



ಕೇಂದ್ರೀಯ ತೆರಿಗೆ ಪ್ರಧಾನ ಮುಖ್ಯ ಅಯುಕ್ತ ಕಛೇರಿ, ಬೆಂಗಳೂರು ವಲಯ,
ಅಂಚೆ ಸಂ.5400, ಕೇಂದ್ರೀಯ ರಾಜಸ್ವ ಭವನ, ಕ್ವೀನ್ಸ್ ರಸ್ತೆ, ಬೆಂಗಳೂರು
ಕೇಂದ್ರೀಯ ಕರ ಪ್ರಧಾನ ಮುಖ್ಯ ಅಯುಕ್ತ ಕಾರ್ಯಾಲಯ, ಬೆಂಗಳೂರು ಅಂಚಲ,
ಪಿ.ಬಿ.ಸಂ.5400, ಸಿ.ಆರ್.ಭವನ, ಕ್ವೀನ್ಸ್ ರೋಡ್, ಬೆಂಗಳೂರು-560001

OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF CENTRAL TAX, BANGALORE ZONE,
P.B.NO.5400, C.R.BUILDING, QUEEN'S ROAD, BANGALORE-560001

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C.No. IV/16/67/2017 CC (BZ)

Date: 14.03.2018

**MINUTES OF THE COMBINED GST REGIONAL ADVISORY COMMITTEE (RAC)
QUARTERLY MEETING (3rd QUARTER) OF CENTRAL TAX, BENGALURU ZONE HELD
ON 20th February 2018.**

A Meeting of the Regional Advisory Committee for Bengaluru Central Tax Zone was held on 20th February 2018 at 16.00 Hours in the Conference Hall of the Central Revenue Building, Queen's Road, Bengaluru. Shri.K. Raghu N Chary, Principal Chief Commissioner presided over the meeting. The list of Officers and Members of Trade present in the meeting is annexed.

The Principal Chief Commissioner of Central Tax welcomed everybody present and the meeting commenced with the introduction of the members present.

Thereafter the members were invited for discussion on the issues that were of concern.

The Chairman informed that some assesseees have raised the following points in writing and requested them to read over the points:

I. Points raised by M/s Bharat Heavy Electricals Ltd., Bengaluru were presented by Ms. Jayashree Ramesh, AGM Finance, BHEL, Bengaluru:

Point 1: Rectification / Correction of GSTIN in GSTR1 uploaded - Procedure for correcting the GSTIN of customer where supplier has uploaded the wrong GSTIN?

Case was reported by M/s BHEL, Bangalore wherein another party's GSTIN has been erroneously reflected by the Invoice though the goods were actually consigned and received by them; under such a circumstance, the GSTR2 of the actual recipient, BHEL, Bangalore is not auto populated on account of erroneous GSTIN.

Reply : GSTR 1 does not permit a correction of the GSTIN once uploaded. The difficulty faced by taxpayers will be escalated.

Point 2 E way bill for "Bill To" , "Ship To" transactions. How to calculate distance in "Bill To" "Ship To" transactions?

Reply: If the Bill to and the Ship to parties are two different entities, then 2 EWBs have to be raised on the basis of the invoice raised by the supplier and the Bill to party. If the Bill to and the Ship to parties are the same entities, then only one EWB has to be raised by mentioning the address of the ship to party in the destination. The distance will be the distance between the consignor premises and the consignee premises.

Point 3: What is the procedure where goods have not reached the destination within the statutory e-way bill validity ?

Since our power plant equipments are bulky & locations are remote, the time taken to reach may be beyond the statutory Eway bill timelines. Whether extension on case to case basis is to be taken or is there a provision for a general time extension considering our earlier supply time lines?

Reply : An e-way bill or a consolidated e-way bill generated under this rule shall be valid for the period as mentioned in column (3) of the Table below from the relevant date, for the distance the goods have to be transported, as mentioned in column (2) of the said Table

Sr. No.	Distance	Validity period
(1)	(2)	(3)
1.	Up to 100km	One day
2	For every 100kms or part thereof thereafter	One additional day

Provided that the Commissioner may, by notification, extend the validity period of e-way bill for certain categories of goods as may be specified therein:

Provided further that where, under circumstances of an exceptional nature, the goods cannot be transported within the validity period of the e-way bill, the transporter may generate another e-way bill after updating the details in Part B of FORM GST EWB-01.

Point 4: Penultimate Export - Manufacturer Supplier invoice with GST @ 0.1% (Notfn. No. 40/2017-CT or 41/2017 IT)

- (a) For Exports whether Bond / LUT to be executed by Manufacturer supplier or Merchant Exporter?
- (b) Whether Invoice from Manufacturer supplier on Merchant Exporter is Tax invoice or Export Invoice?
- (c) Sealing procedures have to be complied with by supplier at his factory before removing for Export?
- (d) Whether subsequent Merchant Exporter Invoice on the Customer is Tax invoice or Export Invoice or only a Commercial Invoice ?

