



Weekly GST Communique



Important Judgement of the week

- HC, Kerala: Allowed to upload TRAN-1 despite failure to log into system on or before prescribed cut-off date

Notifications, Circulars, etc.

- CBIC Implements Automated Clearance Facility w.r.t Imports
- CBIC Revises Duty Drawback Rates
- DGFT requests data submission for suggestion of appropriate HS codes under 'others' category

Important Press Release

- Government Committed to Support MSME Sector
- Monthly Review of Accounts of Union Government of India for Dec 2019 for the F.Y 2019-20
- ₹ 1,10,828 crore GST Gross Revenue collected for January, 2020

Important Updates

- CBIC has extended the Due Date for GST Annual Return i.e. GSTR-9 and Reconciliation Statement i.e. GSTR-9C for FY 2017-18
- GSTN has enabled an option to file Refund Pre-Application Form
- Compliance Calendar for the month of February 2020

Union Budget 2020-21

- Section-wise Analyses of Union Budget 2020: GST, Customs, Central Excise & Highlights of Income Tax and Aspirational India, Economic Development, Caring Society

Important Judgement of the week

HC, Kerala: Allowed to upload TRAN-1 despite failure to log into system on or before prescribed cut-off date

Facts	<p>A.F. Babu (“the Petitioner”) came across a press release by GST Council, which indicated that the last date for uploading the details in the GST portal for the purpose of carrying forward the accumulated credit from erstwhile regime was extended up to December 31, 2017. Relying on the said press release, the Petitioners sought clarification from GST Network, on finding that the web portal had closed by December 27, 2017, as to when the portal would re-open again for them to upload the necessary details for migration of the credit to the GST regime.</p> <p>Further, the Petitioners made the complaints with regard to system error and the alleged inability of Petitioner to upload the necessary details for carrying forward the credit earned by them under the erstwhile regime to the GST regime on or before December 27, 2017</p> <p>The Respondents however clarified that inasmuch the Petitioners had not made any attempt to log into the system before December 27, 2017 their request for migration of credit could not be accepted (“Impugned communication”).</p>
Issue	Whether the Petitioners should be allowed to file Form TRAN -1 either manually or electronically.
Held	<p>The Hon’ble HC, Kerala in WP(C). No. 27940 of 2019(N) & WP(C). No. 28343 of 2019(P) dated December 13, 2019 held as under:</p> <ul style="list-style-type: none"> • Petitioner cannot be deprived of the substantive benefit merely on account of a technical procedure insisted upon by the Respondents. Also, they had valid reason to assume that the facility to upload the necessary TRAN-1 Form was available till December 31, 2017. • Relied on the case of Hon’ble HC, Delhi - Aman Motors Versus Union of India & Ors. [2019 (11) TMI 1249], where in almost similar circumstances, the Court permitted the Petitioners therein to file a Form TRAN-1 electronically on or before a specified date. • Allowed writ petitions by quashing the Impugned communications and directing the Respondents to either open the online portal so as to enable the Petitioners to file the Form TRAN-1 electronically or to accept the same manually on or before December 31, 2019. • <u>Directed Respondents to facilitate the filing of these Forms TRAN-1 electronically by making the necessary arrangements in the web portal, an insistence on manual filing shall be only in circumstances where the electronic filing is not possible.</u>

Notifications, Circulars, etc.

CBIC Implements Automated Clearance Facility w.r.t Imports

Central Board of indirect taxes and customs



The Central Board of Indirect Taxes & Customs (“**CBIC**”) has now decided to implement the facility of automated clearance as envisaged in 1st proviso to Section 47(1) in the Customs Act, 1962. However, the facility will be initially rolled out on a pilot basis at 2 Customs locations- **Chennai Customs House & Jawaharlal Nehru Customs House with effect from February 6th, 2020**. Thereafter, the facility will be reviewed and further expanded on PAN India basis at all Customs EDI locations where RMS is enabled and functional.

