 2017.	Amendment in CGST Rules.
35/2017- Central Tax	15/09/2017	Seeks to extend the last date for filing the return in FORM GSTR-3B for the months of August to December, 2017.	Last date for filing the return in FORM GSTR-3B for m/o Aug, Sept, Oct, Nov & Dec 2017 to be 20th September, 2017, 20th October, 2017, 20th November, 2017, 20th December, 2017 & 20th January, 2018 respectively.
36/2017 – Central Tax	29/09/2017	Eighth amendment to CGST Rules, 2017.	1. "Revision of declaration in FORM GST TRAN-1 allowed and 2. Gave effect to "APPLICATION FOR CANCELLATION OF REGISTRATION OF MIGRATED TAXPAYERS.
37 /2017 – Central Tax	04/10/2017	Notification on extension of facility of LUT to all exporters issued	All registered persons who intend to supply goods or services for export without payment of integrated tax shall be eligible to furnish a Letter of Undertaking in place of a bond except those who have been prosecuted for any offence under the Central Goods and Services Tax Act, 2017 (12 of 2017) or the Integrated Goods and Services Tax Act, 2017 (13 of 2017) or any of the existing laws in force in a case where the amount of tax evaded exceeds two hundred and fifty lakh rupees.
38/2017 – Central Tax	13/10/2017	Seeks to amend notification no. 32/2017-CT dated 15.09.2017 so as to add certain items to the list of ""handicrafts goods""	Amended Notification no. 32/2017-CT dated 15.09.2017 so as to add certain items to the list of ""handicrafts goods""
39/2017 – Central Tax	13/10/2017	Seeks to cross-empower State Tax officers for processing and grant of refund	Officers of the State and Union Territories have been empowered to issue refunds u/s 54 or 55 in relation to CGST and IGST also. Earlier the respective officers were only empowered to issue the refunds. This move is to help exporters to get easy refund.
40/2017 – Central Tax	13/10/2017	Seeks to make payment of tax on issuance of invoice by registered persons having aggregate turnover less than Rs 1.5 crores	Supplier of Goods; whose turnover during the previous financial year was less than 1.5 crores and in case of newly registered persons if the turnover is likely to be less than 1.5 crores during the current financial year; will be allowed to file returns in the manner prescribed in chapter IX of CGST Act.
41/2017 – Central Tax	13/10/2017	Seeks to extend the time limit for filing of FORM GSTR-4	Extension of the time limit for furnishing the return by a composition supplier, in FORM GSTR-4 for the quarter July to September, 2017 till the 15th day of November, 2017.
42/2017 – Central Tax	13/10/2017	Seeks to extend the time limit for filing of FORM GSTR-5A	OIDAR service providers can file return for 1st quarter (July to Sep 2017) till 20th Nov 2017 instead of earlier date of 10th Oct 2017
43/2017 – Central Tax	13/10/2017	Seeks to extend the time limit for filing of FORM GSTR-6	ISD Dealers can file return for 1st quarter (July to Sep 2017) till 15th Nov 2017 instead of earlier date of 13th Oct 2017
44/2017 – Central Tax	13/10/2017	Seeks to extend the time limit for submission of FORM GST ITC-01	This is applicable for dealers who have shifted from composition scheme to regular scheme that 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 under sub-section (1) of section 18 of the said Act, till the 31st day of October, 2017.
45/2017 – Central Tax	13/10/2017	Seeks to amend the CGST Rules, 2017	New Rule 3A is inserted. This rule gives effect to file return u/s 10 from the first day he files CMP-02. He shall further file ITC-03 within 90 days. 4A of table 4 shall not be furnished in GSTR4. Amendment on form GSTR1 & 1A. Column under table 6 & 4 respectively have been added for zero rated supplies made to SEZ and Deemed Exports. Rule 46 A registered person who is supplying taxable as well as exempted goods or services or both to an unregistered person, a single 'invoice-cum-bill of supply' may be issued for all such supplies. Rule 62(1) A registered person who opts to pay tax under

			Composition Scheme u/s section 10 with effect from the first day of a month which is not the first month of a quarter shall furnish the return in FORM GSTR-4 for that period of the quarter for which he has paid tax under section 10 and shall furnish the returns as applicable to him for the period of the quarter prior to opting to pay tax under section 10.								
46/2017 – Central Tax	13/10/2017	Seeks to amend notification No. 8/2017-Central Tax.	Turnover limits for composition scheme have been increased to Rs. 1 crore from existing 75 Lakhs (for special category states the same has been increased to Rs. 75 Lakhs from existing 50 Lakhs). Person opting composition scheme this month can available the benefit w.e.f. 01.11.2017.								
47/2017 – Central Tax	18/10/2017	Tenth Amendment to the CGST rules, 2017.	Further to amend the Central Goods and Services Tax Rules, 2017, may be called the Central Goods and Services Tax (Tenth Amendment) Rules, 2017								
48/2017 – Central Tax	18/10/2017	Seeks to notify certain supplies as deemed exports under section 147 of the CGST Act, 2017.	<ol style="list-style-type: none"> 1) Supply of goods by a registered person against Advance Authorisation 2) Supply of capital goods by a registered person against Export Promotion Capital Goods Authorisation 3) Supply of goods by a registered person to Export Oriented Unit 4) Supply of gold by a bank or Public Sector Undertaking specified in the notification No. 50/2017-Customs, dated the 30th June, 2017 (as amended) against Advance Authorisation, were notified as deemed exports. 								
49/2017 – Central Tax	18/10/2017	Seeks to notify the evidences required to be produced by the supplier of deemed export supplies for claiming refund under rule 89(2)(g) of the CGST rules, 2017	Notifies the evidences required to be produced by the supplier of deemed export supplies for claiming refund under rule 89(2)(g) of the CGST rules, 2017.								
50/2017 – Central Tax	24/10/2017	Seeks to waive late fee payable for delayed filing of FORM GSTR-3B for Aug & Sep, 2017	Waiver of the late fee payable under section 47 of the CGST Act, for all registered persons who failed to furnish the return in FORM GSTR-3B for the months of August and September, 2017 by the due date.								
51/2017 – Central Tax	28/10/2017	Eleventh Amendment to CGST Rules, 2017	Further to amend the Central Goods and Services Tax Rules, 2017, called the Central Goods and Services Tax (Eleventh Amendment) Rules, 2017								
52/2017 – Central Tax	28/10/2017	Seeks to extend the due date for submission of details in FORM GST-ITC-01	Extension of the due date for submission of details in FORM GST-ITC-01 till 30th Nov 2017.								
53/2017 – Central Tax	28/10/2017	Seeks to extend the due date for submission of details in FORM GST-ITC-04	Extension of the due date for submission of details 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 30th Nov 2017.								
54/2017 – Central Tax	30/10/2017	Seeks to amend Notification no. 30/2017-Central Tax dated 11.09.2017 so as to extend the due date for filing FORM GSTR-2 and FORM GSTR-3 for the month of July, 2017	Extension of the time limit for furnishing the return GSTR-2 till 30th Nov 2017 and GSTR-3 till 11th Dec 2017.								
55/2017 – Central Tax	15/11/2017	Twelfth amendment to CGST Rules, 2017	Amendments to rules (called the Central Goods and Services Tax (Twelfth Amendment) Rules, 2017)								
56/2017 – Central Tax	15/11/2017	Seeks to mandate the furnishing of return in FORM GSTR-3B till March, 2018	Mandatory filing of GSTR 3B for the months of January, February and March 2018.								
57/2017 – Central Tax	15/11/2017	Seeks to prescribe quarterly furnishing of FORM GSTR-1 for those taxpayers with aggregate turnover of upto Rs.1.5 crore	<p>Extension of date for filing GSTR-1 by the registered persons having aggregate turnover of upto 1.5 crore rupees in the preceding financial year or the current financial year.</p> <table border="1"> <thead> <tr> <th>Quarter for which the details in FORM GSTR-1 are furnished</th> <th>Time period for furnishing the details in FORM GSTR-1</th> </tr> </thead> <tbody> <tr> <td>July - September, 2017</td> <td>31st December, 2017</td> </tr> <tr> <td>October - December, 2017</td> <td>15th February, 2018</td> </tr> <tr> <td>January - March, 2018</td> <td>30th April, 2018</td> </tr> </tbody> </table>	Quarter for which the details in FORM GSTR-1 are furnished	Time period for furnishing the details in FORM GSTR-1	July - September, 2017	31st December, 2017	October - December, 2017	15th February, 2018	January - March, 2018	30th April, 2018
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58/2017 –	15/11/2017	Seeks to extend the due dates for	Extension of date for filing GSTR-1 by the registered persons								

Central Tax		the furnishing of FORM GSTR-1 for those taxpayers with aggregate turnover of more than Rs.1.5 crores	having aggregate turnover of more than 1.5 crore rupees in the preceding financial year or the current financial year. <table border="1"> <thead> <tr> <th>Months for which the details in FORM GSTR-1 are furnished</th> <th>Time period for furnishing the details in FORM GSTR-1</th> </tr> </thead> <tbody> <tr> <td>July - October, 2017</td> <td>31st December, 2017</td> </tr> <tr> <td>November, 2017</td> <td>10th January, 2018</td> </tr> <tr> <td>December, 2017</td> <td>10th February, 2018</td> </tr> <tr> <td>January, 2018</td> <td>10th March, 2018</td> </tr> <tr> <td>February, 2018</td> <td>10th April, 2018</td> </tr> <tr> <td>March, 2018</td> <td>10th May, 2018</td> </tr> </tbody> </table>	Months for which the details in FORM GSTR-1 are furnished	Time period for furnishing the details in FORM GSTR-1	July - October, 2017	31st December, 2017	November, 2017	10th January, 2018	December, 2017	10th February, 2018	January, 2018	10th March, 2018	February, 2018	10th April, 2018	March, 2018	10th May, 2018
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59/2017 – Central Tax	15/11/2017	Seeks to extend the time limit for filing of FORM GSTR-4	The time limit was extended for filing GSTR-4 by the Composite Dealers till 24th day of December, 2017														
60/2017 – Central Tax	15/11/2017	Seeks to extend the time limit for furnishing the return in FORM GSTR-5, for the months of July to October, 2017	The time limit was extended for furnishing the return by a non-resident taxable person, in FORM GSTR-5, for the months of July, 2017, August, 2017, September, 2017 and October, 2017 till the 11th day of December, 2017														
61/2017 – Central Tax	15/11/2017	Seeks to extend the time limit for furnishing the return in FORM GSTR-5A for the months of July to October, 2017	The time limit was extended for furnishing GSTR-5A for the month of July, 2017, August, 2017, September, 2017 and October, 2017 by a person supplying online information and database access or retrieval services from a place outside India to a non-taxable online recipient, till the 15th day of December, 2017.														
62/2017 – Central Tax	15/11/2017	Seeks to extend the time limit for furnishing the return in FORM GSTR-6 for the month of July, 2017	<ol style="list-style-type: none"> 1) The time limit for furnishing the return by an Input Service Distributor in FORM GSTR-6 was extended for the month of July, 2017 till the 31st day of December, 2017. 2) The extension of the time limit for furnishing the return for the month of August, 2017, September, 2017 and October, 2017 shall be subsequently notified in the Official Gazette. 														
63/2017 – Central Tax	15/11/2017	Seeks to extend the due date for submission of details in FORM GST-ITC-04	The time limit for making the declaration in FORM GST ITC-04, was extended 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 December, 2017.														
64/2017 – Central Tax	15/11/2017	Seeks to limit the maximum late fee payable for delayed filing of return in FORM GSTR-3B from October, 2017 onwards	<ol style="list-style-type: none"> 1) The Central Government has amended late fee payable by any registered person for failure to furnish GSTR- 3B for the month of October, 2017 onwards by the due date, Rs. 25 for CGST Act and Rs. 25 for SGST Act. 2) Further, if total amount of Central tax Payable is Nil, Late fees will be Rs.10 per day for CGST Act and Rs.10 for SGST Act for the month of October, 2017 onwards. 														
65/2017 – Central Tax	15/11/2017	Seeks to exempt suppliers of services through an e-commerce platform from obtaining compulsory registration	The Central Government, specifies the persons under sub-section (5) of section 9 making supplies of services, through an electronic commerce operator who is required to collect tax at source under section 52 and having an aggregate turnover of Rs. 20 lakhs or 10 lakhs(in case of special category states other than Jammu & Kashmir), in a financial year, as the category of persons exempted from obtaining registration														
66/2017 – Central Tax	15/11/2017	Seeks to exempt all taxpayers from payment of tax on advances received in case of supply of goods	Central Tax, Government has exempted all dealers who did not opt for composition levy from paying GST on receipt of advance against their future supply.														
67/2017 – Central Tax	21/12/2017	Seeks to extend the time limit for filing FORM GST ITC-01.	The time limit for making declaration in form ITC-01 for availing input tax credit by the registered persons for the month of July 2017, August 2017, September 2017, October 2017 and November 2017 was extended till 31 st January, 2018														
68/2017 – Central Tax	21/12/2017	Seeks to extend the time limit for filing FORM GSTR-5.	The time limit for furnishing the return by a non-resident taxable person, in FORM GSTR-5, for the months of July, 2017, August, 2017, September, 2017, October, 2017, November, 2017 and December, 2017 was extended till the 31 st day of January, 2018.														
69/2017 –	21/12/2017	Seeks to extend the time limit for	The time limit for furnishing the return in FORM GSTR-5A, for														

