

Tribute

The GST Council Secretariat is extremely saddened by the untimely demise of Shri Arun Jaitley, the first Chairperson of the GST Council and former Union Finance Minister. The GST Council, India's first institution of co-operative federalism, witnessed his adroit handling and non-partisan functioning of the body, enabling consensus building on complex taxation issues. The Secretariat pays its tribute to Shri Arun Jaitley, a great raconteur, a humorous personality, statesman, reformer, strategist, versatile leader, seasoned parliamentarian and a loved human being.

The GST Council in its 35th meeting on June 21, 2019 unanimously placed on record the Council's appreciation of the exemplary contributions made by Shri Arun Jaitley in 33 meetings chaired by him, which led to the monumental restructuring of one of world's most difficult indirect tax system and fulfilled the dream of "One tax, One nation and One market".

The resolution passed by the GST Council is reproduced below:



The Goods and Services Tax Council, in its thirty-fifth meeting held on 21st June 2019;

Having recalled the stellar role played by **Shri. Arun Jaitley**, the earlier Union Finance Minister and Chairperson, GST Council in the roll out of GST;

Having reflected upon the leadership exhibited by him during discussion on the design of GST, in forging a consensus between the Centre and the States which had been elusive for more than a decade and half;

Noting the immense patience and erudition shown by him in ensuring that all contentious issues were discussed threadbare before arriving at a solution acceptable to all;

Having recollected the many number of instances in which his legal acumen guided the Council in its deliberations on difficult legal issues;

Expresses its gratitude and appreciation for the exemplary contribution made by him in making the GST Council a shining example of Cooperative Federalism that it has become today, which was also greatly responsible for rekindling a new nationalistic fervour cutting across political spectrum.

Here is what eminent personalities said while condoling his demise:

“Extremely saddened by the passing of Shri Arun Jaitley after battling a long illness with fortitude and dignity. A brilliant lawyer, a seasoned parliamentarian, and a distinguished Minister, he contributed immensely to nation-building”

Shri Ramnath Kovind
Hon'ble President of India

“I have lost a valued friend whom I have had the honour of knowing for decades. His insight on issues and nuanced understanding of matters had very few parallels. He lived well, leaving us all with innumerable happy memories. We will miss him!”

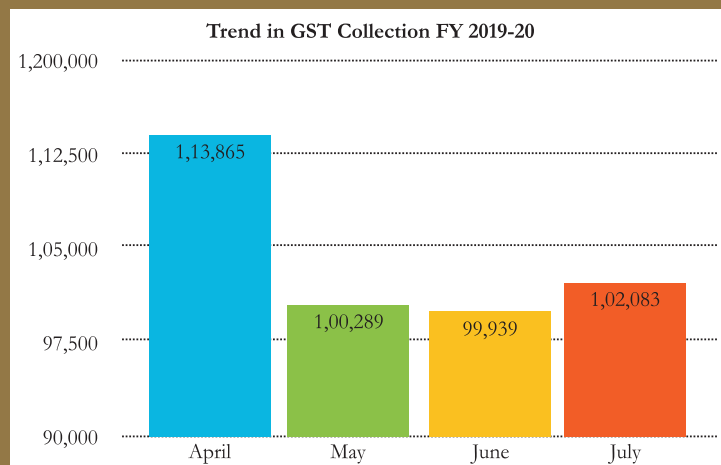
Shri Narendra Modi
Hon'ble Prime Minister

“No words can describe the loss of Shri Arun Jaitley. A mentor to many of us, a guide and a moral support and strength. Have learnt so much from him. A fine large-hearted person. Always ready to help anyone/everyone. His intelligence, sagacity, astuteness have no match”

Smt. Nirmala Sitharaman
Hon'ble Minister for Finance

GST Revenue Collection

GST collection in July, 2019 of Rs. 1,02,083 crore, comprises of CGST Rs. 17,912 crore, SGST Rs. 25,008 crore, IGST Rs. 50,612 crore and Cess Rs. 8,551 crore. The revenue growth of 5.80% noticed over the revenue mopped up in the same month last year ie, Rs.96,483 crore in July 2018. During April-July 2019 vis-à-vis corresponding period of 2018, the domestic component has grown by 9.2%, while the GST on imports has come down by 0.2% and the total collection has grown by 6.83%. Rs. 17,789 crore has been released to States as GST compensation for the months of April-May, 2019. The graph below shows the trend in GST collection during the first four months of the current fiscal.



