Lakshmikumaran & Sridharan attorneys

L&S Update

an e-update to clients from
Lakshmikumaran & **Sridharan**

GST Update No. 7 of 2019
3rd January, 2019

.

Central Tax Notifications issued on 31-12-2018

Extension of migration procedure – Notification No. 67/2018-Central Tax

- Time period specified in Notification No. 31/2018-CT dated 06.08.2018 for availing the special procedure for completing migration of taxpayers who received provisional IDs but could not complete the migration process has been extended.

  - The details should be furnished to the jurisdictional nodal officer on or before the **31.01.2019**. (earlier 31.08.2018).

  - Upon receipt of an email from GSTN mentioning the ARN, a new GSTIN and a new access token, such taxpayers are required to furnish the specified details to GSTN by e mail, on or before the **28.02.2019**. (earlier 30.09.2018)

Extension of time limit for filing GSTR-3B for newly migrated taxpayers – Notification Nos. 68/2018, 69/2018, & 70/2018-C.T

- Consequent to issue of Notification No. 67/2018-CT, i.e. due to extension of migration procedure, time limit for furnishing GSTR-3B Return for the newly migrated taxpayers has been extended. The returns for the period July, 2017 to February, 2019 shall be furnished on or before 31.03.2019.

Extension of time limit for filing GSTR-1 for newly migrated taxpayers – Notification Nos. 71/2018 and 72/2018

- Consequent to issue of Notification No. 67/2018-CT, i.e. due to extension of migration procedure, time limit for furnishing GSTR-1 Return for the newly migrated taxpayers has been extended. The returns for the period July, 2017 to February, 2019 shall be furnished on or before 31.03.2019

Exemption from collecting TDS – Notification No. 73/2018-C.T

- Exemption has been granted from applicability of TDS in respect of supplies of goods or services which takes place between one person to another person specified under clause (a), (b), (c) & (d) of section 51 of CGST Act.

- Thus, all transaction between persons specified under Section 51 read with NN 50/2018-C.T dated 13.09.2018, will not be covered under TDS.

- The persons specified under Section 51 read with Notification No. 33/2017-Central Tax dated 15.09.2017 are as follows:

  (a) a department or establishment of the Central Government or State Government; or
  (b) local authority; or
  (c) Governmental agencies; or
  (d) an authority or a board or any other body, -
    (i) set up by an Act of Parliament or a State Legislature; or
    (ii) established by any Government, with 51% or more participation by way of equity or control, to carry out any function; or
  (e) a society established by the Central Government or the State Government or a Local Authority under the Societies Registration Act, 1860; or
  (f) public sector undertakings (PSU)

Waiver of late fee for delay filing in GSTR-1 – Notification No. 75/2018- C.T

- Amount of late fees leviable on account of delayed furnishing of GSTR-1 Return for the months/quarters from July, 2017 to September, 2018 has been waived.

- However, late fees is waived only in cases where the taxpayer files GSTR-1 between the period from 22.12.2018 to 31.03.2019.

Waiver of late fee for delay filing in GSTR-3B – Notification No. 76/2018

- Amount of late fees leviable on account of delayed filing of GSTR-3B for the months from July, 2017 to September, 2018 has been waived.

- Late fees is waived only in cases where the taxpayer files GSTR-3B between the period from 22.12.2018 to 31.03.2019.

- However, late fees is waived to the extent which is leviable under Section 47 in excess of Rs. 25 per day. In cases of NIL return, late fees is waived to the extent which is in excess of Rs. 10 per day.

Waiver of late fee for delay in filing GSTR-4 – Notification No. 77/2018- C.T

- Amount of late fees leviable on account of delayed furnishing of GSTR-4 return for the quarters from July, 2017 to September, 2018 has been waived.
- However, late fees is waived only in cases where the taxpayer files GSTR-4 between the period from 22.12.2018 to 31.03.2019.

Extension for filing ITC-04 – Notification No. 78/2018 C.T

- Time limit for furnishing the declaration in FORM GST ITC-04, in respect of goods dispatched to a job worker or received from job worker, during the period from July, 2017 to December, 2018 has been extended **till the 31.03.2019**.

Jurisdiction of Officers – Notification No. 79/2018-CT

- Notification No. 3/2017-Central Tax, dated 19-6-2017 has been amended to provide that the central tax officer specified in column (3) of Table I and the officers subordinate to him shall exercise powers under Sections 73, 74, 75 and 76 of Chapter XV (Demands & Recovery) of the CGST Act.

- Such powers shall be exercisable throughout the territorial jurisdiction of the corresponding central tax officer specified in column (2) of the said Table in respect of those cases as may be assigned by CBIC.

NEW DELHI
5 Link Road, Jangpura Extension,
Opp. Jangpura Metro Station,
New Delhi 110014
Phone : +91-11-4129 9800

B-6/10, Safdarjung Enclave
New Delhi - 110 029
Phone : +91-11-4129 9900
E-mail : lsdel@lakshmisri.com

MUMBAI
2nd floor, B&C Wing,
Cnergy IT Park,
Appa Saheb Marathe Marg, (Near Century Bazar)
Prabhadevi, Mumbai - 400025.
Phone : +91-22-2439 2500
E-mail : lsbom@lakshmisri.com

CHENNAI
2, Wallace Garden, 2nd Street
Chennai - 600 006
Phone : +91-44-2833 4700
E-mail : lsmds@lakshmisri.com

BENGALURU
4th floor, World Trade Center
Brigade Gateway Campus
26/1, Dr. Rajkumar Road,
Malleswaram West,
Bangalore-560 055.
Ph: +91-80-4933 1800
E-mail : lsblr@lakshmisri.com

HYDERABAD
'Hastigiri', 5-9-163, Chapel Road
Opp. Methodist Church, Nampally
Hyderabad - 500 001
Phone : +91-40-2323 4924
E-mail : lshyd@lakshmisri.com

AHMEDABAD
B-334, SAKAR-VII,
Nehru Bridge Corner,
Ashram Road,
Ahmedabad - 380 009
Phone : +91-79-4001 4500
E-mail : lsahd@lakshmisri.com

PUNE
607-609, Nucleus, 1 Church Road,
Camp, Pune – 411 001
Phone : +91-20-6680 1900
E-mail : lspune@lakshmisri.com

KOLKATA
2ND Floor, Kanak Building
41, Chowringhee Road,
Kolkatta-700071
Phone : +91-33-4005 5570
E-mail : lskolkata@lakshmisri.com

CHANDIGARH
1st Floor, SCO No. 59,
Sector 26,
Chandigarh - 160026
Phone : +91-172-492 1700
E-mail : lschd@lakshmisri.com

GURGAON
OS2 & OS3, 5th Floor, Corporate Office Tower, AMBIENCE Island, Sector 25-A,
Gurgaon - 122001
Phone : +91-124-477 1300
E-mail :lsgurgaon@lakshmisri.com

ALLAHABAD
3/1A/3, (opposite Auto Sales), Colvin Road, (Lohia Marg),
Allahabad -211001 (U.P.)
Phone no. : (0532) – 2421037, 2420359
Email: lsallahabad@lakshmisri.com

 www.lakshmisri.com www.gst.lakshmisri.com