Read more at: <http://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-circulars/cs-circulars-2020/Circular-No-05-2020.pdf>

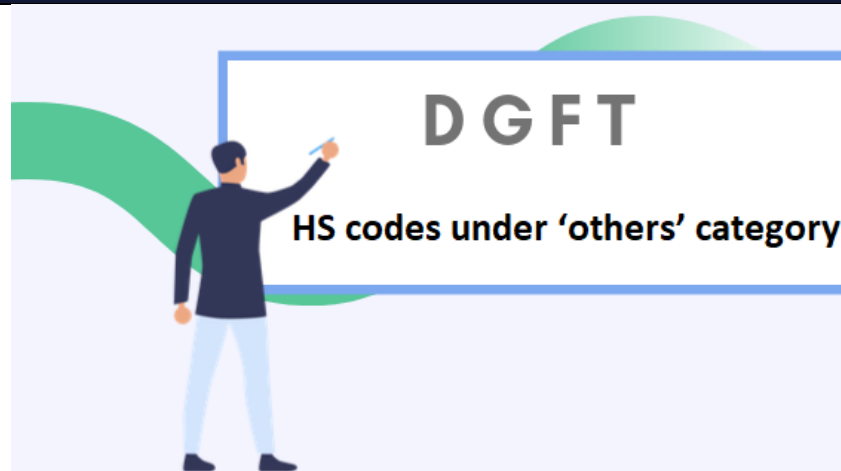
CBIC Revises Duty Drawback Rates



CBIC Revises Duty Drawback Rates

The CBIC has revised all industry rates of duty drawback vide **Notification No. 07/2020 – Customs (N.T.) dated January 28th, 2020** which shall come into force from February 4th, 2020.

Access the Complete List at: http://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-act/notifications/notfns-2020/cs-nt2020/csnt_07.pdf

DGFT requests data submission for suggestion of appropriate HS codes under 'others' category

Members of the trade and industry were advised to suggest appropriate HS codes for goods they are importing under 'others' category where the existing HS codes are not sufficient vide **Trade Notice No. 46/2019 dated January 17th, 2020** issued by Directorate General of Foreign Trade ("DGFT").

In continuation of the same and to facilitate data collection as well as for quick analysis, it is advised to submit the data online, in addition to any representation, in the form available on the link <http://bit.do/dgfttn46>

Firms who have already given suggestions regarding 'others' are also requested to fill the information in the given form with the last date by which data should be uploaded being February 16th, 2020 vide **Trade Notice No. 47/2019-20 dated January 29th, 2020**.

Read More at: <http://dgft.gov.in/sites/default/files/trade%20notice%20no%2047.pdf>

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Important Press Release

Government Committed to Support MSME Sector



The Government is committed to supporting the Micro, Small & Medium Enterprises (MSME) which is an important sector of the Indian economy that fosters entrepreneurship and generates employment opportunities at lower capital cost. The Union Minister for Finance & Corporate Affairs, Smt. Nirmala Sitharaman tabled the Economic Survey 2019-20 in Parliament today. The Economic Survey gave a detailed analysis of all the measures undertaken to support the MSME sector in India to ensure better credit flow, technology up-gradation, ease of doing business and market access.

The Prime Minister of India, Shri Narendra Modi on 2nd November 2018, announced key reforms for faster growth of this sector. The initiatives and the status of these initiatives are:

- (i) In-principle approval for loans up to Rs.1 crore within 59 minutes through an online portal. 1,59,422 number of loans have been sanctioned involving Rs.49,330 crore. Of this, Rs.37,106 crore has been disbursed up to October 2019.
- (ii) Interest subvention of 2 per cent for all GST registered MSMEs on incremental credit up to Rs.1 crore. SIDBI has received and settled a claim of Rs.18 crore from 43 banks/NBFCs for the period from November 2018 to March 2019.
- (iii) All companies with a turnover more than Rs.500 crore to be mandatorily on TReDS platform to enable entrepreneurs to access credit from banks. So far 329 companies have registered themselves on the TReDS portal.
- (iv) All Central Public Sector Undertakings (CPSUs) to compulsorily procure at least 25 per cent of their total purchases from MSMEs. CPSUs have procured goods and services worth Rs. 15,936.39 crore from 59,903 MSMEs.
- (v) Out of the 25 per cent procurement mandated from MSMEs 3 per cent is reserved for women entrepreneurs. During 2019-20, procurement has been done from 1,471 women-owned MSMEs to the tune of Rs.242.12 crore.

(vi) All CPSUs must mandatorily procure through GeM portal. 258 CPSUs/CPSVs have been onboarded/registered on the GeM portal and a total of 57,351 MSME sellers and service providers have been registered on the portal.