Source: Compiled from PIB press release

North-Eastern States registered over 30 per cent growth in GST collection during the first four months of the current fiscal (2019-20). Growth recorded by most of the seven sister states is over three times the national average of 9 per cent. Among these States, Nagaland registered highest growth of 39 per cent during the April-July period. It was followed by Arunachal Pradesh with 35 per cent growth and Sikkim with 32 per cent. Out of 37 States and UTs, Delhi, Lakshadweep and Puducherry registered de-growth of 2 per cent, 17 per cent and 8 per cent, respectively. Big States like Maharashtra and Gujarat recorded single-digit growth of 6 per cent. Punjab clocked 7 per cent growth, while Haryana's growth was at 9 per cent. Tamil Nadu and Karnataka recorded 10 per cent and 11 per cent growth in GST collections, respectively.

Source: PTI, 15/08/2019

Pending GST refunds for MSMEs to be paid within a month

Finance Minister Smt. Nirmala Sitharaman has announced several decisions to ease doing business including expediting GST refund. All pending GST refunds of MSME would be made within 30 days, and that all future refunds will be paid within 60 days from the date of application. This is expected to free up a lot of capital that was otherwise locked up for the MSME sector. "GST will soon come up with fewer numbers of forms. I am ensuring the free flow of refund, so that it does not affect people," said Finance Minister Smt. Nirmala Sitharaman in a press conference by the Finance Ministry.

Source: PIB, 23/08/2019

Creation of GST Tribunal

The Central Government has notified vide Notification No.S.O.3009 (E) dated 21/08/2019 the creation of State and Area Benches of Goods and Services Tax Appellate Tribunal (GSTAT) in exercise of the powers conferred by the subsection 6 of section 109 of the CGST Act, 2017 on the recommendation of the GST Council. Also the Government frames the GSTAT (Appointment and Conditions of Service of President and Members) Rules, 2019, which inter-alia provides for method of recruitment of members, salary and allowances, condition of service, etc. The details of GSTAT in various States/UTs are given below:

No.	State	State Benches
1	Andhra Pradesh	Vijayawada
2	Bihar	Patna
3	Chhattisgarh	Raipur
4	Delhi	New Delhi
5	Goa	Panaji
6	Gujarat	Ahmedabad
7	Haryana	Hisar
8	Himachal Pradesh	Shimla
9	Jharkhand	Ranchi
10	Karnataka	Bengaluru
11	Kerala	Thiruvananthapuram
12	Maharashtra	Mumbai
13	Odisha	Cuttack
14	Puducherry	Pondicherry
15	Punjab	Chandigarh
16	Tamil Nadu	Chennai
17	Telangana	Hyderabad
18	Tripura	Agartala
19	Uttarakhand	Dehradun
20	West Bengal	Kolkata
21	Assam	Guwahati
22	Arunachal Pradesh	
23	Manipur	

Honest taxpayers to be protected: Prime Minister

Elaborating the government's vision for making India a USD 5 trillion economy, Prime Minister Shri. Narendra Modi has said entrepreneurs are government's 'growth ambassadors' and assured the business community that they should complete their investment plan without any fear. "I reassure all honest and law-abiding businesses of all possible support from our end." PM said in an interview with *The Economic Times*. He also stated that the tax reforms with lower rates and simplifying procedures led to improving India's ranking in ease of doing business. The next step of the government on GST is to improve consumer awareness of the benefits of the system, he said. "Presently, it is totally missing. Consumers should know their benefit under this system". According to a study GST rate reductions have helped the average middle class family save about Rs.1500 per year, PM added.

Source: The Prime Minister's Interview to *The Economic Times*, 12/08/2019.

24	Nagaland	
25	Sikkim	
Union Territories		UTs Benches
26	Andaman & Nicobar	Kolkata
27	Dadra & Nagar Haveli	Mumbai
28	Daman & Diu	Mumbai
29	Lakshadweep	Ernakulum
30	Chandigarh	Chandigarh
State		Area Benches
1	Andhra Pradesh	Vishakhapatnam and Tirupati
2	Gujarat	Surat and Rajkot
3	Maharashtra	Pune and Nagpur
4	West Bengal	Two area benches at Kolkata

Source: Notification No.S.O.3009 (E) dated 21/08/2019

Filing of GST Annual Returns extended till 30 November, 2019

The Government has extended the last date for furnishing of annual return in the Form GSTR-9 / Form GSTR-9A and reconciliation statement in the Form GSTR-9C for the financial year 2017-18. The due date is extended from August 31, 2019 to November 30, 2019 as taxpayers were facing technical problems in furnishing returns.

