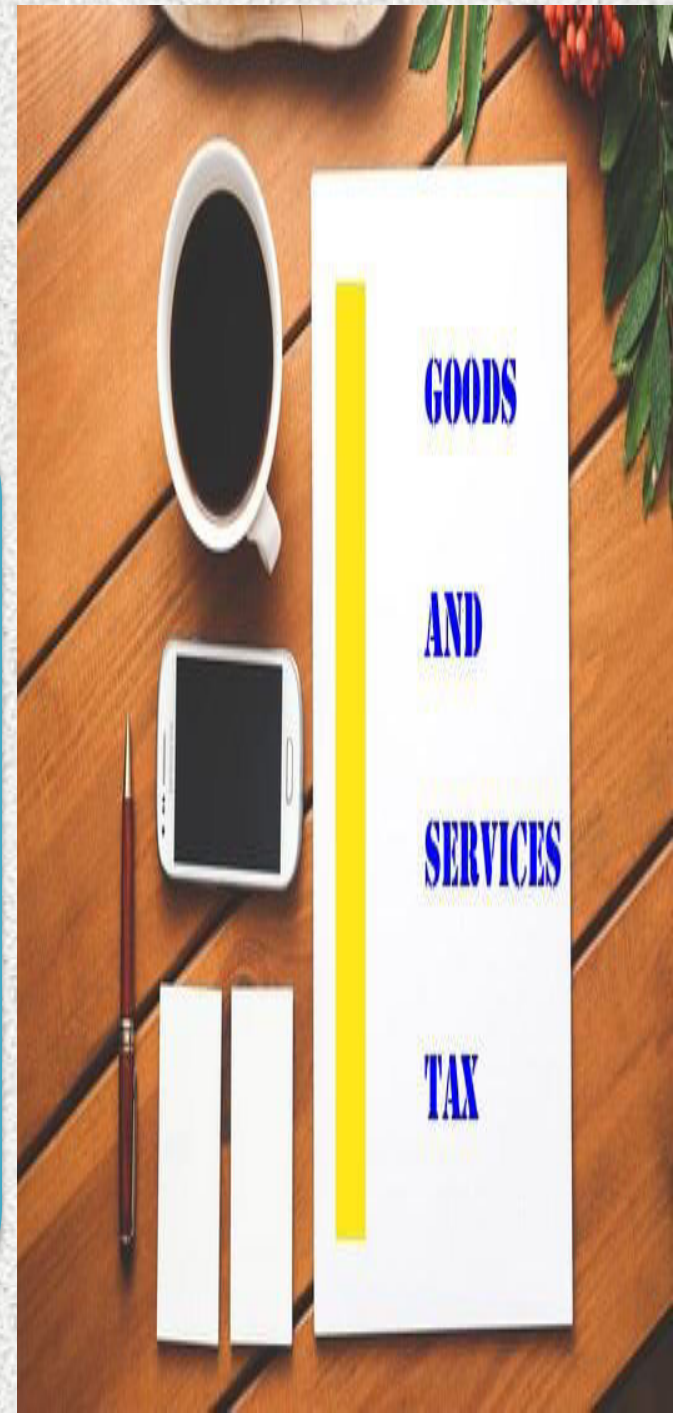


What is GST ?

Goods and Services Tax (GST) is one indirect tax for the whole nation, which will make India one unified market. GST is a single tax on the supply of goods and services, right from the manufacturer to the consumer. Credits of input tax paid at each stage will be available in the subsequent stage of value addition, which makes GST essentially a tax on value addition at each stage.



**Under GST there are three major taxes
IGST, CGST & SGST**

Types of Taxes

IGST

charged on
Inter-State
transaction

CGST

charged for
supply of goods
& services
within a state

SGST

charged for
supply of goods
& services
within the state



Who is a Tax Deductor ?

- A department or establishment of the Central Government or State Government;
or
- Local Authority;
or
- Governmental Agencies;
or
- Such persons or category of persons as may be notified by the Government on the recommendations of the Council.



When to deduct tax at source?

Under Section 51 r/w Rule 5 of GST Act:

DDO is liable to deduct tax from the payment of the supplier when the total value of supply of goods/services or both under a contract, payable to the supplier exceeds Rs.2.5 lakh.



Rate of tax for deduction of tax at source

For intra-state supply

(For supply within the same State)

1% as CGST & 1% as SGST both to be deducted

For inter-state supply

(Supply involves one State to another State)

In such case, in place of CGST & SGST
2% as IGST tax to be deducted



Determination of the Value of Supply for deduction

To determine the value of supply:

The CGST & SGST or IGST tax shown in the invoice by the supplier shall be excluded and the rest of the value shall be considered i.e., the amount of CGST & SGST or IGST shown in the invoice shall not be considered as the value of supply.