(vii) 20 Technology Centres (TCs) and 100 Extension Centres (ECs) to be established at the cost of Rs.6,000 crore. Rs.99.30 crore has been released for setting up of these TCs and ECs. Ten more ECs have been planned in FY 2019-20.

(viii) The Government to bear 70 per cent of the cost for establishing a pharma cluster. Four districts of Solan, Indore, Aurangabad and Pune have been selected for pharma clusters and developing of common facilities.

(ix) Returns under eight labour laws and 10 Union Regulations to be filed once a year.

(x) Establishments to be visited by an Inspector will be decided through a computerized random allotment. 3,080 inspections have been conducted and all inspection reports have been uploaded on Shram Suvidha portal.

The Press Release can be accessed at: <https://pib.gov.in/PressReleaseDetail.aspx?PRID=1601275>

Monthly Review of Accounts of Union Government of India for Dec 2019 for the F.Y 2019-20



The Monthly Account of the Union Government of India up to the month of December 2019 has been consolidated and reports published. The highlights are given below:-

The Government of India has received **Rs.11,77,922 crores (56.6% of corresponding BE 19-20 of Total Receipts) up to December 2019** comprising **Rs. 9,04,944 crore Tax Revenue (Net to Centre), Rs. 2,41,953 crore of Non Tax Revenue and Rs. 31,025 crore** of Non-Debt Capital Receipts. Non Debt Capital Receipts consists of **Recovery of Loans (Rs. 12,925 crore) and Disinvestment Proceeds (Rs. 18,100 crore).**

Rs.4,76,113 crores has been transferred to State Governments as **Devolution of Share of Taxes by Government of India up to this period which is Rs. 10,738 crores** lower than the previous year.

Total Expenditure incurred by **Government of India is Rs.21,09,647 crores (75.7% of corresponding BE 19-20),** out of which **Rs.18,54,125 crores is on Revenue Account and Rs.2,55,522 crores is on Capital Account.**

Out of the Total Revenue Expenditure, Rs.4,24,314 crores is on account of Interest Payments and Rs.2,52,038 crores is on account of Major Subsidies.

Complete Press Release can be accessed: <https://pib.gov.in/PressReleaseDetail.aspx?PRID=1601355>

₹ 1,10,828 crore GST Gross Revenue collected for January, 2020



The gross GST revenue collected in the month of January, 2020 is ₹ 1,10,828 crore of which CGST is ₹ 20,944 crore, SGST is ₹ 28,224 crore, IGST is ₹ 53,013 crore (including ₹ 23,481 crore collected on imports) and Cess is ₹ 8,637 crore (including ₹ 824 crore collected on imports). The total number of GSTR 3B Returns filed for the month of December up to 31st January, 2020 is 83 lakh (prov.).

The government has settled ₹ 24,730 crore to CGST and ₹ 18,199 crore to SGST from IGST as regular settlement. The total revenue earned by Central Government and the State Governments after regular settlement in the month of January, 2020 is ₹ 45,674 crore for CGST and ₹ 46,433 crore for the SGST.

The GST revenues during the month of January, 2020 from domestic transactions has shown an impressive growth of 12% over the revenue during the month of January, 2019. Taking into account the IGST collected from imports of goods, the total revenue during January, 2020 has increased by 8% in comparison to the revenue during January, 2019. During this month, the IGST on import of goods has shown a negative growth of (-) 3% as compared to January, 2019. This is only second time since introduction of GST that the monthly revenues have crossed ₹ 1.1 lakh crore and sixth time during the year it has crossed ₹ 1 lakh crore.

Complete Press Release can be accessed: <https://pib.gov.in/PressReleaseDetail.aspx?PRID=1601435>

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Important Updates

CBIC has extended the Due Date for GST Annual Return i.e. GSTR-9 and Reconciliation Statement i.e. GSTR-9C for FY 2017-18



The CBIC said that, Considering the difficulties being faced by taxpayers in filing GSTR-9 and GSTR-9C for FY 2017-18 it has been decided to extend the due dates in a staggered manner for different groups of States to 3rd, 5th and 7th February 2020 as under.