- (e) As per notification, supplier GST & supplier invoice to be updated in Shipping bill, for linking proof of export. Since shipping bill is linked only to Manufacturer Supplier what is the procedure for compliance proof of export formalities w.r.t. invoice issued by Merchant Exporter

Reply:

(a) The LUT is to be executed by the exporter. If goods are supplied by the manufacturer to the merchant exporter, then it is a regular supply and the GST will be charged at 1% as per NN 40/2017. The merchant exporter will either execute an LUT before export of the goods or export on payment of IGST.

(b) It is only tax invoices for Manufacturer supplier.

(c) Since the goods are exported on payment of tax, only tax invoice has to be raised and export is done under self-sealing by the exporter

(d) Merchant exporters to raise tax invoices indicating whether the export is on payment of IGST or under LUT

(e) Shipping Bill will reflect the GSTIN of the merchant exporter. Copy of the Shipping Bill to be submitted to Jurisdictional RO

Point 5: ITC Matching : Where supplier has uploaded GST of higher amount and credit availed by recipient is for a lower amount, whether the same is deemed to be matched & will not appear as a mismatch as per Explanation (ii) under CGST Rules 69?

Reply: Required to be modified by the Recipient. GSTR-2 is not made mandatory as if now. As per explanation (ii) of Rule 69 of CGST Rule, the claim of input tax credit shall be considered as matched where the amount of input tax credit claimed is equal to or less than the output tax paid on such tax invoice or debit note by the corresponding supplier.

II Representatives of CII raised points with regard to problems faced by exporters with regard to mistakes made in GSTR 3B.

Reply: Chief Commissioner suggested wherever invoice mismatches are there the same can be corrected by filing 9A detailing the particulars of quantity etc.

It is also to add that Board has issued a Circular 05/2018 - Customs dated 23.02.2018 providing for alternative mechanism with officer interface in respect of shipping bills filed upto 31.12.2017.

III. Shri. R Raju, GST Panel Chairman, Karnataka Small Scale Industries Association (KASSIA), Bengaluru raised problems being faced with same HSN code is having different rates for taxation depending on the product in which it is used :

Reply: Chief Commissioner requested the member to highlight specific instances for taking up the same with the GST Policy Wing.

IV Points raised by Shri. Varun Kochhar, Canara Bank raised problem with regard to Canara Bank being a collection bank for GST payment and they are facing issues with regard to its reporting to RBI.

Reply: The Chief Commissioner informed that this issue is beyond the scope of the RAC Committee and requested that the same be taken up with RBI.

The meeting ended with the Chief Commissioner thanking all the members.


(अमितेश भरत सिंह) Amitesh Bharat Singh
अपर आयुक्त / Additional Commissioner (PCCO)

To,

All Members of the combined RAC as per mailing list.

Copy to:-

1. The Principal Commissioner/Commissioner of Central Tax, Bengaluru South / North / East / West / North West / Belgaum / Mangalore / Mysore Commissionerate.
2. The Additional Director General, DGTS, TTMC Building, Above BMTC Bus Stand, Banashankari II Stage, Bangalore 560 070.
3. The Under Secretary (CX-9), CBEC, North Block, New Delhi - 110 001.
4. The DGGSTI, 1st and 2nd Floor, West Block, VIII, Wing No. 6, Sector I RK Puram, New Delhi 110 006.
5. The Additional Director General, DG-GST, Southern Zonal Unit, No. 26/1, Mahathma Gandhi Road, Chennai - 600 034.
6. Web Master, Systems for uploading in the departmental website www.gstkarnataka.gov.in

Annexure

List of officers and Members of Trade present in the Meeting held on 20.02.2017:

Officers:-

1. Shri. K. Raghu N. Chary, Principal Chief Commissioner in Chair
2. Shri. H.R.Bheemashankar, Principal Commissioner, Bengaluru West.
3. Shri. R Sriram, Commissioner of Service Tax, ST 2 Bengaluru.
4. Shri. Dharam Singh, Commissioner, Bengaluru North West Commte.
5. Dr. M. Subramanyam, Commissioner, Mangalore.
6. Shri. Amitesh Bharat Singh, Additional Commissioner, CCO, Bengluru.

Members of the Trade:-

1. Shri. BG Kulkarni, M/s. The Ugar Sugar Works Ltd.,
2. Shri. R Raju, GST Panel Chairman, Karnataka Small Scale Industries Association (KASSIA), Bengaluru,
3. Ms. Jayashree Ramesh, BHEL, Bengaluru,
4. Shri. Ashok Kumar Sahu, NMPT, Mangalore,
5. Shri. S. Malladi, Karnataka Steel Rerollers Association,
6. Shri. Kiran Kumar Bysari, CII&BDO,
7. Shri. Sreeranjana NU, CII&BDO,
8. M Rajgopal, CII,
9. Loknath, CII,
10. Shri. Varun Kochhar, Canara Bank.