

# **GST UPDATES**

**PERIOD: 1 JAN 2020 TO 16 JAN  
2020**

# TABLE OF CONTENTS

COVERAGE.....	3
ABBREVIATIONS .....	3
NOTIFICATIONS, CIRCULARS AND ORDERS .....	4
REACH US .....	8

**Disclaimer:**

1. *This document has been prepared based on notifications, circulars, orders and judicial precedents available in public domain and represents the author’s interpretation of such documents and their implications on the tax legislation. Divergent opinions, if any, may be communicated to the author on his e-mail ID mentioned in the [Reach Us](#) section.*
2. *This document should not be considered as authoritative literature and the author shall not be responsible for losses arising from the usage of this document.*
3. *The author does not claim complete coverage of changes in tax legislations. In case it is noted that certain important documents and/ or information has not been considered in this document, the same may be communicated to the author on his e-mail ID mentioned in the [Reach Us](#) section.*

## COVERAGE

Type of document	CGST	IGST	UTGST	Compensation Cess
Non – rate notification	5	1	-	-
Rate notification	-	-	-	-
Circulars	-	-	-	-
Orders	-	-	-	-
Removal of Difficulties Orders	-	-	-	-

## ABBREVIATIONS

Abbreviation Used	Meaning
CGST	Central Goods and Services Tax
GST	Goods and Services Tax
GSTIN	Goods and Services Tax Identification Number
GSTN	Goods and Services Tax Network
IGST	Integrated Goods and Services Tax
ITC	Input Tax Credit
J&K	Jammu & Kashmir
PAN	Permanent Account Number
SEZ	Special Economic Zone
SGST	State Goods and Services Tax
TCS	Tax Collected at Source
UT	Union Territory
UTGST	Union Territory Goods and Services Tax