Central Tax		filing FORM GSTR-5A.	the months of July, 2017, August, 2017, September, 2017, October, 2017, November, 2017 and December, 2017 was extended till the 31 st day of January, 2018.												
70/2017 – Central Tax	21/12/2017	Seeks to further amend CGST Rules, 2017 (Thirteenth Amendment).	Amendment in Central Goods and Services Tax Rules, 2017. In the Central Goods and Services Tax Rules, 2017 in Form GST-01, the Table 6 shall be substituted by a new table of “Zero rated supplies and Deemed Exports”.												
71/2017 – Central Tax	29/12/2017	Extends the due dates for quarterly furnishing of FORM GSTR-1 for taxpayers with aggregate turnover of upto Rs.1.5 crore.	<p>The time limit for filing GSTR 1 by the registered persons whose Turnover is upto 1.5 Crore rupees in the preceding financial year or the current financial year.</p> <table border="1"> <thead> <tr> <th>Quarter for which the details in FORM GSTR-1 are furnished</th> <th>Time period for furnishing the details in FORM GSTR-1</th> </tr> </thead> <tbody> <tr> <td>July - September, 2017</td> <td>10th January, 2018</td> </tr> <tr> <td>October - December, 2017</td> <td>15th February, 2018</td> </tr> <tr> <td>January - March, 2018</td> <td>30th April, 2018</td> </tr> </tbody> </table>	Quarter for which the details in FORM GSTR-1 are furnished	Time period for furnishing the details in FORM GSTR-1	July - September, 2017	10 th January, 2018	October - December, 2017	15th February, 2018	January - March, 2018	30th April, 2018				
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72/2017 – Central Tax	29/12/2017	Extends the due dates for monthly furnishing of FORM GSTR-1 for taxpayers with aggregate turnover of more than Rs.1.5 crores.	<p>Extension of date for filing GSTR-1 by the registered persons having aggregate turnover of more than 1.5 crore rupees in the preceding financial year or the current financial year.</p> <table border="1"> <thead> <tr> <th>Months for which the details in FORM GSTR-1 are furnished</th> <th>Time period for furnishing the details in FORM GSTR-1</th> </tr> </thead> <tbody> <tr> <td>July – November, 2017</td> <td>10th January, 2018</td> </tr> <tr> <td>December, 2017</td> <td>10th February, 2018</td> </tr> <tr> <td>January, 2018</td> <td>10th March, 2018</td> </tr> <tr> <td>February, 2018</td> <td>10th April, 2018</td> </tr> <tr> <td>March, 2018</td> <td>10th May, 2018</td> </tr> </tbody> </table>	Months for which the details in FORM GSTR-1 are furnished	Time period for furnishing the details in FORM GSTR-1	July – November, 2017	10th January, 2018	December, 2017	10th February, 2018	January, 2018	10th March, 2018	February, 2018	10th April, 2018	March, 2018	10th May, 2018
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73/2017 – Central Tax	29/12/2017	Waives the late fee payable for failure to furnish the return in FORM GSTR-4	<p>The Central Govt. has decided to waive off the amount of late fee payable by any registered person for failure to furnish the return in FORM GSTR-4 by the due date, which is in excess of an amount of Rs.25 for every day during which such failure continues.</p> <p>Provided that where the total amount of central tax in the said return is nil, the amount of late fee payable by any registered person for failure to furnish the said return by the due date shall be waived which is in excess of an amount of Rs.10 for every day during which such failure continues.</p>												
74/2017 – Central Tax	29/12/2017	Notifies the date from which E-Way Bill Rules shall come into force	The procedure of Advance E-Way Bill under GST will initiate from 1ST February, 2018												
75/2017 – Central Tax	29/12/2017	CGST (Fourteenth Amendment) Rules,2017	This Notification is regarding amendment in CGST Rules, 2017.												
01/2018- Central Tax	01/01/2018	Central Tax seeks to further amend notification No. 8/2017 – Central Tax so as to prescribe the effective rate of tax under composition scheme for manufacturers and other suppliers.	The rate of central tax payable under composition scheme will be half percent (Previously One percent) on the turnover in the state for a manufacturer and half percent of the turnover of taxable supplies of goods in the State in case of other suppliers.												
02/2018- Central Tax	20/01/2018	Seeks to extend the last date for filing FORM GSTR-3B for December 2017 till 22.01.2018.	Last Date for filing of return in FORM GSTR-3B for the month of December 2017 will be 22/01/2018 instead of 20/01/2018.												
03/2018- Central Tax	23/01/2018	First Amendment 2018, to CGST Rules	<ol style="list-style-type: none"> 1) Period to file the statement in FORM GST ITC-03 (Declaration for intimation of ITC reversal/payment of tax on inputs held in stock, inputs contained in semi-finished and finished goods held in stock and capital goods) increased to one hundred and eighty days. 2) The Rate of tax under composition levy for registered persons in case of Manufacturers, other than manufacturers of such goods as may be notified by the Government changed to half percent of the turnover in the State or Union territory. 3) The Rate of tax under composition levy for registered persons in case of Suppliers making supplies referred will be two and a half per cent. of the turnover in the State or Union territory. 4) The Rate of tax under composition levy for registered 												

			<p>persons in case of Any other supplier eligible for composition levy will be half per cent. of the turnover of taxable supplies of goods in the State or Union territory.</p> <ol style="list-style-type: none"> 5) The value of supply of lottery authorised or run by the State government shall be the face value of ticket or of the price as notified in the Official Gazette by the organising State, whichever is higher. 6) Value of supply for betting, gambling, horse racing shall be 100% of the face value of the bet or the amount paid into the totalisator, 7) Calculation of aggregate value for exempt supplies shall be calculated based on the guidelines of this notification. 8) A registered person being an input service distributor may issue invoice, debit/credit note. 9) When a person is not required to carry EWB, the person in charge of the conveyance must carry Tax Invoice or bill of supply 10) Refund shall be granted for the ITC in respect of inputs used in making Zero-rated goods/service even in cases when the supplies have received benefit from the GOI Ministry of Finance, notifications 11) The application for refund of integrated tax paid on the services exported out of India shall be filed in FORM GST RFD-01 12) Before movement of goods, the details have to be filled in Part A of FORM GST EWB-01. 13) When the goods are transported one can generate the e-way bill in FORM GST EWB-01 electronically on the common portal after furnishing information in Part B of FORM GST EWB-01 14) EWB guidelines are notified.
04/2018-Central Tax	23/01/2018	Reduction of late fee in case of delayed filing of FORM GSTR-1	Late fee for not filing returns on time reduced to Rs.25 For Nil returns, late fee will be Rs.10 per day.
05/2018-Central Tax	23/01/2018	Reduction of late fee in case of delayed filing of FORM GSTR-5	Late fee for not filing returns on time reduced to Rs.25 For Nil returns (No central Tax), late fee will be Rs.10 per day.
06/2018-Central Tax	23/01/2018	Reduction of late fee in case of delayed filing of FORM GSTR-5A	Late fee for not filing returns on time reduced to Rs.25 For Nil returns (No Integrated Tax), late fee will be Rs.10 per day.
07/2018-Central Tax	23/01/2018	Reduction of late fee in case of delayed filing of FORM GSTR-6	Late fee for not filing returns on time reduced to Rs.25.
08/2018-Central Tax	23/01/2018	Extension of date for filing the return in FORM GSTR-6	Time to file FORM GSTR-6 for the months of July 2017 to February, 2018 is extended till 31/03/2018
09/2018-Central Tax	23/01/2018	Amendment of notification No. 4/2017-Central Tax dated 19.06.2017 for notifying e-way bill website	Effective from 16 January 2018, www.gst.gov.in will be the Common Goods and Services Tax Electronic Portal for registration, payment of tax, furnishing of returns and computation and settlement of integrated tax. www.ewaybillgst.gov.in will be the Common Goods and Services Tax Electronic Portal for furnishing electronic waybill.
10/2018-Central Tax	23/01/2018	Amending notification No. 39/2017-Central Tax dated 13.10.2017 for cross-empowerment of State tax officers for processing and grant of refund	In case of refund, tax paid on goods exported out of India has restrictions on its sanctioning authority.
11/2018-Central Tax	02/02/2018	Seeks to postpone the coming into force of the e-way bill rules	Central government cancels the roll in of e-way bill scheduled for 01/02/2018.
12/2018-Central Tax	07/03/2018	Second Amendment (2018) to CGST Rules	<ol style="list-style-type: none"> 1) Information to be furnished prior to commencement of movement of goods and generation of e-way bill notified. 2) The person in charge of the conveyance will be required to carry invoice or bill of supply or delivery challan, copy of EWB in physical or electronic form. 3) A proper officer may intercept any conveyance to verify the e-way bill in physical or electronic form for all inter-State and intrastate movement of goods. 4) Details of Verification and inspection of goods and conveyances is notified.
13/2018-Central Tax	07/03/2018	Rescinding notification No. 06/2018 – CT dated 23.01.2018	<u>Notification 6/2018 cancelled.</u>

14/2018- Central Tax	23/03/2018	Amending the CGST Rules, 2017(Third Amendment Rules, 2018)	<ol style="list-style-type: none"> 1) When goods are directly sent to job worker the challan may be issued either by the principal or Job worker and should be properly endorsed if need be. 2) A minimum of three members of the Authority shall constitute quorum at its meetings and the opinion of majority will be taken as the decision. 3) The words 'transported by railways', 'transportation of goods by railways', 'transport of goods by rail' and 'movement of goods by rail' does not include cases where leasing of parcel space by Railways takes place.
15/2018- Central Tax	23/03/2018	Notifies the date from which E-Way Bill Rules shall come into force	April 1st 2018 is announced to be the date from which EWB ruled will come into force
16/2018- Central Tax	23/03/2018	Seeks to prescribe the due dates for filing FORM GSTR-3B for the months of April to June, 201	<p>The last dates for filing of return in form GSTR-3B for these month ends will be –</p> <p>April ,2018 – 20th May 2018 May, 2018 – 20th June 2018 June, 2018 – 20 July 2018</p> <p>The tax liability, penalty, interest if any shall be payable by the last date of filing the return.</p>
17/2018- Central Tax	28/03/2018	Seeks to prescribe the due date for quarterly furnishing of FORM GSTR-1 for those taxpayers with aggregate turnover of upto Rs.1.5 crore	Any registered person having aggregate TO up to 1.5 crore rupees in the previous FY or current FY shall furnish details about the supply provided in FORM GSTR-1 for the quarter between April to June 2018.
18/2018- Central Tax	28/03/2018	Seeks to prescribe the due dates for furnishing of FORM GSTR-1 for those taxpayers with aggregate turnover of more than Rs. 1.5 crore	<p>The last dates for filing of return in form GSTR-1 for registered people whose TO is more that 1.5 crores rupees for these month ends will be –</p> <p>April ,2018 – 31st May 2018 May, 2018 – 10th June 2018 June, 2018 – 10 July 2018</p> <p>The tax liability, penalty, interest if any shall be payable by the last date of filing the return.</p>
19/2018- Central Tax	28/03/2018	Extension of date for filing the return in FORM GSTR-6	The return in FORM GSTR-6 by the Input service distributor for the months of July, 2017 till April, 2018 should be filled by 31 May 2018.
20/2018- Central Tax	28/03/2018	Extension of due date for filing of application for refund under section 55 by notified agencies	The period for application for refund of tax paid on inward supplies shall be mad before the expiry of eighteen months from the last date of the quarter in which such supply was received
21/2018- Central Tax	18/04/2018	Notification seeks to make amendments (Fourth Amendment) to the CGST Rules, 2017.	<ol style="list-style-type: none"> 1) Refund on account of inverted duty structure, refund of input tax credit – 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 2) Consumer welfare fund will have credits based on this notification.
22/2018- Central Tax	14/05/2018	Seeks to waive the late fee for FORM GSTR-3B	The late fee payable when Form GSTR-3B is not filed within the due date for the months from October, 2017 to April, 2018 and Form GST TRAN-1 was submitted but not filed on the common portal by 12/27/2017, the late fee will be waived off. However, the declaration in Form GST TRAN-1 should have been filled by the 05/10/2018. Form GSTR-3B for these months should be filled by 05/31/2018.
23/2018- Central Tax	18/05/2018	Seeks to extend the due date for filing of FORM GSTR-3B for the month of April, 2018.	The due date to file Form GSTR-3B for the month of April extended to 05/22/2018 from 05/20/2018.
24/2018- Central Tax	28/05/2018	NACIN notified as the authority for conducting the examination for GST Practitioners under rule 83 (3) of the CGST Rules, 2017	National Academy of Customs, Indirect Taxes and Narcotics, Department of Revenue, Ministry of Finance, Government of India, is notified as the authority to conduct examination for GST Practitioners.
25/2018- Central Tax	31/05/2018	GSTR-6 due date Extended!	Filing for the months July 2017 to June 2018 has been extended to 31st July 2018.
26/2018- Central Tax	13/06/2018	Seeks to make amendments (Fifth Amendment, 2018) to the CGST Rules, 2017.	<p>The Central Government amends the following rules</p> <ol style="list-style-type: none"> 1) These rules may be called the Central Goods and Services Tax (Fifth Amendment) Rules, 2018. 2) Save as otherwise provided, they shall come into force on the date of their publication in the Official Gazette

27/2018- Central Tax	13/06/2018	Seeks to specify goods which may be disposed off by the proper officer after its seizure.	<p>The Central Government notifies the goods or the class of goods which shall be disposed of by the proper officer, having regard to the perishable or hazardous nature, depreciation in value with the passage of time, constraints of storage space or any other relevant considerations of the said goods. The schedule of the goods are as follows -Schedule</p> <ol style="list-style-type: none"> 1) Salt and hygroscopic substances 2) Raw (wet and salted) hides and skins 3) Newspapers and periodicals 4) Menthol, Camphor, Saffron 5) Re-fills for ball-point pens 6) Lighter fuel, including lighters with gas, not having arrangement for refilling 7) Cells, batteries and rechargeable batteries 8) Petroleum Products 9) Dangerous drugs and psychotropic substances 10) Bulk drugs and chemicals falling under Section VI of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975)
28/2018- Central Tax	19/06/2018	Notification issued for amending the CGST Rules, 2017	<p>Sixth Amendment in CGST Rules, 2018.</p> <p>Rule 58 – New Rule 1A inserted in E Way Bill Rules: a transporter who is registered in more than one State or Union Territory having the same Permanent Account Number, he may apply for a unique common enrolment number by submitting the details in FORM GST ENR-02 using any one of his Goods and Services Tax Identification Numbers. When transporter has obtained a unique common enrolment number, he shall not be eligible to use any of the Goods and Services Tax Identification Numbers for the purpose of E Way Bill.</p> <p>Rule 138C – Proviso to Rule 138C inserted a proviso: where the circumstances so warrant, the Commissioner, or any other officer authorised by him, may, on sufficient cause being shown, extend the time for recording of the final report in Part B of FORM EWB-03, for a further period not exceeding three days. Three days shall be counted from the midnight of the date on which the vehicle was intercepted.</p> <p>After Form GST ENR 01 a new Form GST ENR 02 has been inserted for filing the application for obtaining unique common enrolment number.</p>

