



**GST COUNCIL MEETING**  
**22.12.2018 : DECISIONS**  
**Snapshot**

**ABSTRACT**

Important Decisions are taken in the recent GST Council Meeting dated 22.12.2018. The Publication outlines Key Summary of the changes introduced in User friendly Tabular Format.

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**A. ANNUAL RETURN RECOMMENDATION IN DUE DATE EXTENSION:**

Sr. No.	FORM	Particulars	Due Date	Extended Due Date (Proposed)
1.	<b>GSTR 9 / 9A</b>	Annual returns for the Financial Year 2017 – 2018	31.03.2019	30.06.2019
2.	<b>GSTR – 9C</b>	Reconciliation statement for the Financial Year 2017 – 2018	31.03.2019	30.06.2019
3.	<b>GSTR 1</b>	The due date for furnishing GSTR-1 for the period July, 2017 to February, 2019/quarters July, 2017 to December, 2018	10/11 <sup>th</sup> of following month	31.03.2019
4.	<b>GSTR 3B</b>	The due date for furnishing FORM GSTR-3B for the period July, 2017 to February, 2019/quarters July, 2017 to December, 2018	20 <sup>th</sup> of following month	31.03.2019
5.	<b>GST ITC-04</b>	The due date for submitting FORM GST ITC-04 for the period July 2017 to December 2018	25 <sup>th</sup> of the month succeeding a quarter	31.03.2019
6.	<b>GSTR-8</b>	The due date for furnishing FORM GSTR-8 by e-commerce operators for the months of October, November and December 2018	10 <sup>th</sup> of the following month	31.01.2019
7.	<b>GST REG-26</b>	The due date for the taxpayers who did not file the complete FORM GST REG-26 but received only a Provisional ID (PID) till 31.12.2017 for furnishing the requisite details to the jurisdictional nodal officer shall be extended till 31.01.2019.	31.08.2018	31.01.2019

**B. RECOMMENDATION IN RELATION TO REFUND:**

Sr. No.	Particulars	Recommendation Proposed
1.	<b>Single Authority for refund disbursement</b>	A scheme of single authority for disbursement of the refund amount sanctioned by either the Centre or the State tax authorities would be implemented on pilot basis. The modalities for the same shall be finalized shortly.
2.	<b>Electronic submission of refund application cum documents:</b>	<b>All the supporting documents/invoices</b> in relation to a claim for refund in FORM GST RFD-01A shall be <b>uploaded electronically</b> on the common portal at the time of filing of the refund application itself, thereby obviating the need for a taxpayer to physically visit a tax office for submission of a refund application. GSTN will enable this functionality on the common portal shortly.

3.	<b>Additional options of refund added on Portal</b>	The following types of refunds shall also be made available through <b>FORM GST RFD-01A</b> : <ul style="list-style-type: none"> <li>• Refund on account of Assessment/Provisional Assessment/Appeal/Any Other Order;</li> <li>• Tax paid on an intra-State supply which is subsequently held to be inter-State supply</li> <li>• Excess payment of Tax; and</li> <li>• Any other refund</li> </ul>
4.	<b>Pending refund applications and its disposal</b>	In case of applications for refund in FORM GST RFD-01A (except those relating to refund of excess balance in the cash ledger) which are generated on the common portal before the roll out of the functionality described in above point, and which have <b>not been submitted</b> in the jurisdictional tax office <b>within 60 days</b> of the generation of ARN, <b>the claimants</b> shall be sent communications on their registered email ids containing information on where to submit the said refund applications. If the <b>applications are not submitted within 15 days</b> of the date of the email, the said <b>refund applications</b> shall be <b>summarily rejected</b> , and the debited amount, if any, shall be re-credited to the electronic credit ledger of the claimant.

**C. RECOMMENDATION IN RELATION TO ANNUAL RETURN / RECONCILIATION STATEMENT:**

Sr. No.	Particulars
1.	Amendment of headings in the forms to specify that the return in FORM GSTR-9 & FORM GSTR-9A would be in respect of supplies etc. <b>‘made during the year’</b> and not <b>‘as declared in returns filed during the year’</b> ;
2.	All returns in following Forms have to be <b>filed before</b> filing of FORM GSTR-9 & FORM GSTR-9C; <ul style="list-style-type: none"> <li>i. <b>FORM GSTR-1</b></li> <li>ii. <b>FORM GSTR-3B</b></li> <li>iii. <b>FORM GSTR-4</b></li> </ul>
3.	<b>HSN code</b> may be declared only for those inward supplies whose value independently accounts for <b>10% or more of the total value of inward supplies</b> ;
4.	<b>Additional payments</b> , if any, required to be paid can be done through <b>FORM GST DRC-03</b> only in cash;
5.	<b>ITC</b> cannot be availed through <b>FORM GSTR-9 &amp; FORM GSTR-9C</b> ;
6.	All <b>invoices</b> pertaining to previous FY (irrespective of month in which such invoice is reported in FORM GSTR-1) would be auto-populated in <b>Table 8A of FORM GSTR-9</b> ;
7.	Value of <b>“non-GST supply”</b> shall also include the value of <b>“no supply”</b> and may be reported in Table 5D, 5E and 5F of FORM GSTR-9;
8.	Verification by taxpayer who is uploading reconciliation statement would be included in FORM GSTR-9C.