Group 1: Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Puducherry, Telangana, Andhra Pradesh, Other Territory - **3rd February 2020.**

Group 2: Jammu and Kashmir, Himachal Pradesh, Punjab, Chandigarh, Uttarakhand, Haryana, Delhi, Rajasthan, Gujarat- **5th February 2020.**

Group 3: Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya, Assam, West Bengal, Andaman & Nicobar Islands, Jharkhand, Odisha, Chhattisgarh, Dadra and Nagar Haveli and Daman and Diu, Lakshadweep, Madhya Pradesh, Uttar Pradesh- **7th February 2020.**

Source: https://twitter.com/cbic_india/status/1223289890558758912

GSTN has enabled an option to file Refund Pre-Application Form

Goods and Services Tax

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Dashboard Services GST Law Downloads Search Taxpayer Help e-Way Bill System New Return (Trial)

Registration Ledgers Returns Payments User Services Refunds

Application for Refund **Refund pre-application form**

My Saved/Filed Applications Track Application Status

Track status of invoice data to be shared with ICEGATE

Electronic Liability Register (Return related)	0	0	0	0
Electronic Cash Ledger	967578	873527	950867	167083
Electronic Credit Ledger	52272995	9595718	7864598	0

Notices/Orders Saved Forms

No record found

FILE RETURNS > PAY TAX >

The Goods and Service Tax Network has enabled a New Column on GST Portal to file a Pre-Fill an Application Form for a refund. There are certain mandatory filed to be filled by the taxpayers such as:

1. Aadhar Number.
2. Income tax paid in Financial Year 2018-2019.
3. Capital Expenditure and investment made in Financial Year 2018-2019.
4. Advance tax paid in Financial Year 2019-2020 (till date).

Source: www.gst.gov.in

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Compliance Calendar for the month of February 2020



