

## GOODS & SERVICES TAX (GST)

### NOTIFICATIONS

- **Notification No. 24/2019-Central Tax dated 11.05.2019 Seeks to extend the due date for furnishing FORM GSTR-3B for the month April, 2019 for registered persons in specified districts of Odisha till 20.06.2019.**

Central government extend the due date of furnishing electronically through the common portal FORM GSTR-3B for the month of April, 2019 for registered persons whose principal place of business is in the districts of Angul, Balasore, Bhadrak, Cuttack, Dhenkanal, Ganjam, Jagatsinghpur, Jajpur, Kendrapara, Keonjhar, Khordha, Mayurbhanj, Nayagarh and Puri in the State of Odisha i.e. on or before the 20<sup>th</sup> June, 2019.”.

- **Notification No. 23/2019-Central Tax dated 11.05.2019 Seeks to extend the due date for furnishing FORM GSTR-1 for the month April, 2019 for registered persons in specified districts of Odisha till 10.06.2019.**

Central government extend the due date of furnishing electronically through the common portal FORM GSTR-3B for the month of April, 2019 for registered persons whose principal place of business is in the districts of Angul, Balasore, Bhadrak , Cuttack , Dhenkanal , Ganjam, Jagatsinghpur, Jajpur, Kendrapara, Keonjhar, Khordha, Mayurbhanj, Nayagarh and Puri in the State of Odisha i.e. on or before the 10<sup>th</sup> June, 2019.”.

### RECENT MAJOR DEVELOPMENTS IN GST



- A writ petition was filed by Bharti Telemedia Ltd. Vs. Union of India & Ors Hon’ble Delhi High Court on the following issues:
  1. What is the legality and validity of Section 16(2)(c) of the CGST Act, second proviso to Section 16(2)(d) and proviso to Section 16(4) of the CGST Act?
  2. What is the validity of Section 43A (6) of the CGST Act, which has not been notified yet?

The provisions have been challenged on the following grounds:

Section 16(2)(c), proviso to Section 16(4) is violative to Article 14 of the Constitution of India;

The Department has been vested with all the powers to recover any revenue lost owing to non-payment of taxes by erring suppliers; the credit cannot be denied to the recipient for the default on the part of supplier.

Currently the Hon’ble Delhi High Court in W.P.(C) 6293/2019 dated May 29, 2019, has issued a notice to Union of India and postponed the matter for hearing on September 18, 2019.

- **GST Portal has enabled the tab for Accounting and Billing Software**

The Goods and Services Tax Network (GSTN) has enabled the Accounting and Billing Software tab on the GST Portal. As all invoices for business-to-business (B2B) sales by entities beyond a specified turnover threshold will be generated on a centralized government portal by September, a move aimed at curbing the menace of fake invoices and evasion of GST.

	IGST (₹)	CGST (₹)	SGST (₹)	CESS (₹)
Electronic Liability Register (Return related)	0	0	0	0
Electronic Cash Ledger	35496	8	17	0
Electronic Credit Ledger	5338268	0	0	0

The process to navigate to Accounting and Billing Software are : [Login to GST Portal](#)>Click on “Download” Button>Click to “Accounting and Billing Software” Button>A pop up will be displayed confirming that download facility is only available if the annual turnover is less than Rs.1.5Cr>A vendor list will open. The taxpayers can download the desired billing software as per the requirement of the business.

- GST anti-evasion unit submits detailed list of alleged tax evaders to CBIC

In a bid to curb tax evasion and improve compliance, the Directorate General of GST Intelligence, which is the enforcement agency for checking indirect tax evasion, is learned to submit a detailed list of alleged tax evaders to Central Board of Indirect Taxes and Customs (CBIC). After having detected 85.10

percent increase in tax evasion in FY19 as against last fiscal, DGGI in a detailed report has mentioned over 30 top tax evaders in its report. DGGI has now made it a monthly practice to share this report with CBIC and a copy of its February and March report has been reviewed by CNBC-TV18. *“In the report, some companies have voluntarily cleared the dues, while others have made part payments and some companies have also contested the claims,”* the report said.

