

GST Regime – Summary of Recent Notifications

The Government has come up with various notifications over the past week making important changes to GST laws and rules. The important changes have been summarized below.

Exemption from Registration to Job Workers

CBEC has granted exemption¹ from obtaining registration to job-workers making inter-State supply of services to a registered person. It is important to note that persons making any inter-State taxable supply were mandatorily required to obtain registration under Goods and Services Tax. However, this exemption is not applicable to job-workers:

- Whose aggregate turnover exceeds the prescribed limit (10 Lakhs or 20 Lakhs); or
- Who have obtained voluntary registration under GST; or
- Who are involved in making supply of services in relation to jewellery, goldsmith's wares, silversmith's wares and other articles mentioned under chapter 71.

Exemption from Registration to Suppliers of Handicraft Goods

Similarly, CBEC has also granted exemption² from obtaining registration to persons making inter-State taxable supplies of handicraft goods. The goods which are covered under the definition of handicraft goods have also been defined.

This exemption is subject to the condition that the aggregate value of such supplies, to be computed on all India basis, does not exceed an amount of ten lakh rupees or twenty lakh rupees (as applicable) in a financial year. Any person who avails this exemption is required to obtain a Permanent Account Number and generate an e-way bill in accordance with the E-Waybill Rules.

CBEC has further extended this exemption³ to casual taxable persons making taxable supplies of handicraft goods. Casual Taxable person means a person who occasionally undertakes transactions involving supply of goods or services or both in a State or a Union territory where he has no fixed place of business.

TDS Provisions under GST

¹ Notification No. 7/2017 – Integrated Tax

² Notification No. 8/2017 – Integrated Tax

³ Notification No. 32/2017 – Central Tax

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CBEC has notified certain provisions related to Tax Deducted at Source⁴ (TDS) under GST. TDS provision under GST prescribes that the specified persons or category of persons are liable to deduct tax from the payment made or credited to the supplier of taxable goods or services or both, where the total value of such supply, under a contract, exceeds two lakh and fifty thousand rupees.

Currently, TDS provisions only in respect of the following persons/ category of persons have been notified:

<ul style="list-style-type: none">• a department or establishment of the Central Government or State Government;
<ul style="list-style-type: none">• local authority;
<ul style="list-style-type: none">• an authority or a board or any other body, -<ul style="list-style-type: none">(i) set up by an Act of Parliament or a State Legislature; or(ii) established by any Government, with fifty-one percent or more participation by way of equity or control, to carry out any function;
<ul style="list-style-type: none">• society established by the Central Government or the State Government or a Local Authority under the Societies Registration Act, 1860 (21 of 1860);
<ul style="list-style-type: none">• Public Sector Undertakings

The date from which the abovementioned persons shall be liable to deduct tax from the payment made or credited to the supplier of taxable goods or services will be notified subsequently.

Amendments to CGST Rules

Central Goods and Services Tax (CGST) Rules have further been amended⁵ to incorporate changes suggested by the GST Council. These rules will be called Central Goods and Services Tax (Seventh Amendment) Rules, 2017. Below is the summary of important changes made in the rules:

- The amended CGST Rules allow composition levy option to person who has been granted provisional registration or who has applied for registration (other than non-resident taxable person, person required to deduct/collect tax at source, foreign OIDAR service supplier) w.e.f. October 1.
- Rule 120A has been inserted to provide that **FORM GST TRAN-1**, the return for availing transitional credits, can be revised once by the taxpayers. Earlier there was no mechanism to revise the form once it was filed on the GST portal.
- E-Waybill rules has been amended to provide that where goods are sent by a principal located in one State to a job-worker located in any other State, the e-waybill shall be generated by the principal irrespective of the consignment value.
- Where handicraft goods are transported from one State to another by a person who has been exempted from obtaining registration, the e-waybill shall be generated by the said person irrespective of the consignment value.

⁴ Notification No. 33/2017 – Central Tax

⁵ Notification No. 34/2017 – Central Tax

- The revised rules also specify that details of bill of entry shall be entered in the e-waybill in place of details of invoice, where the consignment pertains to an import.

Filing of FORM GSTR-3B

The Government has extended the time period for which summarised return in FORM GSTR-3B has to be filed by taxpayers. Initially, FORM GSTR-3B was required to be filed for the months of July and August only, whereas now it will continue to be filed till December, 2017. The timeline for filing FORM GSTR-3B is given below:

Month	Last Date for filing of return in FORM GSTR-3B
August, 2017	20 th September, 2017
September, 2017	20 th October, 2017
October, 2017	20 th November, 2017
November, 2017	20 th December, 2017
December, 2017	20 th January, 2017

The Government has also extended the time period for filing of FORM GSTR-1, GSTR-2 and GSTR-3 for the month of July. The revised timeline for filing such details/returns is given below:

Details/Return	Class of Taxable/Registered Persons	Revised Due Date
GSTR-1	Having turnover of more than one hundred crore rupees	3 rd October 2017
	Having turnover of up to one hundred crore rupees	10 th October 2017
GSTR-2	All	31 st October 2017
GSTR-3	All	10 th November 2017

Due dates for filing of GSTR-1, GSTR-2 and GSTR-3 for the month of August will be notified subsequently.

Tax Team

The information contained in this newsletter is solely intended to provide general guidance on matters of interest. Nothing herein constitutes professional or legal advice, nor does any information herein constitute a comprehensive or complete statement of the issues discussed. It is recommended that you seek a professional advice to confirm your understanding on the issues dealt above.

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