# NOTIFICATIONS, CIRCULARS AND ORDERS

No.	Type	Ref. No.	Date	Effect of Notification/ Circular/ Order																		
1	Notification (CGST non – rate)	<a href="#">01/2020</a>	01 Jan 2020	<p>▶ 10 sections of Finance (No. 2) Act, 2019 notified</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">No.</th> <th style="text-align: center;">Section</th> <th style="text-align: center;">Implication</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">93</td> <td> <p><b>Section 10 of the CGST Act amended</b></p> <ul style="list-style-type: none"> <li>Value of services of extending deposits, loans or advances for which consideration is interest or discount to be excluded while computing turnover</li> <li>Casual taxable persons and non – resident taxable persons ineligible to opt for composition scheme</li> <li>Sub – section 2A inserted to provide composition scheme to service providers to pay GST at the rate of 3% of turnover (<i>All conditions specified in sub – section 2 except condition (a) apply</i>)</li> <li>In case of multiple registered persons having same PAN, a person opting to pay tax under Section 10(2A) shall have to exercise such option in respect of all registrations</li> <li>Important points to be considered:</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 30%; text-align: center;">Turnover upto date of liability to register</th> <th style="width: 30%; text-align: center;">Turnover from extending deposits, loans or advances in exchange of interest or discount</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Eligibility for composition</td> <td style="text-align: center; color: green;">Include</td> <td style="text-align: center; color: red;">Exclude</td> </tr> <tr> <td style="text-align: center;">Computation of tax</td> <td style="text-align: center; color: red;">Exclude</td> <td style="text-align: center; color: red;">Exclude</td> </tr> </tbody> </table> </td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">94</td> <td> <p><b>Section 22 of the CGST Act amended</b></p> <ul style="list-style-type: none"> <li>Government empowered to enhance registration threshold to Rs. 40,00,000/- for suppliers exclusively engaged in supply of goods</li> <li>Suppliers engaged in exempt supply of services (<i>extending deposits, loans or advances for which consideration is interest or discount</i>) to be considered suppliers exclusively engaged in supply of goods</li> </ul> </td> </tr> </tbody> </table>	No.	Section	Implication	1	93	<p><b>Section 10 of the CGST Act amended</b></p> <ul style="list-style-type: none"> <li>Value of services of extending deposits, loans or advances for which consideration is interest or discount to be excluded while computing turnover</li> <li>Casual taxable persons and non – resident taxable persons ineligible to opt for composition scheme</li> <li>Sub – section 2A inserted to provide composition scheme to service providers to pay GST at the rate of 3% of turnover (<i>All conditions specified in sub – section 2 except condition (a) apply</i>)</li> <li>In case of multiple registered persons having same PAN, a person opting to pay tax under Section 10(2A) shall have to exercise such option in respect of all registrations</li> <li>Important points to be considered:</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 30%; text-align: center;">Turnover upto date of liability to register</th> <th style="width: 30%; text-align: center;">Turnover from extending deposits, loans or advances in exchange of interest or discount</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Eligibility for composition</td> <td style="text-align: center; color: green;">Include</td> <td style="text-align: center; color: red;">Exclude</td> </tr> <tr> <td style="text-align: center;">Computation of tax</td> <td style="text-align: center; color: red;">Exclude</td> <td style="text-align: center; color: red;">Exclude</td> </tr> </tbody> </table>		Turnover upto date of liability to register	Turnover from extending deposits, loans or advances in exchange of interest or discount	Eligibility for composition	Include	Exclude	Computation of tax	Exclude	Exclude	2	94	<p><b>Section 22 of the CGST Act amended</b></p> <ul style="list-style-type: none"> <li>Government empowered to enhance registration threshold to Rs. 40,00,000/- for suppliers exclusively engaged in supply of goods</li> <li>Suppliers engaged in exempt supply of services (<i>extending deposits, loans or advances for which consideration is interest or discount</i>) to be considered suppliers exclusively engaged in supply of goods</li> </ul>
No.	Section	Implication																				
1	93	<p><b>Section 10 of the CGST Act amended</b></p> <ul style="list-style-type: none"> <li>Value of services of extending deposits, loans or advances for which consideration is interest or discount to be excluded while computing turnover</li> <li>Casual taxable persons and non – resident taxable persons ineligible to opt for composition scheme</li> <li>Sub – section 2A inserted to provide composition scheme to service providers to pay GST at the rate of 3% of turnover (<i>All conditions specified in sub – section 2 except condition (a) apply</i>)</li> <li>In case of multiple registered persons having same PAN, a person opting to pay tax under Section 10(2A) shall have to exercise such option in respect of all registrations</li> <li>Important points to be considered:</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 30%; text-align: center;">Turnover upto date of liability to register</th> <th style="width: 30%; text-align: center;">Turnover from extending deposits, loans or advances in exchange of interest or discount</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Eligibility for composition</td> <td style="text-align: center; color: green;">Include</td> <td style="text-align: center; color: red;">Exclude</td> </tr> <tr> <td style="text-align: center;">Computation of tax</td> <td style="text-align: center; color: red;">Exclude</td> <td style="text-align: center; color: red;">Exclude</td> </tr> </tbody> </table>		Turnover upto date of liability to register	Turnover from extending deposits, loans or advances in exchange of interest or discount	Eligibility for composition	Include	Exclude	Computation of tax	Exclude	Exclude											
	Turnover upto date of liability to register	Turnover from extending deposits, loans or advances in exchange of interest or discount																				
Eligibility for composition	Include	Exclude																				
Computation of tax	Exclude	Exclude																				
2	94	<p><b>Section 22 of the CGST Act amended</b></p> <ul style="list-style-type: none"> <li>Government empowered to enhance registration threshold to Rs. 40,00,000/- for suppliers exclusively engaged in supply of goods</li> <li>Suppliers engaged in exempt supply of services (<i>extending deposits, loans or advances for which consideration is interest or discount</i>) to be considered suppliers exclusively engaged in supply of goods</li> </ul>																				

No.	Type	Ref. No.	Date	Effect of Notification/ Circular/ Order		
				No.	Section	Implication
				3	95	<b>Section 25 of the CGST Act amended:</b> Persons already registered/ intending to obtain registration and their authorized signatories and representatives mandated to authenticate AADHAAR or furnish proof of possession thereof
				4	96	<b>Section 31A inserted in the CGST Act:</b> Government empowered to prescribe class of registered persons to provide option to recipients of goods and services to pay consideration through prescribed modes of digital payment
				5	98	<b>Section 44 of the CGST Act amended:</b> Provision to empower Commissioner to extend time limit for filing annual return incorporated
				6	99	<b>Sub – sections 10 and 11 inserted in Section 49 of the CGST Act:</b> Registered persons empowered to undertake inter – head transfer of CGST cash balance to IGST/ SGST/ UTGST/ Compensation Cess
				7	101	<b>Section 52 of the CGST Act amended:</b> Provision to empower Commissioner to extend time limit for filing monthly TCS return and annual TCS statement incorporated
				8	102	<b>Section 53A inserted in the CGST Act:</b> Where amount under the head CGST in electronic cash ledger is transferred to SGST/ UTGST, the government shall transfer equivalent amount to the above tax heads within prescribed time.
				9	111	<b>Section 168(2) of the CGST Act amended:</b> References to commissioner in Section 44(2), 52(4) and 52(5) to constitute references to Commissioner or Joint Secretary posted in the board
				10	112	<b>Sub – section 3 and proviso thereto added in Section 171 of the CGST Act:</b> Registered person who is found to have profiteered liable to pay penalty (10% of profiteered amount) if profiteered amount not deposited within 30 days of order

