



Week of 8th April, 2019

## A. CHANGES IN THE GST REGIME

### Extension of due date for furnishing GSTR 1

The CBIC has vide notification no. 17/2019 – central tax dated 10th April, 2019 extended the due date for furnishing FORM GSTR-1 by taxpayers having an aggregate turnover more than Rs. 15 million, for the month of March 2019, from 11th April, 2019 to 13th April, 2019.

### Extension of due date for furnishing GSTR 7

The CBIC has vide Notification no. 18/2019 - central tax dated 10th April, 2019 extended the due date for furnishing FORM GSTR-7 by all taxable persons who are required to deduct TDS for the month of March, 2019 from 10th April, 2019 to 12th April, 2019.

### Composition scheme for first supplies up to Rs. 5 million

The CBIC had via notification no. 02/2019 - central tax (rate) dated 07th March, 2019 prescribed the GST rate of 6% on first supplies of goods or services or both up to an aggregate turnover of Rs. 5 million made on or after the 1st day of April in a financial year, by a registered person whose aggregate annual turnover in the preceding financial year was Rs. 5 million or below. The said notification was amended by notification no. 09/2019 - central tax (rate) dated 29th March 2019 to provide that CGST rules as applicable to a person paying tax under section 10 of the CGST Act shall, mutatis mutandis, apply to a person paying tax under the said notification.

The CBIC has now via circular no. 97/16/2019 – GST dated 5th April, 2019 clarified that a registered person who wants to opt for payment of GST under the above notification will be required to file FORM GST CMP-02 and select the category as 'any other supplier eligible for composition levy', latest by 30th April, 2019.

## B. PROPOSED CHANGES AND INDUSTRY ISSUES

### TCS issues faced by food aggregators

As per the TCS mechanism, the amount collected by the e-commerce operator from the customer is then paid by the e-commerce operator to the supplier after collecting TCS. As per media reports, the online food aggregators being the e-commerce operators such as Zomato, Swiggy and UberEats are facing issue in GST compliance with respect to tax collected at source (TCS) as they are unable to show TCS using their platform and thereby the restaurants are not able to claim credit or apply for refund. The government has referred the matter to a law committee under the GST Council in order to review the issue.

## Mismatch of e-way bill and returns

As per media reports, the tax officers are seeking clarification from companies whose GST payments are not matching e-way bill data. GSTN which handles the technology backbone for GST has started sharing details with tax officers on e-way bills vis-a-vis taxes paid to help them identify any discrepancy.

## Glossary

<b>CBIC – Central Board of Indirect taxes and Customs</b>	<b>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.</b>
<b>CGST – Central Goods and Services Tax</b>	<b>TCS – Tax Collected at Source</b>
<b>GST – Goods and Services Tax</b>	
<b>GSTN – Goods and Service Tax Network</b>	
<b>GSTR – Goods and Service Tax Return</b>	
<b>TDS – Tax Deducted at Source</b>	

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