Notification No.	Date	Subject	Description																					
01/2017-Central Tax (Rate)	28/06/2017	CGST Rate Schedule notified under section 9 (1)	<p>The Government had prescribed the list of GST Rates for goods with 6 schedules:</p> <table border="1"> <thead> <tr> <th>SL No.</th> <th>Sch No.</th> <th>GST Rate</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>I</td> <td>2.5</td> </tr> <tr> <td>2</td> <td>II</td> <td>6</td> </tr> <tr> <td>3</td> <td>III</td> <td>9</td> </tr> <tr> <td>4</td> <td>IV</td> <td>14</td> </tr> <tr> <td>5</td> <td>V</td> <td>1.5</td> </tr> <tr> <td>6</td> <td>VI</td> <td>0.125</td> </tr> </tbody> </table>	SL No.	Sch No.	GST Rate	1	I	2.5	2	II	6	3	III	9	4	IV	14	5	V	1.5	6	VI	0.125
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02/2017-Central Tax (Rate)	28/06/2017	CGST exempt goods notified under section 11 (1)	<p>The Government had prescribed the list of EXEMPTION for goods from whole of central tax</p> <table border="1"> <thead> <tr> <th>SL No.</th> <th>Total no of goods/Ch /HD/sub hd/tariff item</th> <th>Prescribed CGST Rate</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1 to 149</td> <td>0</td> </tr> </tbody> </table>	SL No.	Total no of goods/Ch /HD/sub hd/tariff item	Prescribed CGST Rate	1	1 to 149	0															
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03/2017-Central Tax (Rate)	28/06/2017	2.5% concessional CGST rate for supplies to Exploration and Production notified under section 11 (1)	<p>The Government had exempted intra-State supplies of goods, the description of which is specified in column (3) from so much of the central tax leviable as is in excess of the amount calculated at the rate specified in the corresponding entry in column (4) of the said Table and subject to the relevant conditions annexed to this notification, as per column (5) of the Table aforesaid</p> <table border="1"> <thead> <tr> <th>SN</th> <th>Ch/head/sub head/tariff item</th> <th>Description of Goods</th> <th>Rate</th> <th>Condition</th> </tr> <tr> <th>1</th> <th>2</th> <th>3</th> <th>4</th> <th>5</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>Goods specified in the List annexed to this Table required in connection with: (1) Petroleum operations undertaken under petroleum exploration licenses or mining leases, granted by the GOI or any State Government to the ONGC or OIL on nomination basis, or (2) Petroleum operations undertaken under specified contracts, or (3) Petroleum operations undertaken under specified contracts under the New Exploration Licensing Policy, or (4) Petroleum operations undertaken under specified contracts under the Marginal Field Policy (MFP), or (5) Coal bed methane operations undertaken under specified contracts under the Coal Bed Methane Policy.</td> <td></td> <td></td> </tr> </tbody> </table>	SN	Ch/head/sub head/tariff item	Description of Goods	Rate	Condition	1	2	3	4	5			Goods specified in the List annexed to this Table required in connection with: (1) Petroleum operations undertaken under petroleum exploration licenses or mining leases, granted by the GOI or any State Government to the ONGC or OIL on nomination basis, or (2) Petroleum operations undertaken under specified contracts, or (3) Petroleum operations undertaken under specified contracts under the New Exploration Licensing Policy, or (4) Petroleum operations undertaken under specified contracts under the Marginal Field Policy (MFP), or (5) Coal bed methane operations undertaken under specified contracts under the Coal Bed Methane Policy.								
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		Goods specified in the List annexed to this Table required in connection with: (1) Petroleum operations undertaken under petroleum exploration licenses or mining leases, granted by the GOI or any State Government to the ONGC or OIL on nomination basis, or (2) Petroleum operations undertaken under specified contracts, or (3) Petroleum operations undertaken under specified contracts under the New Exploration Licensing Policy, or (4) Petroleum operations undertaken under specified contracts under the Marginal Field Policy (MFP), or (5) Coal bed methane operations undertaken under specified contracts under the Coal Bed Methane Policy.																						
04/2017-Central Tax (Rate)	28/06/2017	Reverse charge on certain specified supplies of goods under section 9 (3)	<p>The Government had prescribed the list for the goods on which GST was applicable on reverse charge basis.</p> <table border="1"> <thead> <tr> <th>SN</th> <th>Tariff item, sub-heading, heading or Chapter</th> <th>Description of supply of Goods</th> <th>Supplier of goods</th> <th>Recipient of supply</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0801</td> <td>Cashew nuts, not shelled or peeled</td> <td>Agriculturist</td> <td>Any registered person</td> </tr> <tr> <td>2</td> <td>1404 90 10</td> <td>Bidi wrapper leaves (tendu)</td> <td>Agriculturist</td> <td>Any registered person</td> </tr> <tr> <td>3</td> <td>2401</td> <td>Tobacco leaves</td> <td>Agriculturist</td> <td>Any registered person</td> </tr> </tbody> </table>	SN	Tariff item, sub-heading, heading or Chapter	Description of supply of Goods	Supplier of goods	Recipient of supply	1	0801	Cashew nuts, not shelled or peeled	Agriculturist	Any registered person	2	1404 90 10	Bidi wrapper leaves (tendu)	Agriculturist	Any registered person	3	2401	Tobacco leaves	Agriculturist	Any registered person	
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2	1404 90 10	Bidi wrapper leaves (tendu)	Agriculturist	Any registered person																				
3	2401	Tobacco leaves	Agriculturist	Any registered person																				

			4	5004 to 5006	Silk yarn	Any person who manufactures silk yarn from raw silk or silk worm cocoons for supply of silk yarn	Any registered person
			5	-	Supply of lottery.	State Government, Union Territory or any local authority	Lottery distributor or selling agent.
05/2017-Central Tax (Rate)	28/06/2017	Supplies of goods in respect of which no refund of unutilised input tax credit shall be allowed under section 54 (3)	The Government had prescribed Supplies of goods in respect of which no refund of unutilised input tax credit shall be allowed under section 54 (3)				
			SN	Description of Goods			
			1	Woven fabrics of silk or of silk waste			
			2	Woven fabrics of wool or of animal hair			
			3	Woven fabrics of cotton			
			4	Woven fabrics of other vegetable textile fibres, paper yarn			
			5	Woven fabrics of manmade textile materials			
			6	Woven fabrics of manmade staple fibres			
			7	Knitted or crocheted fabrics [All goods]			
			8	Rail locomotives powered from an external source of electricity or by electric accumulators			
			9	Other rail locomotives; locomotive tenders; such as Diesel-electric locomotives, Steam locomotives and tenders thereof			
			10	Self-propelled railway or tramway coaches, vans and trucks, other than those of heading 8604			
			11	Railway or tramway maintenance or service vehicles, whether or not self-propelled (for example, workshops, cranes, ballast tampers, trackliners, testing coaches and track inspection vehicles)			
			12	Railway or tramway passenger coaches, not self-propelled; luggage vans, post office coaches and other special purpose railway or tramway coaches, not self-propelled (excluding those of heading 8604)			
			13	Railway or tramway goods vans and wagons, not self-propelled			
			14	Parts of railway or tramway locomotives or rolling-stock; such as Bogies, bissel-bogies, axles and wheels, and parts thereof			
			15	Railway or tramway track fixtures and fittings; mechanical (including electro-mechanical) signalling, safety or traffic control equipment for railways, tramways, roads, inland waterways, parking facilities, port installations or airfields; parts of the foregoing			
06/2017-Central Tax (Rate)	28/06/2017	Refund of 50% of CGST on supplies to CSD under section 55	The Government had prescribed Refund of 50% of CGST on supplies to CSD under section 55				
			Inward supply by CSD	Refund of 50% of central tax paid			
07/2017-Central Tax (Rate)	28/06/2017	Exemption from CGST supplies by CSD to Unit Run Canteens and supplies by CSD / Unit Run Canteens to authorised customers notified under section 11 (1) and section 55 CSD	The Government had prescribed Exemption from CGST supplies by CSD to Unit Run Canteens and supplies by CSD / Unit Run Canteens to authorised customers notified under section 11 (1) and section 55 CSD				
			Outward supply by CSD	GST @ 0%			
08/2017-Central Tax (Rate)	28/06/2017	CGST exemption from reverse charge upto Rs.5000 per day under section 11 (1)	The Government had exempted the Intra-State supplies of goods or services or both received by a registered person from any supplier, who is not registered, from the whole of the GST leviable thereon, if amount of such supply from any or all the un-registered suppliers is upto Rs. 5,000 in a day. The registered person may issue a consolidated invoice at the end of a month for all supplies from unregistered suppliers covered under RCM, where the aggregate value of such supplies exceeds Rs. 5,000 from all the suppliers.				
09/2017-Central Tax (Rate)	28/06/2017	Exempting supplies to a TDS deductor by a	The Government had exempted intra-State supplies of goods/services received by a TDS deductor, from any supplier, who is not registered, from the whole of the tax leviable under RCM, subject to the condition that the deductor is not liable to be				