Illustration in the next slide



Illustration :

Selling price of 10 computers @ Rs 30,000	Rs. 3,00,000.00
If the rate of tax (CGST) on computer is 5% CGST @ 5%	Rs. 15,000.00
If the rate of tax (SGST) on computer is 5% SGST @ 5%	Rs. 15,000.00
Total Invoice value	Rs. 3,30,000.00

In this illustration , for TDS, DDOs will have to deduct CGST @1% & SGST @ 1% i.e., amount of tax to be deducted =

CGST 1% on Rs. 3,00,000 = Rs. 3,000.00

SGST 1% on Rs 3,00,000 = Rs 3,000.00

Registration of Tax Deductor

Under Section 24(1(vi)) of GST Act:

Any person liable for deduction of tax source u/s. 51 is liable for registration under GST as a **TAX DEDUCTOR.**



Registration : Procedures for Tax Deductor

Tax Deductor shall submit an online application, in FORM GST REG-07 for grant of registration through the GST Portal presently www.gst.gov.in

The application form submitted for registration shall be signed electronically using Class 2 and above DSC (Digital Signature Certificate) or Aadhar based e-Signature or EVC.

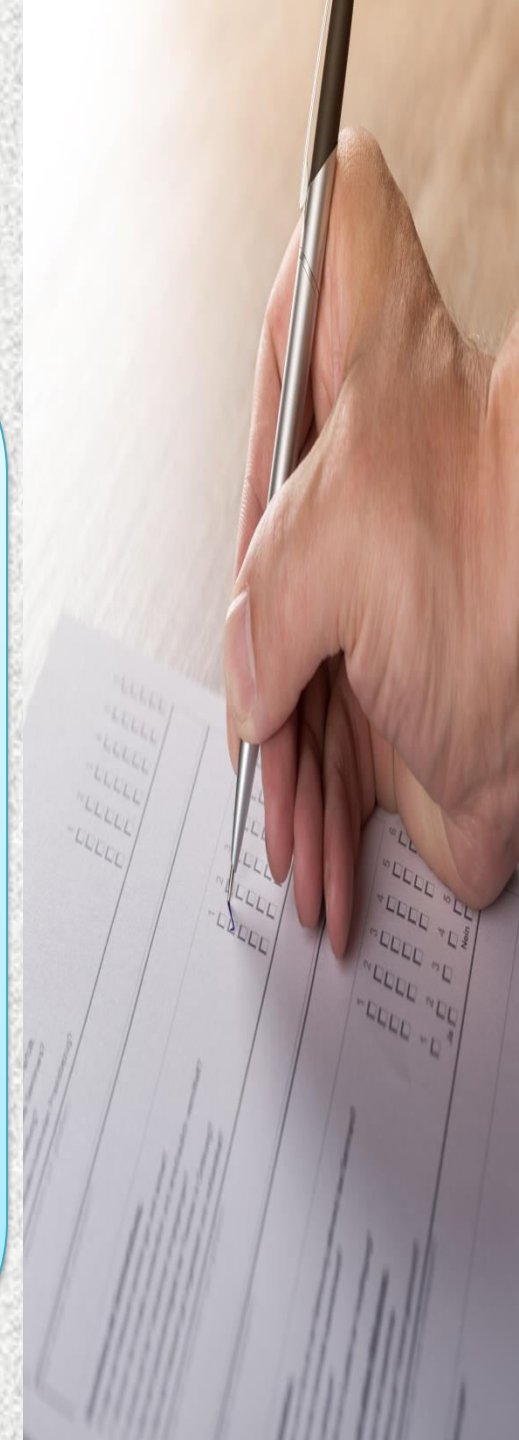


How to fill up Application for Registration in Form GST REG-07

In **Part-A** of the application form the following needs to be filled up :

- i. Legal Name of the Tax Deductor as per TAN
e.g., **DISTRICT AGRICULTURE OFFICER, NALBARI**
- i. PAN : To enter the PAN of the office, if the office is also a business entity e.g. **ASTC, APDCL.**
- ii. TAN : TAN (Tax Deduction and Collection Account Number) issued under the Income Tax Act, 1961
e.g. **SHLD0107B**
- iii. Email Address : To enter the email id of the office.
e.g. dao.agri.nlb@gmail.com
- iv. Mobile number : To enter the mobile number e.g.
9435090174

Once Part-A is filled up, e-mail OTP & mobile OTP will be sent before filling Part-B



How to fill up Application for Registration in Form GST REG-07....Contd.