Important dates in February 2020 for compliance under GST are as follows: –

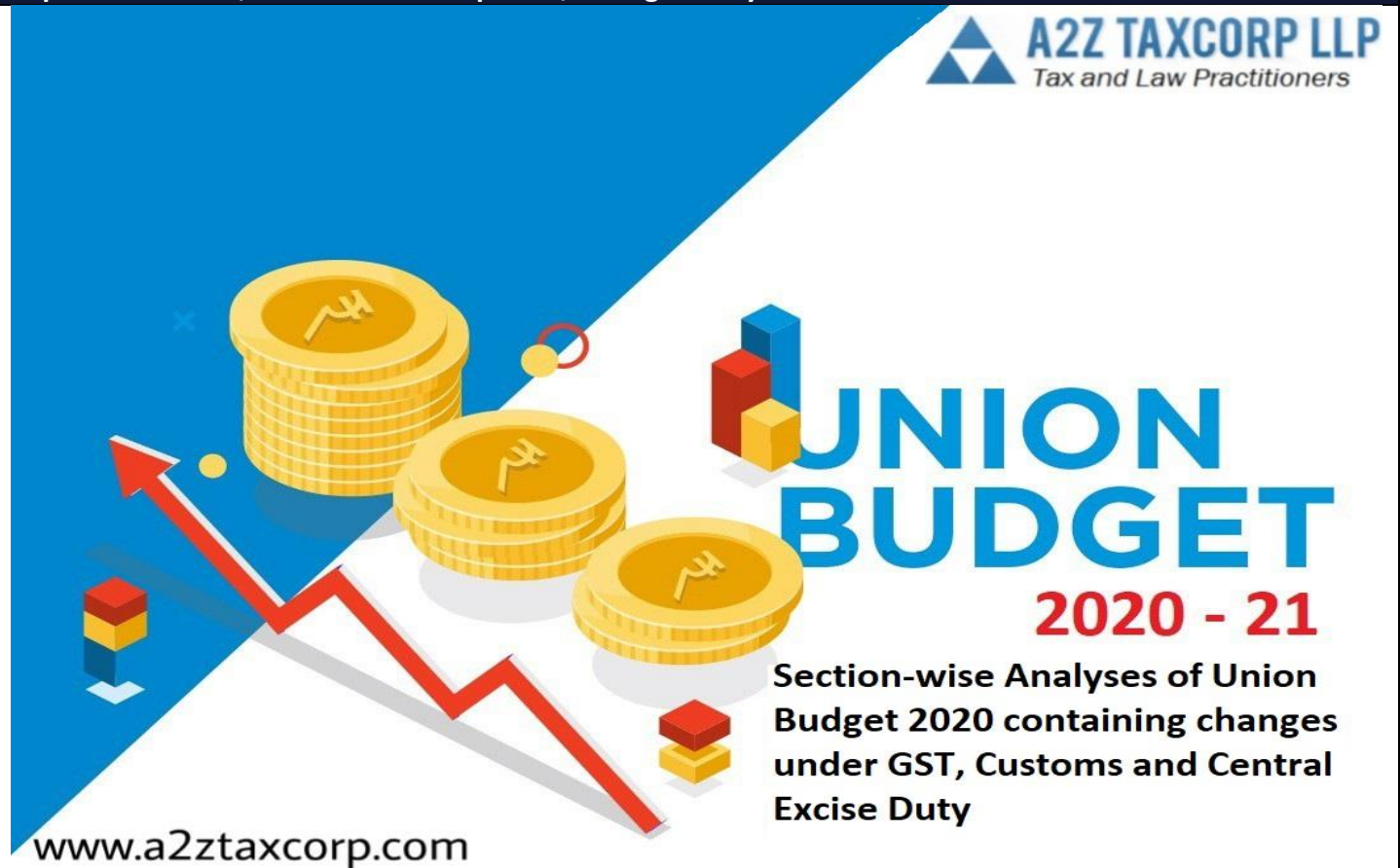
Due date	Forms	Period	Description
February 03, 2020	GSTR 9	Financial Year 2017-18	<p>Taxpayers having an aggregate turnover of more than Rs. 2 Crores or opted to file Annual Return</p> <p>Group 1: Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Puducherry, Telangana, Andhra Pradesh, Other Territory</p>
February 05, 2020	GSTR 9	Financial Year 2017-18	<p>Taxpayers having an aggregate turnover of more than Rs. 2 Crores or opted to file Annual Return</p> <p>Group 2: Jammu and Kashmir, Himachal Pradesh, Punjab, Chandigarh, Uttarakhand, Haryana, Delhi, Rajasthan, Gujarat</p>
February 07, 2020	GSTR 9	Financial Year 2017-18	<p>Taxpayers having an aggregate turnover of more than Rs. 2 Crores or opted to file Annual Return</p> <p>Group 3: Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya, Assam, West Bengal, Andaman & Nicobar Islands, Jharkhand, Odisha, Chhattisgarh, Dadra and Nagar Haveli and Daman and Diu, Lakshadweep, Madhya Pradesh, Uttar Pradesh</p>

February 03, 2020	GSTR 9C	Financial Year 2017-18	Reconciliation Statement/ Audit Report for Taxpayers having a turnover of more than Rs. 2 crores Group 1: Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Puducherry, Telangana, Andhra Pradesh, Other Territory
February 05, 2020	GSTR 9C	Financial Year 2017-18	Reconciliation Statement/ Audit Report for Taxpayers having a turnover of more than Rs. 2 crores Group 2: Jammu and Kashmir, Himachal Pradesh, Punjab, Chandigarh, Uttarakhand, Haryana, Delhi, Rajasthan, Gujarat
February 07, 2020	GSTR 9C	Financial Year 2017-18	Reconciliation Statement/ Audit Report for Taxpayers having a turnover of more than Rs. 2 crores Group 3: Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya, Assam, West Bengal, Andaman & Nicobar Islands, Jharkhand, Odisha, Chhattisgarh, Dadra and Nagar Haveli and Daman and Diu, Lakshadweep, Madhya Pradesh, Uttar Pradesh
February 10, 2020	GSTR-7	January 2020	Return for Tax Deducted at source to be filed by Tax Deductor
February 10, 2020	GSTR-8	January 2020	E-Commerce operator registered under GST liable to TCS
February 11, 2020	GSTR-1	January 2020	Taxpayers having an aggregate turnover of More than Rs. 1.50 Crores or opted to file monthly Return
February 13, 2020	GSTR-6	January 2020	Every Input Service Distributor (ISD)
February 20, 2020	GSTR-5 & 5A	January 2020	To be filed by the Non-Resident taxable person & OIDAR for the month of Nov 19.
February 20, 2020	GSTR-3B	January 2020	Taxpayer having turnover of ₹5 crores or more in previous financial year (monthly return)