		supplier, who is not registered, under section 11 (1)	registered otherwise than under the category of mandatory registration.																				
10/2017-Central Tax (Rate)	28/06/2017	CGST exemption for dealers operating under Margin Scheme notified under section 11 (1)	The Government had exempted intra-State supplies of second hand goods received by a registered person, dealing in buying and selling of second hand goods and who pays the GST on the value of outward supply of such second hand goods, from any supplier, who is not registered, from the whole of the tax leviable thereon under RCM.																				
11/2017-Central Tax (Rate)	28/06/2017	To notify the rates for supply of services under CGST Act	<p>The Government had notified the Central GST rate for Supply of Service</p> <p>Note 1:-The rate of tax on services namely, construction of a complex, building, civil structure or a part thereof, including a complex or building intended for sale to a buyer, wholly or partly, except where the entire consideration has been received after issuance of completion certificate, where required, by the competent authority or after its first occupation, whichever is earlier, has been increased from 12% to 18%.</p> <p>Sp.Note: However, the requirement to include land value from computation of tax liability has been removed and it has been stated that the value of land or undivided share of land, as the case may be, in such supply shall be deemed to be 1/3rd of the total amount charged for such supply.</p> <p>Note 2: The word "room tariff & room rent" as mentioned in the rate schedules approved by the GST council has been replaced "declared tariff". With effect of this amendment, the GST rate applicable on room rent shall be determined based on declared tariff. However, tax shall be levied on the transaction value.</p>																				
12/2017-Central Tax (Rate)	28/06/2017	To notify the exemptions on supply of services under CGST Act	The Government had notified the exemption from central tax for Supply of Service Total no of entries for exemption from CGST =81 services																				
13/2017-Central Tax (Rate)	28/06/2017	To notify the categories of services on which tax will be payable under reverse charge mechanism under CGST Act	<p>The Government had notified the categories of services on which tax will be payable under reverse charge mechanism under CGST Act</p> <table border="1"> <thead> <tr> <th>SN</th> <th>Category of Supply of Service</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Goods Transport Agency [GTA]</td> </tr> <tr> <td>2</td> <td>By Advocate</td> </tr> <tr> <td>3</td> <td>An arbitral tribunal</td> </tr> <tr> <td>4</td> <td>Sponsorship</td> </tr> <tr> <td>5</td> <td>By Central Government, State Government, Union territory or local authority</td> </tr> <tr> <td>6</td> <td>Services supplied by a director</td> </tr> <tr> <td>7</td> <td>Services supplied by an insurance agent</td> </tr> <tr> <td>8</td> <td>Services supplied by a recovery agent</td> </tr> <tr> <td>9</td> <td>Supply of services by an author, music composer, photographer, artist or the like by way of transfer or permitting the use or enjoyment of a copyright</td> </tr> </tbody> </table>	SN	Category of Supply of Service	1	Goods Transport Agency [GTA]	2	By Advocate	3	An arbitral tribunal	4	Sponsorship	5	By Central Government, State Government, Union territory or local authority	6	Services supplied by a director	7	Services supplied by an insurance agent	8	Services supplied by a recovery agent	9	Supply of services by an author, music composer, photographer, artist or the like by way of transfer or permitting the use or enjoyment of a copyright
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14/2017-Central Tax (Rate)	28/06/2017	To notify the supplies which shall be treated neither as a supply of goods nor a supply of service under the CGST Act	The Government had notified the supplies which shall be treated neither as a supply of goods nor a supply of service under the CGST Act: "Services by way of any activity in relation to a function entrusted to a Panchayat under article 243G of the Constitution."																				
15/2017-Central Tax (Rate)	28/06/2017	To notify the supplies not eligible for refund of unutilized ITC under CGST Act	The Government had notified that, no refund of unutilised Input Tax Credit shall be allowed in relation to taxes paid on supply of services, relating to construction of complex, building, civil structure or part thereof, including a complex or building intended for sale to a buyer, wholly or partly, except where the entire consideration has been received after issuance of completion certificate.																				
16/2017-Central Tax (Rate)	28/06/2017	To notify specialised agencies entitled to claim a refund of taxes paid on the notified supplies of goods or services or	<p>The Government had notified specialised agencies entitled to claim a refund of taxes paid on the notified supplies of goods or services or both received by them under CGST Act</p> <table border="1"> <thead> <tr> <th>Sec 55:Conditions :</th> </tr> </thead> <tbody> <tr> <td>1.United Nations or a specified international organisation; and</td> </tr> <tr> <td>2. Foreign diplomatic mission or consular post in India, or diplomatic agents or career consular officers posted therein</td> </tr> </tbody> </table>	Sec 55:Conditions :	1.United Nations or a specified international organisation; and	2. Foreign diplomatic mission or consular post in India, or diplomatic agents or career consular officers posted therein																	
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		both received by them under CGST Act																	
17/2017-Central Tax (Rate)	28/06/2017	To notify the categories of services the tax on intra-State supplies of which shall be paid by the electronic commerce operator	<p>The Government had notified the categories of services the tax on intra-State supplies of which shall be paid by the electronic commerce operator</p> <table border="1"> <tr> <td>(i) services by way of transportation of passengers by a radio-taxi, motorcab, maxicab and motor cycle;</td> </tr> <tr> <td>(ii) services by way of providing accommodation in hotels, inns, guest houses, clubs, campsites or other commercial places meant for residential or lodging purposes, except where the person supplying such service through electronic commerce operator is liable for registration under sub-section (1) of section 22 of the said Central Goods and Services Tax Act.</td> </tr> </table>	(i) services by way of transportation of passengers by a radio-taxi, motorcab, maxicab and motor cycle;	(ii) services by way of providing accommodation in hotels, inns, guest houses, clubs, campsites or other commercial places meant for residential or lodging purposes, except where the person supplying such service through electronic commerce operator is liable for registration under sub-section (1) of section 22 of the said Central Goods and Services Tax Act.														
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18/2017-Central Tax (Rate)	30/06/2017	Seek to reduce the rate of Central Tax, Union Territory Tax, on fertilisers from 6% to 2.5% and Integrated Tax rate on fertilisers from 12% to 5%	Reduction in GST Rate on fertilizers such as Mineral or chemical fertilisers, Mineral or chemical fertilizers, phosphate, other than those which are clearly not to be used as fertilizers etc. from 12% to 5%.																
19/2017-Central Tax (Rate)	18/08/2017	Seeks to reduce CGST rate on specified parts of tractors from 14% to 9 %	<p>Reduction in GST Rate from 28% to 18%:</p> <table border="1"> <tr><td>Tyre for tractors</td></tr> <tr><td>Tube for tractor tyres</td></tr> <tr><td>Agricultural Diesel Engine of cylinder capacity exceeding 250 cc for Tractor</td></tr> <tr><td>Hydraulic Pumps for Tractors</td></tr> <tr><td>Bumpers and parts thereof for tractors</td></tr> <tr><td>Brakes assembly and its parts thereof for tractors</td></tr> <tr><td>Gear boxes and parts thereof for tractors</td></tr> <tr><td>Transaxles and its parts thereof for tractors</td></tr> <tr><td>Road wheels and parts and accessories thereof for tractors</td></tr> <tr><td>i. Radiator assembly for tractors and parts thereof</td></tr> <tr><td>ii. Cooling system for tractor engine and parts thereof</td></tr> <tr><td>Silencer assembly for tractors and parts thereof</td></tr> <tr><td>Clutch assembly and its parts thereof for tractors</td></tr> <tr><td>Steering wheels and its parts thereof for tractor</td></tr> <tr><td>Hydraulic and its parts thereof for tractors</td></tr> <tr><td>Fender, Hood, wrapper, Grill, Side Panel, Extension Plates, Fuel Tank and parts thereof for tractors"</td></tr> </table>	Tyre for tractors	Tube for tractor tyres	Agricultural Diesel Engine of cylinder capacity exceeding 250 cc for Tractor	Hydraulic Pumps for Tractors	Bumpers and parts thereof for tractors	Brakes assembly and its parts thereof for tractors	Gear boxes and parts thereof for tractors	Transaxles and its parts thereof for tractors	Road wheels and parts and accessories thereof for tractors	i. Radiator assembly for tractors and parts thereof	ii. Cooling system for tractor engine and parts thereof	Silencer assembly for tractors and parts thereof	Clutch assembly and its parts thereof for tractors	Steering wheels and its parts thereof for tractor	Hydraulic and its parts thereof for tractors	Fender, Hood, wrapper, Grill, Side Panel, Extension Plates, Fuel Tank and parts thereof for tractors"
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20/2017-Central Tax (Rate)	22/08/2017	Seeks to amend notification No. 11/2017-CT(R) to reduce CGST rate on specified supplies of Works Contract Services, job work for textile & textile products, printing service of books, newspapers etc, admission to planetarium, and, also to provide option to GTA & transport of passengers by motorcab service providers to avail full ITC & discharge CGST @ 6%	<p>Amendment in GST rate:</p> <ol style="list-style-type: none"> Composite supply of works contract supplied to Govt. – 12% Composite supply of works contract relating to construction of bridges, road, civil structure, a pollution control or effluent treatment plant, except located as a part of a factory and a structure meant for funeral, burial or cremation of deceased.– 12% Composite supply of works contract supplied by way of construction, erection, commissioning, or installation of original works pertaining to railways, excluding monorail and metro; a single residential unit otherwise than as a part of a residential complex; low-cost houses up to a carpet area of 60 square metres per house in a housing project approved by competent authority - 12% Service of Transport of passengers and Goods transport agency, where Input Tax Credit has not been claimed – 5% Service of Transport of passengers and Goods transport agency, where Input Tax Credit claimed – 12% 																
21/2017-Central Tax (Rate)	22/08/2017	Seeks to amend notification No. 12/2017-CT(R) to	<p>Exemption of services from GST:</p> <ol style="list-style-type: none"> Services provided by and to (FIFA) and its subsidiaries directly or indirectly 																

		exempt services provided by Fair Price Shops to Government and those provided by and to FIFA for FIFA U-17. Also to substitute RWGIS & PMFBY for MNAIS & NAIS, and insert explanation for LLP	related to any of the events under FIFA U-17 World Cup 2017 to be hosted in India. Provided that Director (Sports), Ministry of Youth Affairs and Sports certifies that the services are directly or indirectly related to any of the events under FIFA U17 World Cup 2017 – NIL 2. Service provided by Fair Price Shops to Central Government by way of sale of wheat, rice and coarse grains under Public Distribution System(PDS) against consideration in the form of commission or margin – NIL . 3. Service provided by Fair Price Shops to State Governments or Union territories by way of sale of kerosene, sugar, edible oil, etc. under Public Distribution System (PDS) against consideration in the form of commission or margin- NIL																					
22/2017-Central Tax (Rate)	22/08/2017	Seeks to amend notification No. 13/2017-CT(R) to amend RCM provisions for GTA and to insert explanation for LLP.	The Government had notified the GTA as a service on which tax will be payable under reverse charge mechanism under CGST Act, provided the GTA has not chosen to opt for GST @ 12%. Another explanation on LLP added: "Limited Liability Partnership" formed and registered under the provisions of the Limited Liability Partnership Act, 2008 (6 of 2009) shall also be considered as a partnership firm or a firm."☐																					
23/2017-Central Tax (Rate)	22/08/2017	Seeks to amend notification No. 17/2017-CT(R) to make ECO responsible for payment of GST on services provided by way of house-keeping such as plumbing, carpentering etc.	Amendment in Notification No. 17/2017 – Addition to Notification. Services by way of house-keeping, such as plumbing, carpentering etc, except where the person supplying such service through electronic commerce operator is liable for registration under sub-section (1) of section 22 of the said Central Goods and Services Tax Act."																					
24/2017-Central Tax (Rate)	21/09/2017	Seeks to amend notification No. 11/2017-CT(R) to reduce CGST rate on specified supplies of Works Contract Services.	Services of Construction, erection, commissioning, installation, completion, fitting out, repair, maintenance, renovation, or alteration of – 1. a civil structure or any other original works meant predominantly for use other than for commerce, industry, or any other business or profession; 2. a structure meant predominantly for use as (i) an educational, (ii) a clinical, or(iii) an art or cultural establishment; or 3. a residential complex predominantly meant for self-use or the use of their employees 12%. Other services of construction – 18%.																					
25/2017-Central Tax (Rate)	21/09/2017	Seeks to amend notification No. 12/2017-CT(R) to exempt right to admission to the events organised under FIFA U-17 World Cup 2017	Exemption from GST – Services by way of right to admission to the events organised under FIFA U-17 World Cup 2017 - NIL																					
26/2017-Central Tax (Rate)	21/09/2017	Exempt certain supplies to NPCIL.	Exempts intra state supply of heavy water and nuclear fuels by the Department of Atomic Energy to the Nuclear Power Corporation of India Ltd from the whole of the central tax.																					
27/2017-Central Tax (Rate)	22/09/2017	Seeks to amend notification no. 1/2017- central tax(rate) dated 28.06.2017 to give effect to gst council decisions regarding gst rates.	Amendment in GST Schedules – <table border="1" data-bbox="677 1598 1083 1780"> <thead> <tr> <th>SL No.</th> <th>Sch No.</th> <th>GST Rate</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>I</td> <td>2.5</td> </tr> <tr> <td>2</td> <td>II</td> <td>6</td> </tr> <tr> <td>3</td> <td>III</td> <td>9</td> </tr> <tr> <td>4</td> <td>IV</td> <td>14</td> </tr> <tr> <td>5</td> <td>V</td> <td>1.5</td> </tr> <tr> <td>6</td> <td>VI</td> <td>0.125</td> </tr> </tbody> </table>	SL No.	Sch No.	GST Rate	1	I	2.5	2	II	6	3	III	9	4	IV	14	5	V	1.5	6	VI	0.125
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28/2017-Central Tax (Rate)	22/09/2017	Seeks to amend notification no. 2/2017- central tax(rate) dated 28.06.2017 to give effect to	Amendment in list of Exempted goods from whole of Central Tax.																					

		GST council decisions regarding GST exemptions.							
29/2017-Central Tax (Rate)	22/09/2017	Seeks to amend notification no. 5/2017- central tax(rate) dated 28.06.2017 to give effect to GST council decisions regarding restriction of refund on corduroy fabrics.	Goods on which no refund of Input Tax Credit shall be allowed - Corduroy fabrics.						
30/2017-Central Tax (Rate)	29/09/2017	Exempting supply of services associated with transit cargo to Nepal and Bhutan	Exempting supply of services from GST - Supply of services associated with transit cargo to Nepal and Bhutan (landlocked countries)- NIL.						
31/2017-Central Tax (Rate)	13/10/2017	Seeks to amend notification No. 11/2017-CT(R).	In the said notification (a) against serial number 3, - A. in item (iii), in column (3), for the words "Government, a local authority or a Governmental authority", the words "Central Government, State Government, Union territory, a local authority, a Governmental Authority or a Government Entity" was substituted; B. in item (vi), in column (3), for the words "a local authority or a Governmental authority" the words "a local authority, a Governmental Authority or a Government Entity" was substituted;						
32/2017-Central Tax (Rate)	13/10/2017	Seeks to amend notification No. 12/2017-CT(R).	(a) In serial number 5, in column (3), for the words "governmental authority" the words "Central Government, State Government, Union territory, local authority or Governmental Authority" was substituted						
33/2017-Central Tax (Rate)	13/10/2017	Seeks to amend notification No. 13/2017-CT(R) regarding services provided by Overseeing Committee members to RBI under RCM.	<table border="1"> <tr> <td>"10</td> <td>Supply of services by the members of Overseeing Committee to Reserve Bank of India</td> <td>Members of Overseeing Committee constituted by the Reserve Bank of India</td> <td>Reserve Bank of India."</td> </tr> </table>	"10	Supply of services by the members of Overseeing Committee to Reserve Bank of India	Members of Overseeing Committee constituted by the Reserve Bank of India	Reserve Bank of India."		
"10	Supply of services by the members of Overseeing Committee to Reserve Bank of India	Members of Overseeing Committee constituted by the Reserve Bank of India	Reserve Bank of India."						
34/2017-Central Tax (Rate)	13/10/2017	The notification No. 34/2017-Central Tax (Rate) seeks to amend notification No. 1/2017-Central Tax (Rate).	In the said notification,- (A) in Schedule I - 2.5%,- i. in S. No. 29, for the entry in column (2), the entry, "0802, 0813", was substituted; ii. (ii) after S. No. 30 and the entries relating thereto, the following serial number and the entries was inserted, namely: - <table border="1"> <tr> <td>"30A</td> <td>0804</td> <td>Mangoes sliced, dried";</td> </tr> </table>	"30A	0804	Mangoes sliced, dried";			
"30A	0804	Mangoes sliced, dried";							
35/2017-Central Tax (Rate)	13/10/2017	Seeks to amend notification No. 2/2017-Central Tax (Rate).	(A) in the Schedule,- (i) after S. No. 122 and the entries relating thereto, the following serial number and the entries was inserted, namely: - <table border="1"> <tr> <td>"122A</td> <td>4907</td> <td>Duty Credit Scrips";</td> </tr> </table> (ii) after S. No. 149 and the entries relating thereto, the following serial number and the entries was inserted, namely: - <table border="1"> <tr> <td>"150</td> <td>-</td> <td>Supply of goods by a Government entity to Central Government, State Government, Union territory, local authority or any person specified by Central Government, State Government, Union territory or local authority, against consideration received from Central Government, State Government, Union territory or local authority in the form of grants";</td> </tr> </table>	"122A	4907	Duty Credit Scrips";	"150	-	Supply of goods by a Government entity to Central Government, State Government, Union territory, local authority or any person specified by Central Government, State Government, Union territory or local authority, against consideration received from Central Government, State Government, Union territory or local authority in the form of grants";
"122A	4907	Duty Credit Scrips";							
"150	-	Supply of goods by a Government entity to Central Government, State Government, Union territory, local authority or any person specified by Central Government, State Government, Union territory or local authority, against consideration received from Central Government, State Government, Union territory or local authority in the form of grants";							