Source: Order No.07/2019-CT dated 26/08/2019

Legacy Dispute Resolution Scheme effected from September 1, 2019

The Government has notified vide Notification No. 04/2019 and 05/2019 Central Excise-NT dated 21/08/2019 Sabka Vishwas (Legacy Dispute Resolution) Scheme, 2019. Its Rules shall come into force from September 1, 2019 and it would continue till December 31, 2019. Also CBIC fixed the monetary limits for which appeals shall not be filed in the CESTAT as below Rs.50,00,000 in High Courts as below Rs.1,00,00,000 and in Supreme Court as below Rs.2,00,00,000.

Source: F.No.390/Misc/116/2017-JC dated 22/08/2019

Filing GSTR 3B Return extended

Government has notified that the due date for filing of GSTR-3B return for the month of July 2019 has been extended to August 22, 2019. However, such deadline has been extended upto September 20, 2019 in the case of taxpayers registered in Jammu & Kashmir and certain flood affected districts of Bihar, Gujarat, Karnataka, Kerala, Maharashtra, Odisha and Uttarakhand.

Source: Notification No. 37/2019 CT dated 21/08/2019

Provision of Rule 138E of CGST Rules deferred

Government has extended the due date by 3 months for implementation of Rule 138E of the CGST Rules. Earlier the due date was extended to August 21, 2019 vide CGST Notification no. 25/2019 dated 21/06/2019. Rule 138E provides that if a registered dealer failed to file GST Return for consecutive two tax periods, generation of e-way bill will be blocked.

Source: Notification No.36/2019-CT dated 20/08/2019

Support Taxpayers in Annual Return filing: CBIC Chairman

The last date for filing the annual return and the reconciliation statements in FORM GSTR-9, GSTR-9A and GSTR-9C is 31/08/2019. Hence, the Chairman has written a letter to its senior officers to initiate outreach programmes to help taxpayers file the annual returns well before the due date. In this context 'public mela' on filing of annual return has been organized by various Central GST zones for seeking clarification on any doubts in this regard.

Source: D.O.F. No. 349/43/2(117-GST (Pt.1)(Vol.1)12/89 dated 06/08/2019

Amendments in the CGST ACT, 2017

The Government has notified the Finance Act, 2019 after receiving the assent of the President on 1 August 2019. Earlier the Parliament passed the Finance Bill to ratify the amendments made in five major categories, including the GST. The GST Act itself has 25 amendments, which are briefly explained below:

Section	Amendment
2 (4) Definitions	Adjudicating Authority amended to exclude 'the National Appellate Authority for Advance Ruling'.
10 Composition levy	Amendment to introduce composition scheme for service providers up to Rs. 50 lakh.
11(1) Power to grant	Notification No. 2/2017-CT (Rate) under Section 11 (1) of CGST Act, 2017, is being amended retrospectively so as to exemption from tax exempt "Uranium Ore Concentrate" from the levy of Central Tax from 01/07/2017 to 14/11/2017.
22 (1) Persons liable for registration	Increase in threshold limit for registration to Rs. 40 lakh.
25 Procedure for registration	Aadhaar authentication for new and existing registrants.
31 (A) Insertion of new Sec.	Specified suppliers to mandatorily give the option of electronic payment to the recipients of supply of goods or services or both made by them.
39 Furnishing of returns	Provide for new return system and allow composition taxpayers to furnish annual return along with quarterly payment.
44 Annual return	Empowers the Commissioner or Joint Secretary posted in the Board to extend the due date furnishing FORM GSTR9/9A and 9C.
49 Payment of tax, interest, penalty and other amounts	Provide for transfer of an amount from one head to another head in the electronic cash edger. Such transfer shall be deemed to be a refund from the electronic cash ledger under this Act.
50 Interest on delayed payment of tax	Charging interest only on the net cash tax liability, except in proceedings under section 73 or 74. Interest on late payment of tax shall be calculated on net cash liability, and not gross tax liability.
52 (4&5) Collection of tax at source	Empowers the Commissioner or Joint Secretary posted in the Board to extend due date of monthly/annual statement of TCS.