In **Part-B** of the application form the following needs to be filled up :

1. In Sl. 1, to enter the trade name, if any
2. In Sl. No. 2, To enter the Constitution of Business such as Government Department, Public Sector Undertaking, etc.
3. In Sl. 3, To enter the name of the State, **e.g. Assam** & District, **e.g. Nalbari**.
4. In Sl. 4, to enter the jurisdiction i.e, whether State or Centre and then to enter the relevant Sector/Circle/Ward/Charge/Unit, etc. **e.g., Circle-1 Nalbari**
5. In sl. No. 5, to enter the type of registration i.e., whether Tax Deductor or Tax Collector (**DDOs are Tax Deductor**)

How to fill up Application for Registration in Form GST REG-07....Contd.

6. In Sl. No. 6 to enter the type of Government i.e., whether Centre, State/Union Territory.
7. In Sl. No. 7, to enter the date of liability to deduct tax e.g. 01-07-2017
8. In Sl. No. 8(a), to enter the details of principal place of business i.e., the details of office address of the Deductor such as Building No., Name of Road, City, State, Pin Code, etc.
9. In Sl. No. 8(b), to enter the contact information of the office of the Deductor such as email, Mobile no, etc.
10. In Sl. No. 8(c), to enter the nature of possession of premises such as Own, Lease, Rented, etc.
11. In Sl. No. 9 & 10 to enter whether the Deductor has any other registration under GST in the State & if so to enter the GSTIN.

How to fill up Application for Registration in Form GST REG-07

12. In Sl. No. 11 to enter the IEC (Importer Exporter Code), if applicable.
13. In Sl. No. 12 to enter the personal details of DDOs, such as Name, Fathers Name, Photo, DOB, Gender, Mobile No., PAN/Aadhar No., Passport No., etc. and Residential address of DDO.
14. In Sl. No. 13 to enter the details of Authorized Signatory, such as Name, Fathers Name, Photo, DOB, Gender, Mobile No., PAN/Aadhar No., Passport No., etc. including Residential address of Authorized Signatory.
15. In Sl. No. 14 to give the consent for Deductor furnishing Aadhar.
16. In Sl. No. 15 to declare the Verification using DSC, e-Signature etc as the case may be.

Amendment of Registration

If there is any change in the particulars furnished in the application of registration (FORM GST REG-07)

- DDOs needs to submit an online application in FORM GST REG-14 along with supporting documents for amendment of registration. (e.g., change in name & Personal information of DDO such as PAN, address, Mobile number etc.

Cancellation of Registration

If the Tax Deductor is no longer liable to deduct tax at source u/s 51, the registration shall be cancelled and the matter shall be informed to the tax Deductor in FORM GST REG -08.

CHECK LIST for obtaining registration

TAN (Tax Deduction and Collection Account Number) issued under the Income Tax Act, 1961.

PAN of the office, if the office is also a business entity e.g. ASTC, APDCL, etc.

Office Email Id & Mobile no of DDO
(E-mail OTP & mobile OTP will be sent before filling part B)

PAN / Aadhaar No of DDO, DIN (Director Identification No) if Deductor is a Company.

Class 2 or above DSC (Digital Signature Certificate), e-Signature or any other mode.

CHECKLIST



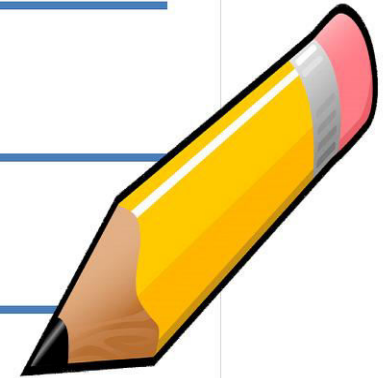












Online submission of Returns

Every registered person required to deduct tax at source under the provisions of section 51 shall furnish a return in **GSTR-7** electronically through a common portal (presently www.gst.gov.in), within ten days after the end of such month. Before 10th of next month.

Illustration : If the date of deduction is **12th July,2017**, the detail of deduction shall be furnished in GSTR-7 for the month of **JULY,2017** which needs to be submitted within **10th August,2017**.