36/2017-Central Tax (Rate)	13/10/2017	Seeks to amend notification No. 4/2017-Central Tax (Rate).	Tariff item, sub-heading, heading or Chapter	Description of Goods	Supplier of goods	Recipient of supply
			Any Chapter	Used vehicles, seized and confiscated goods, old and used goods, waste and scrap	Central Government, State Government, Union territory or a local authority	Any registered person
37/2017-Central Tax (Rate)	13/10/2017	Seeks to prescribe Central Tax rate on the leasing of motor vehicles.	The Central Government, notified the central tax on intra-State supplies of goods-			
			Chapter, Heading, Subheading or Tariff item	Description of Goods	Rate	Condition No.
			87	Motor Vehicles	65% of central tax applicable otherwise on such goods under Notification No. 1/2017-Central Tax (Rate) dated, 28th June, 2017	1
			87	Motor Vehicles	65% of central tax applicable otherwise on such goods under Notification No. 1/2017-Central Tax (Rate) dated, 28th June, 2017	2
			Condition			
1.	The Motor Vehicles was purchased by the lesser prior to 1st July, 2017 and supplied on lease before 1st July, 2017					
2.	i. The supplier of Motor Vehicle is a registered person. ii. Such supplier had purchased the Motor Vehicle prior to 1 st July, 2017 and has not availed input tax credit of central excise duty, Value Added Tax or any other taxes paid on such vehicles					
38/2017-Central Tax (Rate)	13/10/2017	Seeks to exempt payment of tax under section 9(4) of the CGST Act, 2017 till 31.03.2018	The exemption contained in the Notification No. 8/2017-Central Tax (Rate) dated the 28th June, 2017 as amended by this notification is applicable to all registered persons till the 31st day of March, 2018.			
39/2017-Central Tax (Rate)	18/10/2017	Seeks to reduce GST rate on Food preparations put up in unit containers and intended for free distribution to economically weaker sections of the society under a programme duly approved by the Central Government or any State Government.	Central Government notified the central tax rate of 2.5 % on intra State supplies of Food preparations put up in unit containers and intended for free distribution to economically weaker sections of the society under a programme duly approved by the Central Government or any State Government, when 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 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.			
40/2017-Central Tax (Rate)	18/10/2017	Seeks to prescribe Central Tax rate of 0.05% on intra-State supply of taxable goods by a registered supplier to a registered recipient for export subject to specified conditions.	Central Government exempted the intra-State supply of taxable goods by a registered supplier to a registered recipient for export, from so much of the central tax leviable thereon under section 9 of the Central Goods and Services Tax Act, 2017, as is in excess of the amount calculated at the rate of 0.05 per cent, subject to fulfillment of certain conditions, namely- (i) the registered supplier supplied the goods to the registered recipient on a tax invoice; (ii) the registered recipient indicated the Goods and Services Tax Identification Number of the registered supplier and the tax invoice number issued by the registered supplier in respect of the said goods in the shipping bill or bill of export, as the case may be			
41/2017-Central Tax (Rate)	14/11/2017	Seeks to amend notification no.	1. Schedule I - 2.5% [All goods (other than fresh or chilled) and put up in unit			

		1/2017- Central tax(rate) dated 28.06.2017 to give effect to gst council decisions regarding gst rates.	<p>container]</p> <ol style="list-style-type: none"> Schedule II-6% [Condensed milk] Schedule III-9% [Sugar confectionery [other than mishri, batasha, bura, sakar, khadi sakar] Schedule-IV-14% [Rear tractor tyres and of a kind used on aircraft] 								
42/2017-Central Tax (Rate)	14/11/2017	Seeks to amend notification no. 2/2017- Central tax(rate) dated 28.06.2017 to give effect to gst council decisions regarding gst exemptions	<p>As per this Notification the intra state supply of some of the goods had been exempted from CGST</p> <ol style="list-style-type: none"> All goods, fresh or chilled. Vegetables (uncooked or cooked by steaming or boiling in water), frozen, other than those put up in unit container. Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, frozen, whether or not sliced or in the form of pellets other than those put up in unit container. Dried makhana, whether or not shelled or peeled other than those put up in unit container. <p>and,- (a) bearing a registered brand name; or (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily], subject to few conditions</p>								
43/2017-Central Tax (Rate)	14/11/2017	Seeks to amend notification no. 4/2017- Central tax(rate) dated 28.06.2017 to give effect to gst council decision regarding reverse charge on raw cotton.	<p>This Notification is regarding the goods on which the central tax was paid on reverse charge basis by the recipient of the intra-state supply of such goods. The following Tariff item was added to the list</p> <table border="1"> <thead> <tr> <th>Tariff item, sub-heading, heading or Chapter</th> <th>Description of supply of Goods</th> <th>Supplier of goods</th> <th>Recipient of supply</th> </tr> </thead> <tbody> <tr> <td>5201</td> <td>Raw cotton</td> <td>Agriculturist</td> <td>Any registered person</td> </tr> </tbody> </table>	Tariff item, sub-heading, heading or Chapter	Description of supply of Goods	Supplier of goods	Recipient of supply	5201	Raw cotton	Agriculturist	Any registered person
Tariff item, sub-heading, heading or Chapter	Description of supply of Goods	Supplier of goods	Recipient of supply								
5201	Raw cotton	Agriculturist	Any registered person								
44/2017-Central Tax (Rate)	14/11/2017	Seeks to amend notification no. 5/2017- Central tax(rate) dated 28.06.2017 to give effect to gst council decisions regarding restriction of ITC on certain fabrics.	<p>This Notification is regarding disallowance of refund of unutilized input tax credit, where the credit had accumulated on account of rate of tax on inputs being higher than the rate of tax on the output supplies of such goods (other than nil rated or fully exempt supplies).</p> <table border="1"> <thead> <tr> <th>Tariff item, heading, subheading or Chapter</th> <th>Description of Goods</th> </tr> </thead> <tbody> <tr> <td>5608</td> <td>Knotted netting of twine, cordage or rope; made up fishing nets and other made up nets, of textile materials</td> </tr> <tr> <td>5801</td> <td>Corduroy fabrics</td> </tr> <tr> <td>5806</td> <td>Narrow woven fabrics, other than goods of heading 5807; narrow fabrics consisting of warp without weft assembled by means of an adhesive (bolducs)"</td> </tr> </tbody> </table>	Tariff item, heading, subheading or Chapter	Description of Goods	5608	Knotted netting of twine, cordage or rope; made up fishing nets and other made up nets, of textile materials	5801	Corduroy fabrics	5806	Narrow woven fabrics, other than goods of heading 5807; narrow fabrics consisting of warp without weft assembled by means of an adhesive (bolducs)"
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45/2017-Central Tax (Rate)	14/11/2017	Seeks to provide concessional GST rate of 2.5% on scientific and technical equipments supplied to public funded research institutions.	<p>This Notification is regarding exemption of goods such as Scientific and technical instruments, apparatus, equipment (including computers), accessories, parts, consumables and live animals (experimental purpose) etc, from so much of the central tax leviable thereon under section 9 of the said Act, as in excess of the amount calculated at the rate of 2.5 per cent., when supplied to the institutions i.e. Public funded research institution other than a hospital or a University or an Indian Institute of Technology or Indian Institute of Science, Bangalore or a National Institute Technology/ Regional Engineering College.</p>								
46/2017-Central Tax (Rate)	14/11/2017	Seeks to amend notification No. 11/2017-CT(R) so as to specify rate @ 2.5% for standalone restaurants and @9% for other restaurants, reduce rate of job work on "handicraft goods" @ 2.5% and to substitute "Services provided" in item (vi) against	<p>This Notification is regarding amendment in the Notification No.11/2017- Central Tax (Rate), dated the 28th June, 2017 in relation to Central Tax Rate on the intra-State supply of services of description as specified in the table.</p>								

		SI No. 3 in table.																						
47/2017-Central Tax (Rate)	14/11/2017	Seeks to amend notification No. 11/2017- Central Tax (Rate) so as to notify CGST rates of various services as recommended by Goods and Services Tax Council in its 25th meeting held on 18.01.2018.	<p>This Notification is regarding exemption of services from Central Tax leviable on the intra State supply. Following are the services:</p> <ol style="list-style-type: none"> 1. Service provided by Fair Price Shops to Central Government, State Government or Union territory by way of sale of food grains, kerosene, sugar, edible oil, etc. under Public Distribution System against consideration in the form of commission or margin. 2. Services by way of admission to a protected monument so declared under the Ancient Monuments and Archaeological Sites and Remains Act 1958 (24 of 1958) or any of the State Acts, for the time being in force. 																					
1/2018-Central Tax (Rate)	25/01/2018	Seeks to amend notification No. 11/2017- Central Tax (Rate) so as to notify CGST rates of various services as recommended by Goods and Services Tax Council in its 25th meeting held on 18.01.2018.	<p>Clarification on GST Rates</p> <table border="1"> <thead> <tr> <th>SL No.</th> <th>Particulars</th> <th>GST Rate</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Housekeeping services provided through electronic commerce operator</td> <td>5%</td> </tr> <tr> <td>2</td> <td>Tailoring Services</td> <td>5%</td> </tr> <tr> <td>3</td> <td>Services by way of treatment of effluents by a Common Effluent Treatment Plant</td> <td>12%</td> </tr> <tr> <td>4</td> <td>Time charter of vessels for transport of goods.</td> <td>5%</td> </tr> <tr> <td>5</td> <td>Service of exploration, mining or drilling of petroleum crude or natural gas or both</td> <td>12%</td> </tr> <tr> <td>6</td> <td>Services by way of admission to amusement parks including theme parks, water parks, joy rides, merry go rounds, go-carting and ballet.</td> <td>18%</td> </tr> </tbody> </table>	SL No.	Particulars	GST Rate	1	Housekeeping services provided through electronic commerce operator	5%	2	Tailoring Services	5%	3	Services by way of treatment of effluents by a Common Effluent Treatment Plant	12%	4	Time charter of vessels for transport of goods.	5%	5	Service of exploration, mining or drilling of petroleum crude or natural gas or both	12%	6	Services by way of admission to amusement parks including theme parks, water parks, joy rides, merry go rounds, go-carting and ballet.	18%
SL No.	Particulars	GST Rate																						
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6	Services by way of admission to amusement parks including theme parks, water parks, joy rides, merry go rounds, go-carting and ballet.	18%																						
2/2018-Central Tax (Rate)	25/01/2018	Seeks to amend notification No. 12/2017- Central Tax (Rate) so as to exempt certain services as recommended by Goods and Services Tax Council in its 25th meeting held on 18.01.2018.	<p>Following services are exempted from GST-</p> <ol style="list-style-type: none"> 1. Composite supply of goods and services in which the value of supply of goods constitutes not more than 25 per cent. 2. Services by way of transportation of goods by an aircraft from customs station of clearance in India to a place outside India. 3. Services by way of transportation of goods by a vessel from customs station of clearance in India to a place outside India. 4. Services by way of fumigation in a warehouse of agricultural produce etc. 																					
3/2018-Central Tax (Rate)	25/01/2018	Seeks to amend notification No. 13/2017- Central Tax (Rate) so as to specify services supplied by the Central Government, State Government, Union territory or local authority by way of renting of immovable property to a registered person under CGST Act, 2017 to be taxed under Reverse Charge Mechanism (RCM).	<p>The services "supplied by the Central Government, State Government, Union territory or local authority by way of renting of immovable property to a person registered under the CGST Act, 2017" was inserted in the list of Reverse Charge services.</p>																					
4/2018-Central Tax (Rate)	25/01/2018	Seeks to provide special procedure with respect to payment of tax by registered	<p>This Notification is related to following class of registered persons, namely:</p> <ol style="list-style-type: none"> 1. registered persons who supplied development rights to a developer, builder, construction company or any other registered person against consideration, wholly or partly, in the form of construction service of complex, building or civil structure; 																					

		person supplying service by way of construction against transfer of development right and vice versa.	2.registered persons who supplied construction service of complex, building or civil structure to supplier of development rights against consideration, wholly or partly, in the form of transfer of development rights				
5/2018-Central Tax (Rate)	25/01/2018	Seeks to exempt Central Government's share of Profit Petroleum from Central tax	Central Govt. had exempted GST on intra state supply of services by way of by way of grant of license or lease to explore or mine petroleum crude or natural gas or both, from so much of the central tax as is leviable on the consideration paid to the Central Government in the form of Central Government's share of profit petroleum as defined in the contract entered into by the Central Government in this behalf.				
6/2018-Central Tax (Rate)	25/01/2018	Seeks to amend Notification No.1/2017-CGST (Rate). Government's share of Profit Petroleum from Central tax	Chapter / Heading / Subheading / Tariff item	Chapter / Heading / Sub-heading / Tariff item	Description of Goods	GST RATE	Schedule
			13	Inserted	Tamarind kernel powder- shall be inserted	2.50	I
			1404 or 3305	Inserted	Mehendi paste in cones- shall be inserted	2.50	I
			-	Substituted	"Corduoy fabrics, velvet fabrics", shall be substituted;	2.50	I
			4418	Inserted	Bamboo wood building joinery	6.00	II
			7323 9410	Added	Ghamella	9.00	III
			Any Chapter	Inserted	Actionable claim in the form of chance to win in betting, gambling, or horse racing in race club";	14.00	IV
7/2018-Central Tax (Rate)	25/01/2018	Seeks to amend Notification No.2/2017-CGST (Rate).	This Notification is related to insertions, substitutions of certain goods under Section 11 of CGST Act 2017, Schedule I.				
8/2018-Central Tax (Rate)	25/01/2018	Seeks to amend Notification No.1/2017-CGST (Rate)	Chapter Heading	Description of Goods			Rate
			8703	Old and used, petrol Liquefied petroleum gases (LPG) or compressed natural gas (CNG) driven motor vehicles of engine capacity of 1200 cc or more and of length of 4000 mm or more.			9%
			8703	Old and used, diesel driven motor vehicles of engine capacity of 1500 cc or more and of length of 4000 mm			9%
			8703	Old and used motor vehicles of engine capacity exceeding 1500 cc, popularly known as Sports Utility Vehicles (SUVs) including utility vehicles			9%
			87	All Old and used Vehicles other than those mentioned above			6%
9/2018-Central Tax (Rate)	25/01/2018	Seeks to amend Notification No.45/2017-Central (Rate)	This Notification is amendment to Notification No. 45/2017 (Central Tax Rate) Dated: 14th November, 2017. It is about substitution in the name of the Institutions & Conditions who seeks to provide concessional GST rate of 2.5% on scientific and technical equipments supplied to public funded research institutions.				
10/2018-Central Tax (Rate)	23/03/2018	Seeks to exempt payment of tax under section 9(4) of the CGST	No GST shall be payable under RCM till 30th June, 2018 in case of purchase of goods or services from unregistered person. I				

