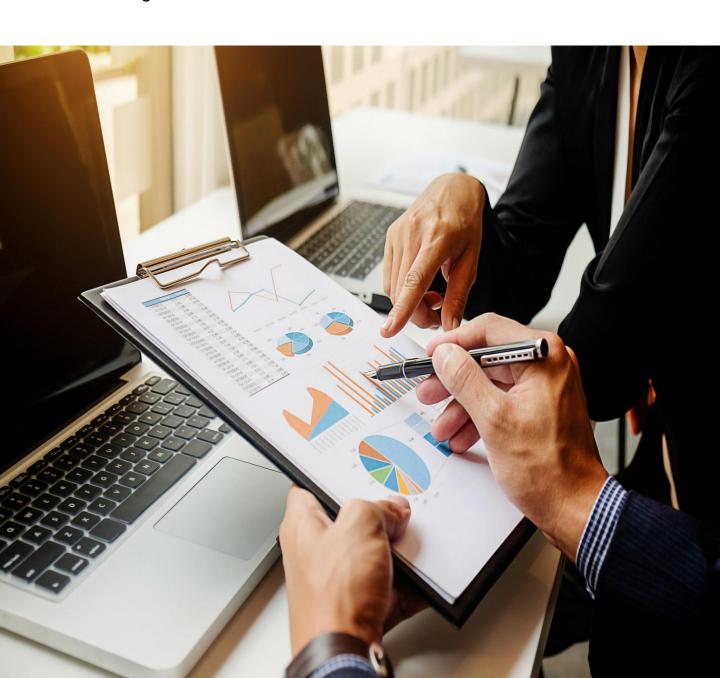


**Demystifying Complexities** 

## RECOMMENDATIONS OF THE 35th GST COUNCIL MEETING

The 35<sup>th</sup> GST Council Meeting was held on 21<sup>st</sup> June 2019 at New Delhi under the chairmanship of the newly appointed Union Finance & Corporate Affairs Minister, Smt. Nirmala Sitharaman. Altogether, 12 Agenda items were discussed during the Council meeting:



# Highlights of the recommendations made by the GST council in its $35^{\text{th}}$ Meeting:

# A. LAW AND PROCEDURE

## 1. New GST Return filing system

Period	New Forms	Category of Taxpayers	Old Forms	
July to Sept 2019	GST ANX-1 GST ANX-2	To be available for trial for taxpayers	Forms GSTR 1 & 3B to continue	
Oct to Dec 2019	Form GST ANX-1 to be made compulsory	<ul> <li>Large taxpayers         <ul> <li>(aggregate turnover &gt;</li> <li>Rs. 5 crores in previous year) to file Form GST ANX-1 on monthly basis</li> </ul> </li> <li>Small taxpayers to file first Form GST ANX-1 for the quarter Oct –</li></ul>	<ul> <li>Large taxpayers</li> <li>Oct &amp; Nov 2019 -         GSTR-3B to continue         on monthly basis</li> <li>Form GST RET-01 for         Dec 2019 to be filed in         Jan 2020</li> <li>Small Taxpayers</li> <li>small taxpayers to stop         filing GSTR-3B and to         start filing Form GST         PMT-08</li> <li>will file their first Form         GST-RET-01 for the         quarter Oct - Dec 2019         in Jan 2020</li> <li>All Taxpayers - GSTR-3B to         be completely phased out</li> </ul>	
			be completely phased out from Jan 2020 onwards	

## 2. Due date of various Forms has been extended

GST Forms	Period	Extended due date
GSTR-9 (Annual Return for Normal Taxpayer)	FY 2017-18	31st August 2019
GSTR-9A (Annual Return for Composition dealer)		
GSTR-9C (reconciliation statement for persons having aggregate turnover exceeding Rs. 2 crore during FY 2017- 18)		
GST ITC-04 (details of goods dispatched/ received to/ from job worker or sent from one job worker to another)	July 2017 to June 2019	31st August 2019
GST CMP-02 (intimation for availing the option of payment of central tax on the intra- State supply of goods or services or both as specified rates under Notification No. 2/2019- Central Tax (Rate) dated 07.03.2019)		31 <sup>st</sup> July 2019

## 3. Restriction on generating E-way bill

Taxpayers who have not filed returns for two consecutive tax periods shall be restricted from generating e-way bills (as per Rule 138 of the CGST Rules). This provision shall be made effective from 21st August, 2019 instead of 21st June, 2019 prescribed earlier

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#### **B. CHANGES IN GST RATES OF GOODS AND SERVICES**

The GST Council referred the following matters to the Fitment Committee to be examined and brought before the GST Council in the next meeting:

- Issues relating to GST concessions on **electric vehicle**, charger and hiring of electric vehicle
- Issues related to valuation of goods and services in a solar power generating system and wind turbine

Group of Ministers (GoM) on **Lottery** submitted report to the GST Council. The Council recommended that certain issues relating to taxation (rates and destination principle) would require legal opinion of Learned Attorney General

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#### C. ADMINISTRATIVE DECISIONS

#### 1. State and Area Benches of Goods and Services Tax Appellate Tribunal (GSTAT)

- The Council took a decision regarding location of the GSTAT State and the Area Benches for various States and Union Territories with legislature
- To have a common State Bench for the States of Sikkim, Nagaland, Manipur and Arunachal Pradesh

## 2. Tenure of National Anti-Profiteering Authority extended

The tenure of National Anti-Profiteering Authority has been extended by 2 years

## 3. Introduction of Electronic Invoicing system

- E-invoicing is a rapidly expanding technology which would help taxpayers in backward integration and automation of tax relevant processes
- E-invoicing system will be introduced in a phase-wise manner for B2B transactions which would also help tax authorities in combating tax evasion
- Phase 1 shall be voluntary and proposed to be rolled out from January 2020

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