53 A Insertion of new Sec.	Provides for consequential transfer of amount between Centre and States, due to section 49.
54(8A) Refund of tax	Provides that the Central Government may disburse refund amount to taxpayers in respect of refund of State taxes.
95(f) Advance Ruling (AR) - Definitions	To define the National Anti-profiteering Authority (NAA) for Advance Ruling.
101A, B & C Insertion of new Sec.	To introduce provisions relating to NAA for Advance Ruling.
102 Rectification of AR	Power to NAA to rectify any error apparent on the face of the record.
103 Applicability of AR	Advance Ruling pronounced by the NAA shall be binding PAN wise.
104 AR to be void in certain circumstances	Advance Ruling pronounced by the NAA to be void in certain cases.
105 Powers of Authority and Appellate Authority	The NAA to have powers of Civil Court under the Code of Civil Procedure, 1908.
106 Procedure of Authority and Appellate Authority	The NAA to regulate its own procedure.
168 Power to issue instructions or directions	The Commissioner or Joint Secretary shall exercise the powers specified in respect of section 44(1) and section 52 (4&5).
171 Anti-profiteering measure	To empower NAA to impose penalty equivalent to 10 per cent of the profiteered amount. However, no penalty shall be levied if the profiteered amount is deposited within 30 days of the date of passing of the order by the Authority.

Amendments in the IGST Act, 2017

Section	Amendment
17A Insertion of new Sec.	Provisions for consequential transfer of amount between Centre and States, in view of inter-operability of amounts in different heads of cash ledger under section 49 of CGST Act.
6 (1) Power to grant exemption from tax	Notification No. 2/2017-Integrated Tax (Rate), under Section 6(1) of the IGST Act, 2017, is being amended retrospectively so as to exempt "Uranium Ore Concentrate" from the levy of Integrated Tax from 01/07/2017 to 14/11/2017.

Amendments in the UTGST Act, 2017

Section	Amendment
8(1) Power to grant	Notification No. 2/2017-UT Tax (Rate) under Section 8(1) of the exemption from tax UTGST Act, 2017, is being amended retrospectively so as to exempt "Uranium Ore Concentrate" from the levy of Union Territory Tax from 01/07/2017 to 14/11/2017.

Functionality position of GST portal

India aimed at achieving, with GST, not merely a simplification of the tax structure, but also systemic reform with transparency, efficiency and speed in implementation and administration of taxes. Technology was undoubtedly a major component of the solution devised to fulfill these objectives. Towards this endeavor all interaction with public are made through the common GSTN portal, therefore, reducing public interface between taxpayer and the tax administration. It also improves environment of compliance and reduction in compliance cost. GST Portal enables the taxpayers to fulfill various statutory obligations like registration, payment, return filing, refund, e-way bill generation etc. In this regard, various forms and functionalities have been made available in the GST portal. As on July 31, 2019, there are 104 functionalities available in the GST common portal and 84 on CBIC system. A snap shot of presently available major modules and functionalities are given below:

Module	Functionality as per GST Law	Available on GST portal	Available on CBIC System
Registration	REG 01 to 30	30	29
	PCT 01 to 05	4	4
	CMP 01 to 08	7	3
Payment	PMT 01 to 07	7	5
Return	GSTR-1-8,1A,2A,3A, 3B,4A,5A,6A,7A,9, 9A,11	17	17
	ITC 01 to 04	4	4
	TRAN 1 to 3	3	3
E-WAY bill	EWB 01 to 04, INV 01	5	5
Provisional Assessment	ASMT 01 to 09	4	0
Assessment / Scrutiny of return	ASMT 10 to 18	3	0
Refunds	RFD 01A,01B, 01 to 11	4	13
Advance Ruling	ARA 01 to 03	1	0
Dispute Resolution (Adjudication + Recovery)	DRC 01 to 25	7	1
	CPD 01 to 02	2	0
Appeal	APL 01 to 08	4	0
Audit	ADT 01 to 04	0	0
Investigation	INS 01 to 05	2	0

Source: DG (Systems), CBIC

Printed & Published by : GST Council Secretariat, New Delhi

Date of Publication : August 30, 2019

GST COUNCIL SECRETARIAT

5th Floor, Tower-II, Jeevan Bharati Building,

Connaught Place, New Delhi 110 001

Ph: 011-23762656, www.gstcouncil.gov.in

www.gstcouncil.gov.in

DISCLAIMER: This newsletter is in-house efforts of the GST Council Secretariat. The contents of this newsletter do not represent the views of GST Council and are for reference purpose only.