Form & manner of submission of Returns

Every registered person required to deduct tax at source under section 51 shall furnish a Return in FORM GSTR-7 electronically through the GST Portal presently www.gst.gov.in

- The details furnished by the Deductor shall be made available electronically to the suppliers in Part C of Form GSTR-2A and Form-GSTR-4A on the Common Portal after the due date of filing of Form GSTR-7 i.e. 10th of next month.
- The Tax Deduction Certificate shall be made available electronically to the supplier on the Common Portal in Form GSTR-7A on the basis of the Return furnished.

How to fill TDS Return in Form GSTR-7

In the beginning the Year and month needs to be filled up,
e.g. Year 2017 & Month JULY

1. In Sl. No. 1, to enter the GSTIN of the Deductor e.g. 18
2. In Sl. No. 2(a) & (b), the legal name (as per TAN or PAN)
e.g. District Agriculture Officer, Nalbari and the trade name, if any shall be Auto Populated.
3. In Sl. No. 3, to enter the details of TDS, such as GSTIN of Deductee, Amount paid to Deductee on which tax is deducted and the amount of tax deducted (IGST/CGST/SGST)
4. In Sl. No. 4, to enter the amendments to details of TDS in respect of any earlier tax period i.e. to furnish detail if there is any change in any entry of tax deduction.

How to Submit Return in Form GSTR-7

5. In Sl. No. 5, to enter the details of TDS viz., Description (IGST/CGST/SGST), Amount of tax deducted and the Amount paid.
6. In Sl. No. 6, the to enter the detail of Interest, Late fee payable and amount paid under IGST/CGST/SGST.
7. In Sl. No. 7, to enter the details of Refund claim from electronic cash ledger.
8. In Sl. No. 8, to debit entry in electronic cash ledger for TDS/interest payment which shall be auto populated after payment of tax and submission of return.
9. At the end to declare the Verification using DSC, e-Signature etc as the case may be.

Mode of TDS payment

- Internet Banking through Authorized Banks.
- Credit Card or Debit Card of Authorized Banks.
- NEFT or RTGS from any Authorized Bank.
- Over the Counter (OTC) payment through Authorized Banks by cash, cheque or Demand Draft up-to Rs. 10,000.00 per challan per tax period.
- Any other mode to be notified.



ISSUE of TDS Certificate

The TDS amount shall be paid to the Government by the deductor within 10th day of next month .

(If deducted on 12/07/2017 . TDS to be paid before: 10/08/2017)

The Deductor shall furnish to the Deductee a certificate in Form – 7A with the contract value, rate of deduction, amount deducted, amount paid to the Government.

If any Deductor fails to furnish the certificate to the supplier, within five days from date of deposit(say within 15th August in this case), the Deductor shall pay a late fee @ Rs 100 per day from the sixth day (say from 16th August in this case) until the failure is rectified, subject to maximum Rs 5,000.00.

Penalty, Fee, Interest etc.

U/s 122(1), if a Tax Deductor fails to deduct the tax or deducts less than the amount required to be deducted.

or

U/s 122(2), where Tax Deductor fails to pay to the Govt, the amount deducted as tax;

In such cases, Tax Deductor shall be liable to pay a penalty of ten thousand rupees or an amount equivalent to the tax evaded or the tax not deducted under section 51 whichever is higher.

Penalty, Fee, Interest etc. (contd..)

Interest @18% shall be charged, if any DDO fails to deposit the deducted tax amount to the Government within the 10th day of next month. Interest shall be calculated for the defaulting period.

Digital Signature Certificate(DSC) class 2 and above is mandatory

If the applicant is a Private Limited Company /Public Limited Company /Public Sector Undertaking/ Unlimited Company /Limited Liability Partnership/ Foreign Company/ Foreign Limited Liability Partnership in such cases Digital Signature Certificate (DSC) class 2 and above is mandatory for submission of **Application of Registration and furnishing of Return.**

Transitional provision on TDS

If a supplier made a supply of goods and issued the relevant invoice prior to enactment of GST (01/07/2017) then TDS will have to be deducted under the AVAT ACT, 2003 at the applicable rate of tax i.e, no TDS under GST to be deducted u/s 51 of GST Act even if payment to the said supplier is made on or after the GST comes into force.

Illustration in the next slide



Transitional provision on TDS

Illustration :

Date of Supply : 12/04/2017

(During VAT before GST)

Date of Invoice : 15/05/2017

(During VAT before GST)

Date of payment : 15/07/2017

(During GST after VAT)

In the above case, the DDO shall deduct VAT under AVAT Act,2003, even if the payment is made in GST regime. Tax to be deposited under VAT Head of Account.



THANK YOU