No.	Type	Ref. No.	Date	Effect of Notification/ Circular/ Order												
2	Notification (CGST non – rate)	<a href="#">02/ 2020</a>	01 Jan 2020	<p>► <b>CGST Rules amended</b></p> <ul style="list-style-type: none"> <li>• <u>Rule 117 of the CGST Rules</u>: Extension of due date for filing Form GST TRAN – 1 and Form GST TRAN – 2 for persons who were unable to file the same due to technical issues on GSTN</li> </ul> <table border="1"> <thead> <tr> <th>No.</th> <th>Form</th> <th>Old due date</th> <th>New due date</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>TRAN – 1</td> <td>31 Dec 2019</td> <td>31 Mar 2020</td> </tr> <tr> <td>2</td> <td>TRAN – 2</td> <td>31 Jan 2020</td> <td>30 Apr 2020</td> </tr> </tbody> </table> <p>► <b>CGST Forms amended</b></p> <ul style="list-style-type: none"> <li>• <u>Form GSTR – 3A</u>: <ul style="list-style-type: none"> <li>○ Determination of tax liability by tax authorities due to non – filing of return by assessee within 15 days of the date of notice made discretionary</li> <li>○ Digital signing of notice permitted</li> </ul> </li> <li>• <u>Form REG – 01</u>: Sr. Nos. 12 and 13 of Part B relating to registration of SEZ unit/ developer amended</li> <li>• <u>Form INV – 01</u>: New format notified</li> </ul>	No.	Form	Old due date	New due date	1	TRAN – 1	31 Dec 2019	31 Mar 2020	2	TRAN – 2	31 Jan 2020	30 Apr 2020
No.	Form	Old due date	New due date													
1	TRAN – 1	31 Dec 2019	31 Mar 2020													
2	TRAN – 2	31 Jan 2020	30 Apr 2020													
3	Notification (CGST non – rate)	<a href="#">03/ 2020</a>	01 Jan 2020	► <u>Notification No. 62/ 2019 dated 26 Nov 2019 amended</u> : Date for transition of ITC balance of an entity pertaining to its GSTIN in the state of J&K to the UTs of J&K and/ or Ladakh shifted from 30 Oct 2019 to 31 Dec 2019.												
4	Notification (CGST non – rate)	<a href="#">04/ 2020</a>	10 Jan 2020	► <u>Notification No. 04/ 2018 dated 23 Jan 2018 amended</u> : Waiver of late fee for delay in filing Form GSTR – 1 extended to returns filed upto 17 Jan 2020												
5	<b>Notification (CGST non – rate)</b>	<a href="#">05/ 2020</a>	<b>13 Jan 2020</b>	<p>► <b>Revisional authority appointed under Section 108 of the CGST Act</b></p> <table border="1"> <thead> <tr> <th>No.</th> <th>Authority passing the order</th> <th>Revisional authority</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Additional Commissioner/ Joint Commissioner</td> <td>Principal Commissioner/ Commissioner</td> </tr> <tr> <td>2</td> <td>Deputy Commissioner/ Joint Commissioner/ Superintendent</td> <td>Additional Commissioner/ Joint Commissioner</td> </tr> </tbody> </table>	No.	Authority passing the order	Revisional authority	1	Additional Commissioner/ Joint Commissioner	Principal Commissioner/ Commissioner	2	Deputy Commissioner/ Joint Commissioner/ Superintendent	Additional Commissioner/ Joint Commissioner			
No.	Authority passing the order	Revisional authority														
1	Additional Commissioner/ Joint Commissioner	Principal Commissioner/ Commissioner														
2	Deputy Commissioner/ Joint Commissioner/ Superintendent	Additional Commissioner/ Joint Commissioner														

No.	Type	Ref. No.	Date	Effect of Notification/ Circular/ Order
6	Notification ( <i>IGST non – rate</i> )	<a href="#">01/ 2020</a>	01 Jan 2020	<ul style="list-style-type: none"> <li>▶ <u>Section 114 of the Finance (No. 2) Act, 2019 brought into force:</u> Section 17A introduced in the IGST Act</li> <li>▶ Where amount under the head IGST in electronic cash ledger is transferred to SGST/ UTGST, the government shall transfer equivalent amount to the above tax heads within prescribed time.</li> </ul>

## REACH US



### **Anshuman Bhate**

Manager

Quick Compliance Solutions LLP

**Mobile No.:** +91 9619 098 512

**E-mail ID:** [Anshuman.Bhate@gmail.com](mailto:Anshuman.Bhate@gmail.com)