

COMPENDIUM OF IMPORTANT ORDERS ON GST TDS

Compiled by

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COMPTROLLER**

**PROFESSOR JAYASHANKAR
TELANGANA AGRICULTURAL UNIVERSITY
GOVERNMENT OF TELANGANA**

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GOVERNMENT OF TELANGANA**ABSTRACT**

Telangana Goods and Services Tax Act, 2017 – Notifying the appointed day for section 51 (TDS i.e. Tax Deduction at Source) – Notification – Orders – Issued.

Revenue (CT-II) Department

G.O.Ms.No. 210**Dated: 29-09-2018****Read the following:-**

1. G.O.Ms No. 238, Revenue (CT-II) Department, Dated 26.10.2017.
2. From the Commissioner of State Tax, Telangana State, Hyderabad, CCT's Ref No. A(1)/63/2017-I, Dated 17.09.2018.

ORDER :

The following Notification will be published in an Extra-ordinary issue of Telangana Gazette Dt.29.09.2018

NOTIFICATION

In exercise of the powers conferred by sub-section (3) of section 1 of the Telangana Goods and Services Tax Act, 2017 (Act No.23 of 2017), and in supersession of the notification of the Government issued in the reference 1st read above, except as respects things done or omitted to be done before such supersession, the State Government hereby appoints the 1st day of October, 2018, as the date on which the provisions of section 51 of the said Act shall come into force with respect to the persons specified under clauses (a), (b) and (c) of sub-section (1) of section 51 of the said Act and the persons specified below under clause (d) of sub-section (1) of section 51 of the said Act, namely:-

- (a) an authority or a board or any other body, -
 - (i) set up by an Act of Parliament or a State Legislature; or
 - (ii) established by any Government, with fifty-one per cent. or more participation by way of equity or control, to carry out any function;
- (b) Society established by the Central Government or the State Government or a Local Authority under the Societies Registration Act, 1860 (Act.No.21 of 1860);
- (c) public sector undertakings.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**SOMESH KUMAR****PRINCIPAL SECRETARY TO GOVERNMENT**

To:

The Commissioner of Printing, Stationery and Stores Purchase (Publication Wing),Telangana, Hyderabad for publication of the Notification. (He is requested to supply (100) copies of the notification to this Department and 300 copies to Commissioner of Commercial Taxes, Telangana, Hyderabad)

The Commissioner of State Tax, Telangana State, Hyderabad.

The Secretary, GST Council, 5th Floor, Tower II, Jeevan Bharti Building, Janpath Road, Connaught Place, New Delhi-110 001.

The Principal Chief Commissioner, GST Hyderabad Zone, Kendriya GST Bhavan, L.B. Stadium Road, Basheer Bagh, Hyderabad-500 004.

Copy to:

The Accountant General, Telangana State, Hyderabad.

The Law (A) Department

The P.S. to Principal Secretary to Chief Minister (SK).

The P.S. to Principal Secretary to Government,

Revenue(CT & Ex)Department

Sf /Sc.

//FORWARDED :: BY ORDER//**SECTION OFFICER**

GOVERNMENT OF TELANGANA**ABSTRACT**

The Telangana Goods and Services Tax Rules, 2017 – Certain amendment to G.O.Ms.No.210 Revenue (CT.II) Dept., dt 29.09.2018 (TDS i.e. Tax Deduction at Source) - Notification – Orders – Issued.

REVENUE (CT.II) DEPARTMENT

G.O.Ms.No. 11**Dated: 07-02-2019****Read the following :-**

1. G.O.Ms No.238, Revenue (CT-II) Department, Dated 26.10.2017.
2. G.O.Ms No. 210, Revenue (CT-II) Department, Dated 29.09.2018.
3. G.O.Ms No. 231, Revenue (CT-II) Department, Dated 26.11.2018.
4. G.O.Ms No. 232, Revenue (CT-II) Department, Dated 10.12.2018
5. From the Commissioner of State Tax, Telangana State, Hyderabad, CCT's Ref No. A(1)/63/2017, Dt. 03.01.2019.

ORDER:-

The following Notification will be published is an Extra-ordinary issue of Telangana Gazette, Dated 7.02.2019.