		Act, 2017 till 30.06.2018.									
11/2018-Central Tax (Rate)	28/05/2018	Seeks to amend notification No. 04/2017- Central Tax (Rate) dated 28.06.2017 so as to notify levy of Priority Sector Lending Certificate (PSLC) under Reverse Charge Mechanism (RCM)	<table border="1"> <tr> <td>Tariff item, sub-heading, heading or Chapter</td> <td>Description of Goods</td> <td>Supplier of goods</td> <td>Recipient of supply</td> </tr> <tr> <td>Any Chapter</td> <td>Priority Sector Lending Certificate</td> <td>Any registered person</td> <td>Any registered person</td> </tr> </table>	Tariff item, sub-heading, heading or Chapter	Description of Goods	Supplier of goods	Recipient of supply	Any Chapter	Priority Sector Lending Certificate	Any registered person	Any registered person
Tariff item, sub-heading, heading or Chapter	Description of Goods	Supplier of goods	Recipient of supply								
Any Chapter	Priority Sector Lending Certificate	Any registered person	Any registered person								
12/2018-Central Tax (Rate)	29/06/2018	Seeks to exempt payment of tax under section 9(4) of the CGST Act, 2017 till 30.09.2018.	<p>Central Government made amendment in the Notification No. 8/2017 – Central Tax (Rate), dated the 28th June, 2017.</p> <p>In the said notification, for the figures, letters and words “30th day of June, 2018”, the figures, letters and words “30th day of September, 2018” shall be substituted.</p>								

TAX UPDATES, NOTIFICATIONS AND CIRCULARS

INDIRECT TAX NOTIFICATIONS

CENTRAL TAX

Notification No. 29/2018 – Central Tax
Government of India
Ministry of Finance
Department of Revenue
Central Board of Indirect Taxes and Customs

Date - 06.07.2018

The Central Government hereby makes the following rules further to amend the Central Goods and Services Tax Rules, 2017, namely:-

1. (1) These rules may be called the Central Goods and Services Tax (Seventh Amendment) Rules, 2018.
(2) They shall be deemed to have come into force with effect from the 12th day of June, 2018.
2. In the Central Goods and Services Tax Rules, 2017, -
 - i. in rule 125, for the words “Directorate General of Safeguards”, the words “Directorate General of Anti-profiteering” shall be substituted;
 - ii. in rule 129, for the words “Director General of Safeguards”, wherever they occur, the words “Director General of Anti-profiteering” shall be substituted;
 - iii. in rule 130, in sub-rule (2), for the words “Director General of Safeguards”, at both places where they occur, the words “Director General of Anti-profiteering” shall be substituted;
 - iv. in rule 131, for the words “Director General of Safeguards”, the words “Director General of Anti-profiteering” shall be substituted;
 - v. in rule 132, in sub-rule (1), for the words “Director General of Safeguards”, the words “Director General of Anti-profiteering” shall be substituted;
 - vi. in rule 133, for the words “Director General of Safeguards”, wherever they occur, the words “Director General of Anti-profiteering” shall be substituted.

CUSTOMS

TARIFF

Notification No. 51/2018-Customs
Government of India
Ministry of Finance
Department of Revenue

Date – 09.07.2018

The Central Government has make amendments in the Notification No. 27/2011-Customs, dated the 1st March, 2011.

In the said notification, in the Table, in S. No. 20B, in column (3), for the words and figures “the first day of April, 2018”, the words and figures “the 31st day of March, 2021” shall be substituted.

Notification No. 52/2018-Customs
Government of India
Ministry of Finance
Department of Revenue

Date – 14.07.2018

The Central Government makes amendments in the Notification No. 50/2017-Customs, dated the 30th June, 2017 which are as follows-

In the Table, against S. No. 229, in column (3),-

1. in entry (a), after the words “garden lamp”, the words “/wire roll/Christmas ornamentation” shall be inserted;
2. in entry (r), the word “Analog” shall be omitted;

3. after entry (za), the following entries shall be inserted, namely:-

“(zb) Cane / cane handles for bags;

(zc) Adhesive / glue;

(zd) Waxes, paper boards, foils, Biaxially Oriented Polypropylene (BOPP) films, holographic paper;

For More Details, please follow the link –

<http://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-act/notifications/notfns-2018/cs-tarr2018/cs52-2018.pdf;jsessionid=8CB2CD2A0984064FF43DE8F2D418A653>

NON TARIFF

Notification No. 9/2018-Customs (N.T./CAA/DRI)
Government of India
Ministry of Finance
(Department of Revenue)
Central Board of Indirect Taxes and Customs
Directorate of Revenue Intelligence

ate – 10.07.2018

The Director General, Revenue Intelligence, appoints officers mentioned in column (5) of the Table below to act as a common adjudicating authority to exercise the powers and discharge the duties conferred or imposed on officers mentioned in column (4) of the said Table in respect of noticees mentioned in column (2) of the said Table for the purpose of adjudication of show cause notices mentioned in column (3) of the said Table, namely:-

TABLE

Sl. No	Name of Notice(s) and Address	Show Cause Notice Number and Date	Name of Adjudicating Authorities	Common Adjudicating Authority appointed
1	2	3	4	5
	M/s Accord Trading India (P) Ltd., No. 63, Priya Apartments, 1st Lane, Pantheon Road, Egmore, Chennai-600001.	C. No. VIII/06/03/ 2018- Imp. Asst. dated 28.02.2018 read with corrigendum dated 17/18.05.2018.	Commissioner of Customs Custom House, New Harbour Estate, Tuticorin.	Additional Director General (Adjudication), Directorate of Revenue Intelligence, Mumbai.

For More Details, please follow the link –

http://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-act/notifications/notfns-2018/cs-nt2018/csnt_caa_dri_9.pdf;jsessionid=58BE79A97193423BF3B376D6E0D90DD1

Notification No. 61/2018-Customs (N.T)
Government of India
Ministry of Finance
Department of Revenue
Central Board of Indirect Taxes and Customs

Date – 11.07.2018

The Central Board of Indirect Taxes and Customs makes amendments in the Notification No.12/97-CUSTOMS (NT.) dated 2nd April. 1997.

In the said notification, in the Table, against serial number 4 relating to the State of Gujarat, after item (xiii) and the entries relating thereto, in columns (3) and (4). the following item and the entries shall respectively be inserted, namely:-

(3)	(4)
“(xiv) Village Varnama, Tulaka District , Vadodara	Unloading of imported goods and loading of export goods”

Notification No. 62/2018-Customs (N.T)
Government of India
Ministry of Finance
Department of Revenue
Central Board of Indirect Taxes and Customs

Date – 13.07.2018

The Central Board of Indirect Taxes & Customs makes amendments in the Notification No. 36/2001-Customs (N.T.), dated the 3rd August, 2001.

In the said notification, for TABLE-1, TABLE-2, and TABLE-3 the following Tables shall be substituted, namely: -

TABLE-1

Sl. No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	614
2	1511 90 10	RBD Palm Oil	629

For More Details, please follow the link –

<http://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-act/notifications/notfns-2018/cs-nt2018/csnt62-2018.pdf;jsessionid=C6A6BC1764877D2C34211BCF0F1CA251>

ANTIDUMPING DUTY

Notification No.35/2018-Customs (ADD)
Government of India
Ministry of Finance
Department of Revenue

Date – 09.07.2018

As per this notification, anti-dumping duty has been imposed on "High Tenacity Polyester Yarn(HTPY)" which is originating in, or exported from China PR and imported into India.

For More Details, please follow the link –

<http://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-act/notifications/notfns-2018/cs-add2018/csadd35-2018.pdf;jsessionid=A1C43A3A9B87073F1DAC801FFCFE4404>

Notification No.36/2018-Customs (ADD)
Government of India
Ministry of Finance
Department of Revenue

Date – 13.07.2018

As per this notification, anti-dumping duty has been imposed on "Grinding Media Balls" (excluding Forged Grinding Media Balls) which are originating in or exported from China PR and Thailand.

For More Details, please follow the link –

<http://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-act/notifications/notfns-2018/cs-add2018/csadd36-2018.pdf;jsessionid=94E85CC7CD6985C619D4DAA17AFD1C96>

Notification No.37/2018-Customs (ADD)
Government of India
Ministry of Finance
Department of Revenue

Date – 13.07.2018

The Central Government rescinds the Notification No. 36/2012-Customs (ADD), dated the 16 th July, 2012, except as respects things done or omitted to be done before such rescission.

DIRECT TAX NOTIFICATIONS

**NOTIFICATION 30/2018
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)**

Date – 05. 07. 2018

AMENDING THE CONVENTION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF INDIA AND THE GOVERNMENT OF THE REPUBLIC OF ARMENIA FOR THE AVOIDANCE OF DOUBLE TAXATION AND THE PREVENTION OF FISCAL EVASION WITH RESPECT TO TAXES ON INCOME, WHICH WAS SIGNED AT NEW DELHI ON 31 ST OCTOBER 2003.

The Government of the Republic of India

And

the Government of the Republic of Armenia;

Desiring to conclude a Protocol (hereinafter referred to as "Protocol") to amend the Convention between the Government of the Republic of India and the Government of the Republic of Armenia for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income, which was signed at New Delhi on 31st October, 2003 and which entered into force on 9th September, 2004.

For More Details, please follow the link –

<https://www.incometaxindia.gov.in/communications/notification/notification-30-2018.pdf>

CIRCULARS

**Circular No. 3/2018
Government of India
Ministry of Finance
Department of Revenue
Central Board Direct Taxes**

Date - 11. 07. 2018

Revision of monetary limits for filing of appeals by the Department before Income Tax Appellate Tribunal, High Courts and SLPs/appeals before Supreme Court-measures for reducing litigation-Reg.

Reference is invited to Board's Circular No . 21 of 2015 dated 10.12.2015 wherein monetary limits and other conditions for filing departmental appeals (in Income-tax matters) before Income Tax Appellate Tribunal, High Courts and SLPs/ appeals before Supreme Court were specified.

2. In supersession of the above Circular, it has been decided by the Board that departmental appeals may be filed on merits before Income Tax Appellate Tribunal and High Courts and SLPs/ appeals before Supreme Court keeping in view the monetary limits and conditions specified below.

3. Henceforth, appeals/ SLPs shall not be filed in cases where the tax effect does not exceed the monetary limits given hereunder:

S. No.	Appeals/ SLPs in Income-tax matters	Monetary Limit (Rs.)
1.	Before Appellate Tribunal	20,00,000
2.	Before High Court	50,00,000
3.	Before Supreme Court	1,00,00,000

For More Details, please follow the link –

https://www.incometaxindia.gov.in/communications/circular/circular_3_2018.pdf

PRESS RELEASE

INDIRECT TAX

**National Academy of Customs,
Indirect Taxes and Narcotics (NACIN), Faridabad
DEPARTMENT OF REVENUE, MINISTRY OF FINANCE
GOVERNMENT OF INDIA**

EXAMINATION FOR CONFIRMATION OF ENROLLMENT OF GST PRACTITIONERS

NACIN has been authorized to conduct an examination for confirmation of enrollment of Goods and Service Tax Practitioners (GSTP) in terms of sub-rule (3) of rule 83 of the Central Goods and Service Tax Rules, 2017, vide Notification No. 24/2018-Central Tax dated 28.5.2018.

The GSTPs covered under rule 83(1)(b) read with second proviso to rule 83 (3) of said rules, are required to pass the said examination before 31.12.2018. The schedule of examination, syllabus of examination and the website for registration for examination will be notified in due course.

**National Academy of Customs,
Indirect Taxes and Narcotics (NACIN), Faridabad
DEPARTMENT OF REVENUE, MINISTRY OF FINANCE
GOVERNMENT OF INDIA**

INVITATION FOR EXPRESSION OF INTEREST FOR SELECTION OF TECHNOLOGY PARTNER TO CONDUCT COMPUTER BASED EXAMINATION ON ALL INDIA BASIS

NACIN intends to select a Technology Partner (TP) through open tender process, to provide technical and infrastructural support to NACIN in conducting Computer Based Examinations. The "Request for Proposal (RFP)" dated 10.7.2018, inviting bids latest by 14.8.2018 12:00 hours, can be downloaded from Central Public Procurement portal <https://eprocure.gov.in>.

Assumption Ceremony of the Vice Chair of the Asia Pacific Region of World Customs Organisation (WCO)

Date – 14.07.2018

India has become the Vice Chair (Regional Head) of Asia Pacific region of World Customs Organisation (WCO) for a period of two years, from July, 2018 to June, 2020. The WCO has divided its membership into six regions. Each of the six regions is represented by a regionally elected Vice-Chairperson to the WCO Council.

WCO represents 182 Customs administrations across the globe that collectively process approximately 98% of world trade. As the global centre of Customs expertise, the WCO is the only international organization with competence in Customs matters and can rightly call itself the voice of the international Customs community.