CNBC-TV18 on May 3 had reported that DGGI has said that it *“detected 3,767 cases worth Rs 49,158 crore of tax evasion in FY 19 as against 2,313 cases of Rs 26,557 crore in FY18, across India.”* DGGI detects GST, central excise and service tax evasion across India. DGGI is one of the major revenue intelligence wings of CBIC. Of this Rs 49,158 crore, the government detected Rs 27,378 crore of service tax evasion, Rs 19,396 crore of GST evasion and Rs 2,384 crore of Central excise duty evasion, DGGI in its report said, a copy of which is reviewed by CNBC-TV18. However, when it comes to the realization of tax evasion, DGGI said that *“tax realization has increased by 306.76 percent in FY19 as against FY18.”* *“Of these 3,767 cases detected in FY19, intelligence wing realized Rs 11,853 crore in 2,522 cases vs 1,453 cases of Rs 2,914 crore in FY18, across India,”* the report added. Meanwhile, CBIC chief in an internal communication has called for concentrated efforts to plug indirect tax evasion.

Here are some of the names which appear in the list from the report accessed by CNBCTV18:

S.NO.	Name of Company	Type of duty	Amount in question	Current status
1	Michelin India	Central excise duty	Rs 217.57 Cr	Yet to make payment
2.	Navyuga Engineering	GST by wrongly claiming ITC	Rs 135 Cr	Settled dues
3.	Power Grid	GST & Service tax	Rs 134.08 Cr	Settled dues

4.	Uttam Value Steels	GST by not filing their returns	Rs 113.40 Cr	Settled dues
5.	Tata Sons Ltd	GST	Rs 1524 Cr	Contesting claims
6.	Air India	GST & other duties	Rs 415 Cr	Settled dues
7.	Parag Milk Foods	GST	Rs 47 Cr	Paid Rs.24.05 Cr so-far

- Importer and Exporter can now apply for Simplified Auto Registration based on their IEC and GSTIN on ICEGATE Portal



Presently, IEC Registration is allowed on ICEGATE website, with Digital Signature and requires approval. Such registered IEC holders can file

documents on ICEGATE. To attract importers and exporters for Registration on ICEGATE and to provide the various information services including reports, a need is felt to provide a Simplified Auto Registration on ICEGATE. This Simplified Auto Registration is based on IEC and GSTIN, requires OTP verifications of e-mail and mobile number.

The simplified Registration Module in ICEGATE is designed to register at the ICEGATE without the need to upload the Digital Signature Certificate (DSC), PAN verification, document upload to ICEGATE and approval procedure.

### HIGHLIGHTS OF GST COLLECTION.

The total gross GST revenue collected in the month of May, 2019 was Rs 1,00,289 crore of which CGST was Rs 17,811 crore, SGST is Rs 24,462 crore, IGST was Rs 49,891 crore (including Rs 24,875 crore collected on imports) and Cess was Rs 8,125 crore (including Rs 953 crore collected on imports). The total number of GSTR 3B Returns filed for the month of April up to 31st May, 2019 were 72.45 lakh. The government has settled Rs 18,098 crore to CGST and Rs 14,438 crore to SGST from IGST as regular settlement.

The total revenue earned by Central Government and the State Governments after regular settlement in the month of May, 2019 was Rs 35,909 crore for CGST and Rs 38,900 crore for the SGST. The revenue in May, 2018 was Rs 94,016 crore and the revenue during May, 2019 clocked growth of 6.67% over the revenue in the same month last year. The revenue in May, 2019 was 2.21% higher than the monthly average of GST revenue in FY 2018-19 (Rs 98,114 crore). Rs. 18,934 crore has been released to the states as GST compensation for the months of February-March, 2019.

### Let's talk

For a deeper discussion of how these issues might affect your business, please contact our Indirect Taxation Team.

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