

Week of 26^h March, 2018

A. CHANGES IN THE GST REGIME

Due dates for filing returns

- Notifications have been issued by CBEC to prescribe the due dates for filing the outward supply return (return in form GSTR-1) as follows:

Category of taxpayers	Period for which return is to be filed	Due date for furnishing returns
Registered persons having aggregate turnover of up to INR 15 Million in the preceding financial year or the current financial year	April to June, 2018	31st day of July, 2018
Registered persons having aggregate turnover of more than INR 15 Million in the preceding financial year or the current financial year	April 2018	31 st May, 2018
	May 2018	10 th June, 2018
	June 2018	10 th July, 2018

- CBEC has also extended the time period for furnishing statement in form GST TRAN-2 till 30th June, 2018

E-way bill to be effective from 1st April, 2018

A notification has been issued by CBEC to notify the mandatory implementation of the inter-state e-way bill with effect from 1st April, 2018. This is pursuant to the recommendations of the 26th meeting of the GST Council (Please refer to our GST Update Volume 37 for details). The states have been given the option to adopt the effective date for intra-state implementation of e-way bill, however not later than 1st July, 2018.

Further suspension of reverse charge on supplies received from unregistered persons.

A notification has been issued by CBEC to suspend the reverse charge mechanism in cases where supplies of goods or services are received by a taxable person from an unregistered supplier till 30th June, 2018. This suspension was earlier till 31st March 2018 (Please refer to our GST Update Volume 16 for details). Thus, till 30th June, 2018 no tax will be payable on a reverse charge basis on supplies of goods or service or both received by a registered person from any or all suppliers, who are not registered.

CGST (Third) Amendment Rules, 2018

A notification has been issued by CBEC to notify the CGST (Third) Amendment Rules, 2018 which amend the principal CGST Rules, 2018. The new amendment modifies the rules relating to job work, procedure to be followed by the anti-profiteering bodies and certain procedures in the e-way bills. The modified rules are available at www.cbec.gov.in.

Clarification in respect of job work services

A circular has been issued by CBEC to clarify certain aspects in relation to job –work¹. Some of the clarifications provided therein are:

- A job worker would be required to obtain GST registration only in cases where his aggregate turnover exceeds the threshold limit of INR 2 million, regardless of whether the principal manufacturer and job worker are located in the same state or in different states.
- The location of job worker would be immaterial for classifying a supply as inter or intra-state even when the supply is made directly from job worker's premises, the government said. This would depend entirely on the location of principal manufacturer and the recipient.
- If the inputs or capital goods sent to job worker are not returned within the stipulated time, the principal manufacturer will be required to pay tax along with interest from the date when goods were initially sent. When such goods are subsequently returned by the job worker after the expiry of deadline, it be treated as supply by job worker to the principal manufacturer and will attract GST.

B. PROPOSED CHANGES AND INDUSTRY ISSUES

Simplification of GST Anti-profiteering form

The earlier anti-profiteering form, as introduced, was technical and complex and had 44 columns. In the earlier form, a consumer seeking to report an act of profiteering against any supplier, was required to specify the actual price or value charged per unit pre-GST and post GST. Also, the total tax per unit and the reduction in tax amount post-GST was to be filled up by the complainant. Details of pre-GST rates of excise duty, VAT, service tax, the luxury tax charged by the businesses against whom the profiteering complaint is being lodged was also required to be filled up in the earlier form. Following numerous representations against the complexities involved in the form, it has now been decided to simplify the form. The simplification of form is done keeping in mind that a common man should be able to apply without the help of an accountant. In the new form, the number of columns have been slashed to 16, of which 12 fields are mandatory, to make it convenient for people.

Glossary

CBEC- Central Board of Excise and Customs

CGST- Central goods and services tax

GST Council- Goods and Services Tax Council, a constitutional body comprising of members of the Central and the State Governments to recommend changes under the existing GST regime.

¹ Under GST, 'job work' is defined any treatment or process undertaken by a person on goods belonging to another registered person.

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