Being the Vice Chair of AP region of WCO will enable India to take on leadership role India a wealth of experience in promoting security and facilitation of cross border trade. To mark the assumption of Vice Chair, an event is being organised on July 16th, 2018 at New Delhi by Central Board of Indirect Taxes and Customs (CBIC) in partnership with Confederation of Indian Industry (CII). The event will be attended by Customs delegations of 33 countries of the Asia-Pacific region, Customs officers from different ports in India, Partner Government Agencies and representatives from the trade. The Secretary General of WCO, Mr Kuniyo Mikuriyawill deliver the key note address, while Heads of Customs from Japan and Fiji, and senior officials from Korea, Singapore, China among others, shall participate in the occasion. The underlying theme of the inaugural ceremony is "Customs – Fostering Trade Facilitation"

The ceremony shall be followed by a seminar on cross border trade through e-commerce and the role of Customs administrations. The seminar would focus on the framework of standards spearheaded by WCO to cope with the exponential growth in e-commerce shipments and the tsunami of parcels that cross borders every day. Recognizing that e-commerce has become a game changer in the international trade arena, bringing in efficiency of clearance and delivery of low value and high volume shipments has become a matter of critical interest for every Customs administration.

DIRECT TAX

**Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes**

Date- 04. 07. 2018

Indian Advance Pricing Agreement regime moves forward with signing of three UAPAs by CBDT in May and June, 2018

The Central Board of Direct Taxes (CBDT) has entered into three Unilateral Advance Pricing Agreements (UAPA) during the past couple of months. With the signing of these Agreements, the total number of APAs entered into by the CBDT has gone up to 223, which inter alia include 20 Bilateral APAs.

The UAPAs entered into during the past couple of months pertain to consumer industry, automobile and precious stones & metals sectors of the economy. The international transactions covered in the agreements pertain to provision of corporate guarantee, purchase of brand, availing of grading services, availing of management services and payment of royalty.

The progress of the APA scheme strengthens the Government's resolve of fostering a non-adversarial tax regime. The Indian APA programme has been appreciated nationally and internationally for being able to address complex transfer pricing issues in a fair and transparent manner.

**Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes**

Date - 04. 07. 2018

Special drive for expeditious clearance of pending appeal effect and rectification matters and issue of refunds

The Income Tax Department observed a dedicated fortnight from 1st to 15th June, 2018 to expeditiously clear pending matters of appeal effect and rectification. More than 20,000 such matters were disposed of and refunds were issued to the taxpayers, wherever due. Seeing the success of this initiative, the special drive was extended in certain regions up to 30th June, 2018.

Further, large amounts of refunds have also been issued consequent to processing of income-tax returns. More than 99% of all refund claims pending for processing as on 30.06.2018 have already been processed and the refunds due have been issued to the taxpayers. In all, refunds in 45.07 lakh cases have been issued during April-June, 2018, which is 9.0 lakh more than the refunds issued during the same period last year. More than 3 lakh refunds of Assessment Year 2018-19, for which returns have been filed only in last few weeks, have also been issued.

More than Rs.70,000 crore of refunds have been issued to the taxpayers as a result of the special drive and expeditious processing of returns involving claim of refunds. Central Board of Direct Taxes is committed to constantly reducing the service delivery timelines, expeditiously resolving the grievances of the taxpayers and improving the overall level of taxpayer service.

JUDGEMENTS

INDIRECT TAX

Applicability of Advance Ruling under Notification 47/2017 dt. 14.11.2017

M/s. Manjira Machine Builders (P) Ltd vs. Telengana State Authority for advance Ruling
Order No.-TSAAR 7/2018, A.R.Com/14/2018,
Dated- 02.07.2018

Fact of the Case

- 1) Here M/s. Manjira Machine Builders (P) Ltd is the assessee.
- 2) The applicant submitted the application in Form GST ARA-01 and have submitted a copy of Challan evidencing payment of application fee of Rs.5,000/-.
- 3) With regard to the clarification sought by the applicant on the first question, it is to be mentioned that Government of India vide Notification. No.47/2017-Integrated Tax(Rate) dt.14.11.2017 exempts the goods specified in column (3) of the Table.
- 4) In respect of such clearances effected within the State, similar Notification has been given by the Govt. of India vide Notification No. 45/2017-Central Tax (Rate) dated 14.11.2017 which exempts the goods specified in column (3) of the Table.
- 5) With regard to Second question, it is to clarify that Section 17 (5) of the Central Goods & Services Tax Act, 2017 (which is reproduced hereunder for the ease of reference) has clearly mentioned the list of goods and services on which input tax credit is not allowed.

Decision of the Case

- 1) However, goods and services on which concessional rate of tax is applicable are not figured in the list. Hence, the ITC is allowed on the supplies effected by paying duty at concessional rate of tax.
- 2) The concessional rate of tax @ 5% as given under Notification No. 47/2017-Integrated Tax (Rate) dated 14.11.2017 is applicable only for Interstate sales i.e., on IGST and concessional rate of tax @ 2.5% CGST + 2.5% SGST is applicable for Intrastate supplies as per Notification No. 45/2017-Central Tax (Rate) dated 14.11.2017.
- 3) Input tax credit is available on the raw materials used for the supplies made under concessional rate of tax in accordance with Notification No. 47/2017-Integrated Tax(Rate) dated 14.11.2017 and Notification No. 45/2017-Central Tax (Rate) dated 14.11.2017.
- 4) The application filed by M/s. Manjira Machine Builders (P) Ltd, is disposed accordingly.

Confiscation and Penalty can't be imposed Merely on Ground that Importer of 'Arms' was not a 'Renowned' Shooter: CESTAT

Nishant Sanjay Ghogare Appellant Vs. Commissioner of Customs, Airport, Mumbai Respondent
Case No.- A/86757 / 2018
Date – 15.06.2018

Fact of the Case

- 1) The appellant had imported one "Pardini Air Pistol K12 Cal. 177/4.5" through M/s. DHL Express (India) Pvt. Ltd., Mumbai.
- 2) The department proposed to confiscate the goods by alleging that it is prohibited goods specified as "Arms" and imported without valid Arms licence.
- 3) On first appeal, the appellate authority remanded the matter with observations about confiscation along with a finding that air pistol is liable for absolute confiscation.
- 4) The appellant contended that they claimed benefit for import of air pistol by "shooters" registered with the Rifle Club or District/State/National Rifle Association. Further, such lawful import and gave his finding that it can only be imported by "renowned shooters".
- 5) The department contended that during the impugned period free import of arms is permitted to 'renowned shooters' only.
- 6) It was also opined that the adjudicating authority has the power to offer redemption of goods, even in respect of prohibited goods.

Decision of the Case

Setting aside the order of the first appellate authority, the CESTAT observed that the observation of the FAA that he was not a renowned shooter, was irregular and hence, is invalid.

Tribunal bound to Follow Notifications: CESTAT

CC, Hyderabad –Customs vs. Surya Telecom Pvt. Ltd
Case No.- A/30655 & 30656/2018
Date - 02.07.2018

Fact of the Case

1. In the instant case, the respondent-assessee imported lithium-ion battery pack on which they paid applicable customs duties including the special Additional Duty (SAD) @ 4% Ad valorem as applicable.
2. As per Notification the assessee claimed the refund of Special Additional Duty (SAD) paid at the time of import. Refund claim must be filed within 1 year of payment of duty. But the assessee filed refund applicable after 1 year.
3. On appeal, the 1st appellate authority held that such period of limitation does not apply to SAD refunds.
4. The Tribunal noticed that the Supreme Court had clearly dismissed the Special Leave Petition on the

grounds of time bar, leaving the question of law open.

Decision of the Case

1. As a creation of law, the Tribunal cannot go beyond the law itself. The validity of the Act, Rules, Regulations and Notifications cannot be questioned or modified by the Tribunal. Only the High Courts and Supreme Court which examine the constitutionality of the laws can do so.
2. The Tribunal is bound to follow the notification as it stands. In this case not only is there no judgment of the jurisdictional High Court but there are two conflicting judgments of two different High Courts. Under these circumstances.
3. The Hyderabad Bench of CESTAT held that Tribunal bound to follow the notification issued by the Government.

Exemption from levy of GST for tendering all kinds of services by Electricity Company

M/s TP Ajmer Distribution Limited vs. Rajasthan Authority for Advance Ruling
Case No. – RAJ/AAR/2018-19/02
Date – 11.05.2018

Fact of the Case

1. M/s TP Ajmer Distribution Limited ('TPADL' or 'Applicant' or 'the Company*'); having Goods and Services Tax ("GST") Registration No. 08AAGCT2158P1ZR and is engaged in the business of distribution of electricity; has submitted that.
2. The Tata Power Company Limited ('TPCL') has signed a Distribution Franchisee Agreement ('DFA') with Ajmer Vidyut Vitran Nigam Limited ('AVVNL') to cater to the power requirements of customers in Ajmer, Rajasthan for a period of 20 years.
3. They are engaged in the activity of distribution of electricity. For the aforesaid service, distribution charges are recovered from the customers.
4. They submitted that, the aforesaid non-tariff charges are fixed and recovered from the customers in accordance with the provisions of Electricity Act, 2003 and the regulations made in this behalf by the Rajasthan Electricity Regulatory Commission (State Commission) ('RERC').
5. The applicant has also submitted that under the GST regime, as per Entry No. 25 of Notification 12/2017 – Central Tax (Rate) dated 28.06.2017, exemption from levy of GST has been granted to the activity of Transmission or distribution of electricity by an electricity transmission or distribution utility.
6. Whether TPADL is eligible to avail the exemption from levy of GST under Entry No. 25 of **Notification 12/2017 – Central Tax (Rate) dated 28.06.2017**.
7. Whether TPADL is liable to pay tax on the aforesaid recovery made from its customer.
8. In connection with the above, TPADL submitted all required documentary evidence to the Respondent Authority for kind consideration.

Decision of the Case

Regarding the eligibility of availing exemption from levy of GST under Entry No. 25 of Notification No. 12/2017 & liability of TPADL for paying tax on recovery made from his customer, the respondent authority observed the following-

As per Sr. No. 25 of table under Notification 12/2017 – Central Tax (Rate) dated 28.06.2017 GST. (Notification No.9/2017 Integrated Tax (Rate) dated 28.06.2017 and SGST No. F12 (56)FD/Tax/2017-Pt-I-50 dated 29.06.2017)

Transmission or distribution of electricity by an electricity transmission or distribution utility" is exempted.

Additional Director of Directorate of Revenue Intelligence not empowered to Confiscate Goods under Customs Act: Calcutta HC

Navneet Kumar vs. Union of India & Ors.
W.P. No. 3348(W) of 2018
Date – 10.07.2018

Fact of the Case

1. There are few assesseees those who are involved in GST evasion by issuing fake invoices.
2. The assesseees are arrested & granted bail on the following conditions-
 - Each of them is required to furnish a bond of Rs. 50 lakhs.
 - They are to appear before the Income Tax Officer as and when required for investing purpose.
 - They are to deposit of Rs. 39 crores to the Govt. executer.
3. The petitioners were arrested on 12.05.2018 due to their involvement in the business of generating and selling of fake tax invoices to various entities without supplying and underlying goods or services and availing of illegal input tax benefit through fake transactions.
4. The fake companies were being controlled and run by a group of persons including the above arrested persons.
5. Challenging the legality of the arrest, the petitioners argued that there was no proper believable ground to arrest.
6. The department argued that they have been empowered under section 69 of the Act to exercise all the powers invested in the commissioner of Central Tax.

Decision of the Case

1. The court observed the matter & concluded that reasonable ground does not required as much evidence as prima facie case.
2. In the opinion of the court, the economic offence having deep routed conspiracy and involve huge loss of public funds need to be viewed seriously.
3. The larger interest of the public / state and other similar consideration are required to be taken into consideration.

DIRECT TAX

Admissibility of huge Cash Deposit in Savings Bank Account without quoting PAN

Sh. Dharampal Tyagi vs. ITO, Meerut
Case No.- ITA No. 140/Del/2018
Date of Pronouncement – 19.06.2018

Fact of the Case

- 1) In the present case Sh. Dharampal Tyagi is the assessee.
- 2) The assessee deposited cash in Savings Bank Account of Rs. 13,15,000 as on 21.07.2018 without quoting PAN Number. The A.O issued notice under section 148 and under section 142(1) of the I.T Act 1961. The assessee filed written submission but no ITR has been filed under section 148 of the Act. The A.O issued notice under section 148 & under section 142(1) of the I.T Act 1961. The assessee filed written submission, but no ITR has been filed under section 148 of the Act. The A.O noted that the reply of the assessee is general and source of cash deposit is not explained with reference to any evidence. So, A.O made an addition of Rs. 13,15,000 on account of unexplained cash deposits in the Bank Account.
- 3) The assessee challenged the addition before the learned CIT(A) & filed submissions & evidences. A.O filed remained report on 15.11.2017 by stating that the assessee had changed his stand and no proper documentary evidence is filed. So, application for submission of additional evidence under rule 46A was rejected.
- 4) The Learned CIT(A) on merit noted that assessee has now come up with new set of evidences but failed to establish sufficient cause for admission of the same. So, rejection of the submission is justified.
- 5) The assessee has challenged the order of Learned CIT(A) for refusing admission of additional evidence under rule 46A of I.T Act.

Decision of the Case

- 1) After considering rival submissions the Tribunal instead of rejecting those additional evidences should have admitted the additional evidences for deciding the appeal on merits.
 - 2) In the result the appeal of the assessee is allowed for statistical purposes.
-

Income derived from Toddy Tapping is Agricultural Produce, subject to Tax Deduction: Kerala HC

M/S.Kuthuparamba Range Kalluchethu Vyavasaya Vs. The Commissioner of Income Tax,
Case No. -I.T.A.No.273 of 2015
Date – 20.07.2018

Fact of the Case

- 1) The Co-operative Societies – assessee in the present matter are engaged in tapping of toddy and vending it through licensed shops.
- 2) The revenue in their Income Tax Appeals has contended that toddy cannot be termed to be an 'agricultural produce'. Further, this finding of the

lower authorities with respect to toddy being an 'agricultural produce' is perverse.