February 22, 2020	GSTR-3B	January 2020	<p>Taxpayer having turnover of less than ₹5 crores in previous financial year (monthly return) in the state of:</p> <ul style="list-style-type: none"> • Chhattisgarh • Madhya Pradesh • Gujarat • Daman and Diu • Dadra and Nagar Haveli • Maharashtra • Karnataka • Goa • Lakshadweep • Kerala • Tamil Nadu • Puducherry • Andaman & Nicobar island • Telangana • Andhra Pradesh
February 24, 2020	GSTR-3B	January 2020	<p>Taxpayer having turnover of less than ₹5 crores in previous financial year (monthly return) in the state of:</p> <ul style="list-style-type: none"> • Jammu and Kashmir • Ladakh • Himachal Pradesh • Punjab • Chandigarh • Uttarakhand • Haryana • Delhi • Rajasthan • Uttar Pradesh • Bihar • Sikkim • Arunachal Pradesh • Nagaland • Manipur • Mizoram • Tripura • Meghalaya • Assam • West Bengal • Jharkhand • Odisha

Union Budget 2020-21

Section-wise Analyses of Union Budget 2020: GST, Customs, Central Excise & Highlights of Income Tax and Aspirational India, Economic Development, Caring Society



As you are aware that the Hon'ble Union Finance Minister Smt. Nirmala Sitharaman presented the Union Budget 2020 on 1st February 2020.

We bring to you the following highlights:

1. **Section-wise Analyses of Union Budget 2020 containing changes under GST, Customs and Central Excise Duty**:- [Click Here](#) to access the full Newsletter.
2. **Highlights of the Union Budget 2020 on 3 prominent themes - Aspirational India, Economic Development and Caring Society with Direct tax proposal**:- [Click Here](#) to access the full Newsletter.

News Flash

1. PIB issued Key Highlights of Economic Survey 2019-20

<https://www.a2ztaxcorp.com/pib-issued-key-highlights-of-economic-survey-2019-20/>

2. Clarification w.r.t ITC Mis-Match in Table 8A of GSTR – 9 vs. GSTR – 2A

<https://www.a2ztaxcorp.com/clarification-w-r-t-itc-mis-match-in-table-8a-of-gstr-9-vs-gstr-2a/>

3. Statistics of Daily filing of Annual Returns & Reconciliation Statement i.e. GSTR – 9/9C in January 2020

<https://www.a2ztaxcorp.com/statistics-of-daily-filing-of-annual-returns-reconciliation-statement-i-e-gstr-9-9c-in-january-2020/>

4. Simplification Made in Form GSTR – 9C

<https://www.a2ztaxcorp.com/simplification-made-in-form-gstr-9c/>

5. GSTR- 9 (Regular Taxpayers) Filing Trend

<https://www.a2ztaxcorp.com/gstr-9-regular-taxpayers-filing-trend/>

6. Advisory for GSTR 9C uploading errors

<https://www.a2ztaxcorp.com/advisory-for-gstr-9c-uploading-errors/>

7. Statistics of GSTR-9, GSTR-9A and GSTR-9C filed on January 28, 2020

<https://www.a2ztaxcorp.com/statistics-of-gstr-9-gstr-9a-and-gstr-9c-filed-on-january-28-2020/>

8. Maximum Filing of GSTR – 9 & 9C on January 28, 2020

<https://www.a2ztaxcorp.com/maximum-filing-of-gstr-9-9c-on-january-28-2020/>

9. Budget 2020: New Income Tax Slab for an Individual Taxpayer

<https://www.a2ztaxcorp.com/budget-2020-new-income-tax-slab-for-a-taxpayers/>

10. Economic Survey warns Centre, states' fiscal health depends on GST mop-up

<https://www.a2ztaxcorp.com/economic-survey-warns-centre-states-fiscal-health-depends-on-gst-mop-up/>



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Tax and Law Practitioners

ABOUT US:

A2Z TAXCORP LLP is a boutique Indirect Tax firm having professionals from Multi disciplines which includes Goods and Services Tax (GST), Central Excise, Custom, Service Tax, VAT, DGFT, Foreign Trade Policy, SEZ, EOU, Export – Import Laws, Free Trade Policy etc.

Thanks & Best Regards,

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