

EFFECTIVE DATE OF APPLICABILITY OF AMENDMENTS

- The Government has notified the **effective date** of applicability of the **amendments** in all the **GST Acts** (CGST/UTGST/IGST/Compensation Cess) as **1st February 2019**. All the amendments which were present in the GST Amendment Acts will be effective from the said date except the following:
 - ones which relates to the new return filing process proposed to be implemented mandatorily from 1st July 2019
 - retrospective amendment in the definition of ‘eligible duties’ and ‘eligible duties and taxes’ for the purpose of carrying forward of credit under Section 140(1) of the CGST Act 2017

(Notification no. 2/2019-Central Tax dated 29th January 2019)

(Notification no. 1/2019-Integrated Tax dated 29th January 2019)

(Notification no. 1/2019-Union Territory Tax dated 29th January 2019)

(Notification no. 1/2019-Cess dated 29th January 2019)

SUSPENSION OF RCM ON SUPPLIES FROM UNREGISTERED DEALERS

- Notifications which had exempted supplies received from unregistered suppliers from reverse charge mechanism have been withdrawn effective from 1st February 2019. This is in line with the amendment of Section 9(4) in the GST Act from the said date which now requires the Government to notify a class of registered persons on whom RCM will now be applicable. Till such notification is issued by the Government, **RCM on supplies received from unregistered suppliers remains to be suspended.**

(Notification no. 1/2019-Central Tax (rate) dated 29th January 2019)

(Notification no. 1/2019-Integrated Tax (rate) dated 29th January 2019)

(Notification no. 1/2019-Union Territory Tax (rate) dated 29th January 2019)

RATES OF COMPOSITION

- The **rates of composition** are to be guided by **rule 7 of the CGST Rules 2017 only**. The notification containing the rate of composition (Notification 8/2017-CT dated 27th June 2017) has accordingly undergone a change and has been made consistent with Rule 7 of the CGST Rule 2017.

(Notification no. 3/2019-Central Tax (rate) dated 29th January 2019)

SEPARATE REGISTRATION FOR MULTIPLE PLACES OF BUSINESS

- The law now allows a person to take a **separate registration for multiple places of business** in respect of each such place. The conditions for taking such separate registration are as below:

- Such person has more than one place of business as per the definition of place of business under law
- Such person has opted for either the normal or composition scheme for each of his registrations
- Tax will be charged and invoice will be raised for supply made between the separately registered premises

(Notification no. 3/2019-Central Tax dated 29th January 2019)

TRANSFER OF CREDIT BETWEEN THE PLACES OF BUSINESS

- Upon furnishing **Form GST ITC-02A** by the transferor and acceptance by the transferee, the **ITC can be transferred** from the old registration to the new registration where a person opts for separate registration for his places of business

(Notification no. 3/2019-Central Tax dated 29th January 2019)

SUSPENSION OF REGISTRATION

- If a registered person **applies for cancellation**, the registration is **deemed to be suspended** from the date of submission of application or the date when the cancellation is sought whichever is later. The registration remains suspended till the completion of proceedings for cancellation
- Upon initiation of **cancellation by a proper officer**, the **suspension date** will be **determined by the officer**
- **No taxable supply** can be made during the period of suspension
- Upon **completion** of cancellation proceedings (approval or rejection), the suspension stands automatically **revoked**

(Notification no. 3/2019-Central Tax dated 29th January 2019)

CHANGE IN THE FORMAT OF CREDIT OR DEBIT NOTES

- In line with the amendment in the GST Act, **credit or debit notes** can now be linked to **multiple invoices**. Similarly a **change in the format** has been made which allows writing multiple invoice numbers and dates in the credit and debit notes.

(Notification no. 3/2019-Central Tax dated 29th January 2019)

DECLARATION OF SUPPLIES TO SEZ UNIT OR DEVELOPER

- In case of filing of refund for supplies to SEZ unit or developer, a **declaration** will be required stating that **tax has not been collected from the SEZ** unit or developer. The declaration which earlier stated that ITC has not been taken by such unit or developer will not be required anymore

(Notification no. 3/2019-Central Tax dated 29th January 2019)

CHANGES IN THE REFUND PROVISIONS

- The order issued in **FORM GST RFD-04** shall **not** be required to be **revalidated** by the proper officer
- The payment advice in **FORM GST RFD-05** shall be required to be **revalidated** where the refund has **not been disbursed within the same financial year** in which the said payment advice was issued
- The order issued in **FORM GST RFD-06** shall **not** be required to be **revalidated** by the proper officer
- The payment advice in **FORM GST RFD-05** shall be required to be **revalidated** where the **refund** has **not** been disbursed **within the same financial year** in which the said payment advice was issued
- The **heading** of the **rule 96A** which stated 'Refund of integrated tax paid on export of goods or services under bond or letter of undertaking' has been changed to '**Export of goods or services under bond or letter of undertaking**'

(Notification no. 3/2019-Central Tax dated 29th January 2019)

CHANGE IN THE PROVISIONS OF GST PRACTITIONER

- The time limit for passing the exam by **GST practitioner** has now been increased to **30 months**.
- Further, there has been an **expansion of the functions** which can be **carried out by a GST practitioner** including furnishing of ITC-04, generation of awaybill, amendment or cancellation of enrolment, intimation or withdrawal from composition scheme etc.

(Notification no. 3/2019-Central Tax dated 29th January 2019)

REGISTRATION OF SERVICE PROVIDER THROUGH E-COM OPERATOR

- As per the GST Amendment Act, the limit of aggregate turnover which requires registration in a state was allowed to be increased to Rs. 20 lakhs for a few states. These states were Arunachal Pradesh, Assam, Himachal Pradesh, Meghalaya, Sikkim and Uttarakhand. In line with this amendment, persons making **supply of services through electronic commerce operator** (other than 9(5) supplies) will also require registration **in these states** only if their turnover limit **exceeds Rs. 20 lakhs**.

(Notification no. 6/2019-Central Tax dated 29th January 2019)

(Notification no. 3/2019-Integrated Tax dated 29th January 2019)

REGISTRATION OF JOB WORKER MAKING INTER STATE SUPPLY OF JEWELLERY

- A job worker engaged in supply of services upto the threshold limit will not require registration even if they are making inter state taxable supplies. However there are a few exceptions wherein the job worker will require **mandatory registration** if they make **inter-state taxable supplies** without any threshold limit. Within these exceptions, the reference

of entry 151 within Annexure in rule 138 was incorrectly mentioned. There is no such entry. The anomaly has now been rectified to specify **entry 5 (Jewellery, goldsmiths' and silversmiths' wares and articles)**

(Notification no. 2/2019-Integrated Tax dated 29th January 2019)

JURISDICTION OF JOINT COMMISSIONER (APPEALS)

- The jurisdiction of **Joint Commissioner (Appeals)** has now been separately created and the relevant powers have been granted to the said post.

(Notification no. 4/2019-Central Tax dated 29th January 2019)

CHANGE IN FORM FORMATS

There has been a change in the formats of the following forms:

- Form GST REG-01
- Form GST REG-17
- Form GST REG-20
- Form GST ITC-02
- Form GST ITC-02A
- Form GST PCT-05
- Form GSTR 4
- Form GST RFD-01
- Form GST RFD-01A
- Form GST APL-01
- Form GST APL-05

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