- 3) The assessee, on the other hand, invoked the same contentions as were raised at the time of the first appeal.
- 4) The division bench comprising of Justice Vinod K. Chandran and Justice Ashok Menon after perusing the contentions of both the parties, observed that toddy is a product which is extracted from a tree just as any other agricultural produce is extracted.
- 5) The Assessing Officer (AO) also observed the same further reasoning that there was no activity of sawing and tilling and so on.

Decision of the Case

- 1) It was found that 90% of the total of 19,85,461 litres of toddy traded by the assessee came from 498 members having 3845 trees on their own land.
 - 2) It is hence the Tribunal found that 100% of the assessee's income from toddy marketing was eligible for deduction.
 - 3) The Court hence upheld the orders of the Tribunal adjudicating in favor of the assessee.
-

Protection of DTAA can't be denied Merely on Ground of Non-Furnishing of Tax Residency Certificate: ITAT

Skaps Industries India Pvt Ltd vs. Income Tax Officer International Taxation, Ahmedabad
Case No. - ITA Nos. 478 and 479/Ahd/2018
Date – 21.06.2018

Fact of the Case

1. The assessee tax-deductor has made certain payments to a US based entity by the name of Teems Electric Inc., in respect of the services rendered by TEI's personnel for installation and commissioning of certain equipment purchased by the assessee.
2. The A.O held that the payments are in the nature of "payment for electrical labour and mechanical labour by the assessee, to Teems Electric Co Inc USA, is for services of engineers in India and is covered by the definition of fees for technical services under Section 9(1)(vii) of the Income Tax Act, and the assessee was liable for withholding of tax".
3. The Tribunal observed that whether Section 90(4) is a legally valid limitation on Section 90(2) or not.
4. A TRC can be obtained by the US entity, as the public information on US IRS website indicates, for a modest user fee of US \$ 85 and a statutory form being filed by the US entity.

Decision of the Case

1. After considering the facts of the case in deep, the bench added that "In all fairness, however, we must also remain alive to the fact that at no stage was the assessee asked to submit evidences in support of his residential status so as to satisfy the conditions laid down under article 4(1).
2. The Assessing Officer did not deal with this aspect of the matter at all, and simply proceeded to apply law on the assumption.

3. The learned CIT(A) was indeed conscientious to take note of this legal requirement, she only asked the assessee to produce a tax residency certificate under section 90(4) which, as we have held earlier in this order, does not dilute the superiority of the treaty law over the domestic law.”
4. The Ahmedabad bench of the ITAT recently held that an eligible assessee cannot be declined the protection of Treaty under Section 90(2) of the Income Tax Act, 1961 merely on the ground that said assessee has not been able to furnish a Tax Residency Certificate in prescribed Form.

IT Rules permit Cash Purchase of Alcohol Liquor for Human Consumption from Authorized Distributor of State Govt: ITAT

M/s Savitri Devi, Amita Jaiswal & Others vs. DCIT, Circle-10, Kolkata
 Case No. -ITA No.2198-2199/Kol/2016
 Date – 04.07.2018

Fact of the Case

1. The Kolkata bench of the Income Tax Appellate Tribunal (ITAT) in M/s Savitri Devi v. DCIT held that there is no violation of the Income Tax Rules in making cash purchase of Alcohol Liquor for human consumption from authorized distributor of the State Government.
2. The sole grievance of the appellant was that the Assessing Officer has made an addition on account of cash purchase violating the Section 40A(3) of the Income Tax Act, 1961.
3. Before the Tribunal, the assessee contended that the cash purchase of alcohol liquor for human consumption from a authorized distributor of Government of Uttar Pradesh is covered by the Rule 6DD(b) of IT Rules, 1962 and such payments were made to an agent of Government of Uttar Pradesh.
4. The Tribunal noticed that the issue on hand is covered by the order of co-ordinate bench of this Tribunal wherein it was held that cash payments made to an agent of Government is covered by exception provided under Rule 6DD(b) of IT Rules, 1962.

Decision of the Case

1. Relying on the findings of the co-ordinate bench of Kolkata Tribunal, the ITAT observed that the Government of Uttar Pradesh appointed M/s Saraya Distillery, Sadar Nagara, Gorakhpur, U.P. as its agent.
 2. the entire payments paid to the said agent is to be treated as if paid to Government of U.P and as such said cash payment are covered by the Rule 6DD(b) of IT Rules, 1962.
-

Income received under Leave and License Agreement is Business Income: ITAT allows Administrative Expenses

DCIT-1(3)(2) vs. M/s. Tierra Landpro LLP
 Case No. - I.T.A./6005/Mum/2016
 Date – 04.07.2018

Fact of the Case

1. The Mumbai bench of the Income Tax Appellate Tribunal (ITAT), in DCIT v. M/s. Tierra Landpro LLP, held that the income received under a Leave & License Agreement constitute “Profit and Gains from Business or Profession” and not “Income from House Property.
2. While dismissing an appeal filed by the Revenue against the order of the Commissioner of Income Tax (Appeals), the Tribunal also allowed administrative expenses treating the same as business expenditure.
3. Assessee, an LLP, received Rs. 1, 45,67,300/- under Leave & License Agreement and other income of Rs. 9,99,783/-. For the relevant assessment year, they claimed administrative and general expenditure of Rs.1,06,91,783/-.
4. However, the Assessing Officer treated the entire rent receipt as income from House Property, after allowing Standard Deduction under Section 24(a) of the Income Tax Act.
5. He also did not allow the administrative expenses as claimed by the appellant.
6. The Revenue contended that the income arising to the assessee was to be assessed under the head income from house property and that no expense was to be allowed in that regard. The FAA granted relief to the assessee on the first appeal.

Decision of the Case

Allowing the contentions of the assessee, the Tribunal held that the assessee was carrying on business. Therefore, the order of the FAA needs no interference. The expense incurred by the assessee under various heads were incurred wholly and exclusively for its business.

TAX COMPLIANCE CALENDAR AT A GLANCE

GST CALENDAR

Date	Return Type
18 th July, 2018	GSTR 4, from April to June 2018
20 th July, 2018	GSTR 3B for June, 2018
20 th July, 2018	GSTR 5, for the month of June, 2018 (for Non Resident taxable person)
20 th July, 2018	GSTR 5A, for the month of June, 2018 (for OIDAR)
31 st July, 2018	GSTR 1 for the months April - June, 2018 (for persons with Turnover below 1.5 Crore)
31 st July, 2018	GSTR-6 (by ISD) for July to June 2018

DIRECT TAX CALENDAR - JULY, 2018

7.07.2018

- Due date for deposit of Tax deducted/collected for the month of June, 2018. However, all sum deducted /collected by an office of the government shall be paid to the credit of the Central Government on the same day where tax is paid without production of an Income-tax Challan
- Due date for deposit of TDS for the period April 2018 to June 2018 when Assessing Officer has permitted quarterly deposit of TDS under section 192, 194A, 194D or 194H.

15.07.2018

- Due date for issue of TDS Certificate for tax deducted under Section 194-IA in the month of May, 2018 and Section 194-IB in the month of May, 2017
- Due date for furnishing of Form 24G by an office of the Government where TDS for the month of June, 2018 has been paid without the production of a challan
- Quarterly statement in respect of foreign remittances (to be furnished by authorized dealers) in Form No. 15CC for quarter ending June, 2018
- Quarterly statement of TCS deposited for the quarter ending 30 June, 2018
- Upload the declarations received from recipients in Form No. 15G/15H during the quarter ending June, 2018.

30.07.2018

- Quarterly TCS certificate in respect of tax collected by any person for the quarter ending June 30, 2018
- Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA for the month of June, 2018
- Due date for issue of TDS Certificate for tax deducted under section 194-IB in the month of June, 2018

31.07.2018

- Quarterly statement of TDS deposited for the quarter ending June 30, 2018
- Annual return of income for the assessment year 2018-19 for all assessee other than (a) corporate- assessee or (b) non-corporate assessee (whose books of account are required to be audited) or (c) working partner of a firm whose accounts are required to be audited or (d) an assessee who is required to furnish a report under section 92E
- Quarterly return of non-deduction of tax at source by a banking company from interest on time deposit in respect of the quarter ending June 30, 2018

- Statement by scientific research association, university, college or other association or Indian scientific research company as required by rules 5D, 5E and 5F (if due date of submission of return of income is July 31, 2018)
- Application in Form 9A for exercising the option available under Explanation to section 11(1) to apply income of previous year in the next year or in future (if the assessee is required to submit return of income on or before July 31, 2018)
- Statement in Form no. 10 to be furnished to accumulate income for future application under section 10(21) or 11(2) (if the assessee is required to submit return of income on or before July 31, 2018)
- Due date for claiming foreign tax credit, upload statement of foreign income offered for tax for the previous year 2017-18 and of foreign tax deducted or paid on such income in Form no. 67. (If the assessee is required to submit return of income on or before July 31, 2018.)

DIRECT TAX CALENDAR - AUGUST, 2018

7.08.2018

- Due date for deposit of Tax deducted/collected for the month of July, 2018. However, all sum deducted/collected by an office of the government shall be paid to the credit of the Central Government on the same day where tax is paid without production of an Income-tax Challan

14.08.2018

- Due date for issue of TDS Certificate for tax deducted under section 194-IA and section 194-IB in the month of June, 2018

15.08.2018

- Quarterly TDS certificate (in respect of tax deducted for payments other than salary) for the quarter ending June 30, 2018
- Due date for furnishing of Form 24G by an office of the Government where TDS for the month of July, 2018 has been paid without the production of a challan

30.08.2018

- Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA and section 194-IB for the month of July, 2018

WEBINAR CALENDAR 15th To 31st JULY, 2018

Sl. No	Date	Time	Topic of the Webinar	Name of the Faculty
1.	26.07.2018 (Thursday)	4:00 - 5:00 PM	GST - Implications on Works Contract, Contractors and Builders	CMA S K Bhat

Please note: One CEP hour awarded for attending each webinar

CELEBRATION OF GST DAY



Jaipur Chapter:

Jaipur Chapter celebrated GST Day with a Seminar on the theme "Role of CMAs in Fastest Growing Economy under GST Regime". The seminar was inaugurated by CMA Sanjay Gupta, President ICMAI. CMA Anil Sharma, Secretary NIRC, CMA Rakesh Yadav, CMA Sunil Singh, Chairman NIRC, CMA S.K. Bhatt, Vice-Chairman NIRC, CMA R.S. Bhati, Treasurer NIRC, CMA Ravi Sahni, Past Chairman NIRC, CMA Vivek Laddha, CMA Swapnil Bhandari, CMA Ayush Gupta, CMA S.L. Swami also graced the occasion with their thoughts and insights.

Noida Chapter:

CMA H. Padmanabhan, Vice-President ICMAI addressing on the occasion of GST Day celebration on 1st July, 2018 at Noida Chapter. CMA Vijender Sharma, Central Council Member and other dignitaries graced the occasion.



Bhubaneswar Chapter:

Bhubaneswar Chapter has organized an Interaction / Open House Discussion on "GST-Issues & Challenges" on celebrating GST day. Shri Ananta Narayan Jena, Hon'ble Mayor, Bhubaneswar Municipal Corporation Inaugurated the seminar as "Chief Guest". CMA Niranjan Mishra, Chairman Taxation Committee ICMAI, CMA Damodar Mishra, Chairman Bhubaneswar Chapter, CMA Mukesh Chaubey, Chairman PD Committee Bhubaneswar Chapter, CMA Tapas Ranjan Swain, Secretary Bhubaneswar Chapter, CMA Amit Sarker, CMA Mrityunjay Acharjee, CMA Niranjan Swain also graced the occasion.



Coimbatore Chapter:

GST day being celebrated at Coimbatore Chapter on 1st July, 2018.



Cuttack Jagatsinghpur Kendrapara Chapter:

Cuttack Jagatsinghpur Kendrapara Chapter in association with Tax Research Department organised a seminar on GST With theme “GST – 365 Days – Dominion in Perfection” on 1st July, 2018. Hon’ble Minister Finance and Excise, Odisha S. Sashibhusan Behera was the Chief Guest. CMA Niranjan Mishra, Chairman Taxation Committee, CMA Shiba Prasad Padhi, Past Chairman EIRC, CMA M K Mahapatra, Past Chairman, Cuttack Jagatsinghpur Kendrapara Chapter and other eminent personalities graced the occasion. Around 140 members participated.



Howrah Chapter:

ICMAI Howrah Chapter celebrated GST day. CMA Anup Chatterjee, CMA Pranab Kumar Chakraborty, Chairman EIRC and CMA Purnendu De were the key speakers.



Hyderabad Chapter:

Hyderabad Chapter, has observed GST Day on 1st July, 2018. The program has been graced by the Guest Shri D. Sri Nagesh, Superintendent of Central Tax, GST, CMA D. Zitendra Rao, Member SIRC and 35 members have participated in this program.

TAXATION COMMITTEE - PLAN OF ACTION

Proposed Action Plan:

1. Train the trainers' program - capacity building of the practicing members of the Institute and others on PAN India basis to equip them on Registration, record maintenance, Filing of different returns and other matters.
2. Carry out webinars for the Capacity Building of Members of the Institute - Trainers in the locality to facilitate the traders/ registered dealers on various practical aspects.
3. Conducting Seminars in association with the Trade associations/ Traders/ Chambers of Commerce at different locations on practical issues/aspects associated with GST.
4. Conducting workshop on industry specific issues with Chambers of Commerce, CREDAI, Jewellers Association, Hotel and Restaurant Association, Bankers' Association and other agencies to resolve their issues instantly.
5. Forwarding suggestions and issues on GST to the Government after getting feedback from various stake holders.
6. Extending Certificate Course on GST for corporate and Trade Bodies.

Disclaimer:

The Tax Bulletin is an informational document designed to provide general guidance in simplified language on a topic of interest to taxpayers. It is accurate as of the date issued. However, users should be aware that subsequent changes in the Tax Law or its interpretation may affect the accuracy of a Tax Bulletin. The information provided in these documents does not cover every situation and is not intended to replace the law or change its meaning.

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