



Lakshmikumaran
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L&S Update

an e-update to clients from
Lakshmikumaran & Sridharan

**L&S GST Update No. 22 of
2019, dated 24-6-2019**

**Decisions taken in 35th GST Council meeting
held on 21st June 2019**

Rate related changes

A. Reference to Fitment Committee for detailed examination

- GST concessions on electric vehicle, charger and hiring of electric vehicle
- Valuation of goods and services in a solar power generating system and wind turbine, in light of judgement of Delhi High Court

B. Opinion from Attorney General

- GST Council has recommended that legal opinion may be sought from the Learned Attorney General for taxation of lottery.

Electronic Invoicing

- Electronic Invoicing system for B2B invoices to be introduced and rolled-out in a phase-wise manner.
- Phase I to be rolled-out from January 2020. Participation shall be on voluntary basis.

E-invoicing

- *It would help taxpayers in backward integration and automation of tax relevant processes.*
- *It would also help tax authorities in combating the menace of tax evasion.*

Tenure of NAPA extended

- The tenure of National Anti-Profiteering Authority will be extended by 2 years
- The extended sunset period will expire in November 2021*

L&S Comments:

- *Rule 137 of CGST Rules prescribes a tenure of 2 years for the NAA from the date the chairman occupies his seat.*
- *Shri. B.N. Sharma occupied the Chairman Seat on 30th November 2017.*

Returns & Forms

- **Annual Returns** – Due date of furnishing of FORM-9, FORM-9A and reconciliation statement in FORM-9C will be extended till 31-8-2019.
- **Job Work** – Due date of furnishing of FORM ITC-04, for the period July, 2017 to June, 2019, will be extended till 31-8-2019.

Returns – New Formats

- Trial Period for new return formats (FORM GST ANX-1 & FORM GST ANX-2) to run between July 2019 to September 2019. Tax payers may opt in.
- Taxpayers will continue to file GSTR-1 & GSTR-3B at present.

Compulsory Filing - Large Taxpayers

Turnover above 5cr.

- ANX-1 to be mandatorily filed on a monthly basis starting October 2019.
- ANX-2 to be auto-populated simultaneously and no changes will be allowed in the same.
- Taxpayers to continue filing GSTR-3B for the months of October & November 2019.
- RET-1 to replace GSTR-3B starting December 2019, i.e., to be filed in January 2020.

Summary - Large Taxpayers

Taxpayer	Return	Period
Large Taxpayer (Turnover > 5cr)	GSTR -1	Last month: September 2019
	GSTR-3B	Last month: November 2019
	ANX – 1	For October 2019 and onwards
	RET – 1	For December 2019 and onwards

Compulsory Filing – Small Taxpayers

Turnover below 5cr.

- ANX-1 and RET-1 to be filed by small taxpayers on quarterly basis starting January 2020 for the period of October-December 2019.
- Small taxpayers to stop furnishing FORM GSTR-3B from October 2019.
- To mandatorily file Form GST PMT-08 starting October 2019.

Miscellaneous

- Applicability of Rule 138E of the CGST rules, which was to be made effective from 21-6-2019, has been deferred to 21-8-2019 *i.e., non-filing of returns pertaining to June 2019 and July 2019 shall result in the taxpayer (whether as supplier or recipient) not being able to furnish information in Part A of FORM GST EWB-01, effectively being blocked from generating E-way bills.* [Notification No. 25/2019-CT, dated 21-6-2019]
- Last date for filing of intimation in FORM GST CMP-02, for availing the benefit of paying tax at lower rate of 6% under special composition scheme for taxpayers with turnover up to Rs. 50 lakh has been extended from 30-4-2019 to 31-7-2019.

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