**D. OTHER IMPORTANT RECOMMENDATION:**

Sr. No.	Particulars	Changes Recommended
1.	<b>New Return Filing System</b>	The new return filing system shall be introduced on a <b>trial basis from 01.04.2019</b> and on <b>mandatory basis from 01.07.2019</b>
2.	<b>Extension in availment of ITC</b>	ITC in relation to invoices issued by the supplier during FY 2017-18 may be availed by the recipient till the due date for furnishing of FORM GSTR-3B for the month of March, 2019, subject to be specified conditions
3.	<b>Late Fees Waive Off</b>	Late filing Fees shall be completely waived for all taxpayers in case FORM GSTR 1 and 3B and FORM GSTR 4 for the months/quarters July, 2017 to September 2018, are furnished after 22.12.2018 but on or before 31.03.2019
4.	<b>Cash Ledger</b>	There would be a single cash ledger for each tax head. The modalities for implementation would be finalized in consultation with GSTN and the Accounting authorities
5.	<b>Restriction on Generating E-Way bill</b>	Taxpayers who have <b>not filed the returns for two consecutive tax periods</b> shall be restricted from generating e-way bills. This provision shall be made effective once GSTN/NIC make available the required functionality.

**E. CHANGES RECOMMENDED IN RELATION TO GST RATES OF SERVICES:**

Present Rate	Proposed Rate	Item Description
<b>28%</b>	<b>18%</b>	Cinema tickets above Rs. 100
<b>18%</b>	<b>12%</b>	Cinema tickets up to Rs. 100
<b>18%</b>	<b>12%</b>	Third party insurance premium of goods carrying vehicles
<b>18%</b>	<b>Nil</b>	Services supplied by banks to Basic Saving Bank Deposit (BSBD) account holders under Pradhan Mantri Jan Dhan Yojana (PMJDY)

**F. CHANGES RECOMMENDED IN RELATION TO GST RATES OF GOODS:**

Present Rate	Proposed Rate	Item Description
<b>28%</b>	<b>18%</b>	Pulleys, transmission shafts and cranks, gear boxes etc., falling under HS Code 8483
		Monitors and TVs of upto screen size of 32 inches
		Re-treaded or used pneumatic tyres of rubber;
		Power banks of lithium ion batteries. Lithium ion batteries are already at 18%. This will bring parity in GST rate of power bank and lithium ion battery
		Digital cameras and video camera recorders
		Video game consoles and other games and sports requisites falling under HS code 9504
<b>28%</b>	<b>5%</b>	Parts and accessories for the carriages for disabled persons
<b>18%</b>	<b>12%</b>	Cork roughly squared or debagged
		Articles of natural cork
		Agglomerated cork

18%	5%	Marble rubble
12%	5%	Natural cork
		Walking Stick
		Fly ash Blocks
12%	Nil	Music Books
5%	Nil	Vegetables, (uncooked or cooked by steaming or boiling in water), frozen, branded and put in a unit container
		Vegetable provisionally preserved (for example by Sulphur dioxide gas, in brine, in Sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption.

**G. CHANGES RECOMMENDED IN RATE ON SOLAR POWER GENERATING PLANT AND OTHER RENEWABLE ENERGY PLAN :**

Sr. No.	Item Description
1.	GST rate of 5% rate has been prescribed on renewable energy devices & parts for their manufacture (bio gas plant/solar power based devices, solar power generating system (SGPS) etc.) [Falling under chapter 84, 85 or 94 of the Tariff]. Other goods or services used in these plants attract applicable GST
2.	Certain disputes have arisen regarding GST rates where specified goods attracting 5% GST are supplied along with services of construction etc. and other goods for solar power plant
3.	To resolve the dispute the Council has recommended that in all such cases: <ul style="list-style-type: none"> <li>The 70% of the gross value shall be deemed as the value of supply of said goods attracting 5% rate</li> <li>The remaining portion (30%) of the aggregate value of such EPC contract shall be deemed as the value of supply of taxable service attracting standard GST rate.</li> </ul>

**H. CHANGES RECOMMENDED IN REFERENCE OF CERTAIN ISSUES TO COMMITTEES/GoM:**







Sr. No.	Issue	Committees/ GoM
1.	Extending the Composition scheme to small service providers	Law Committee and Fitment Committee
2.	Tax rate on lotteries	Committee of States
3.	Taxation of residential property in real estate sector	GoM on MSMEs

**NOTE:**

Changes made by CGST (Amendment) Act, 2018, IGST (Amendment) Act, 2018, UTGST (Amendment) Act, 2018 and GST (Compensation to States) Amendment Act, 2018 and the corresponding changes in SGST Acts would be notified w.e.f. 01.02.2019.

**The requisite Notifications/Circulars for implementing the above recommendations of the GST Council shall be issued shortly.**

**Other Publications and Knowledge Sharing Initiatives by NJP**

	<p><b>White Paper on GST Annual Return &amp; Audit</b></p>
	<p><b>Compliance Handbook</b></p>
	<p><b>Android Application on Accounting and Auditing</b></p>
	<p><b>You Tube Channel on Ind AS (IFRS in India)</b></p>
	<p><b>Ind AS Updates - NJP</b>                  - Key Changes from April 2017 till August 2018</p>
	<p><b>Updates on Companies Act, 2013</b>                  - Key Topics and Important updates for the year 2017 till September 2018</p>

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