NOTIFICATION

In exercise of the powers conferred by sub-section (3) of section 1, read with section 51 of the Telangana Goods and Services Tax Act, 2017 (Act.No.23 of 2017), hereafter in this notification referred to as the said Act, the State Government, on the recommendations of the Council, hereby makes the following further amendment in the notification issued in G.O.Ms No. 210, Revenue (CT-II) Department, Dt. 29.09.2018, namely:-

In the said notification, after the second proviso, the following proviso shall be inserted, namely:-

"Provided also that nothing in this notification shall apply to the supply of goods or services or both which takes place between one person to another person specified under clauses (a), (b), (c) and (d) of sub-section (1) of section 51 of the said Act."

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**SOMESH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT**

To:

The Commissioner of Printing, Stationery and Stores Purchase (Publication Wing)
Telangana, Hyderabad for publication of the Notification (He is requested to supply 100 copies of the notification to this Department and 300 copies to Commissioner of Commercial Taxes, Telangana, Hyderabad)

The Commissioner of State Tax, Telangana State, Hyderabad.

The Secretary, GST Council, 5th Floor, Tower II, Jeevan Bharti Building, Janpath Road, Connaught Place, New Delhi-110 001.

The Principal Chief Commissioner, GST Hyderabad Zone, Kendriya GST Bhavan, L.B. Stadium Road, Basheer Bagh, Hyderabad-500 004.

Copy to:

The Accountant General, Telangana State, Hyderabad.

The Law (A) Department

The PS to Principal Secretary to Hon'ble Chief Minister(NR)

The P.S. to Principal Secretary to Government,
Revenue (CT & Ex) Department

Sf /Sc.

//FORWARDED :: BY ORDER//**SECTION OFFICER.**

yogesh tiwaritcs/CBECCircular No. 65/39/2018-DOR

F.No.S.31011/11/2018-ST-I-DoR

**Government of India
Ministry of Finance
Department of Revenue**

New Delhi, Dated the 14th September, 2018

To,

1. Secretaries of the Central Ministries as pe list enclosed.
2. Chief Secretaries of all States/UTs with legislature/ UTs without Legislature.
3. All Finance Secretaries/ CCTs of the States/ UTs with Legislature/UTs without Legislature.
4. Chairman CBIC /All Principal Chief Commissioners/ Chief Commissioners/ Principal Commissioners/ Commissioners of Central Tax (through Member, GST, CBIC)
5. Pr.Chief Controller of Accounts, CBIC.

Madam/Sir,

Subject: Guidelines for Deductions and Deposits of TDS by the DDO under GST

Section 51 of the CGST Act 2017 provides for deduction of tax by the Government Agencies (Deductor) or any other person to be notified in this regard, from the payment made or credited to the supplier (Deductee) of taxable goods or services or both, where the total value of such supply, under a contract, exceeds two lakh and fifty thousand rupees. The amount deducted as tax under this section shall be paid to the Government by deductor within ten days after the end of the month in which such deduction is made alongwith a return in FORM GSTR-7 giving the details of deductions and deductees. Further, the deductor has to issue a certificate to the deductee mentioning therein the contract value, rate of deduction, amount deducted etc.

2. As per the Act, every deductor shall deduct the tax amount from the payment made to the supplier of goods or services or both and deposit the tax amount so deducted with the Government account through NEFT to RBI or a cheque to be deposited in one of the authorized banks, using challan on the common portal. In addition, the deductors are entrusted the responsibility of filing return in FORM GSTR-7 on the common portal for every month in which

deduction has been made based on which the benefit of deduction shall be made available to the deductee. All the DDOs in the Government, who are performing the role as deductor have to register with the common portal and get the GST Identification Number (GSTIN).

3. The subject section which provides for tax deduction at source was not notified to come into force with effect from 1st July, 2017, the date from which GST was introduced. Government has recently notified that these provisions shall come into force with effect from 1st October, 2018, vide Notification No. 50/2018 – Central Tax dated 13th September, 2018.

4. For payment process of Tax Deduction at Source under GST two options can be followed, which are as under:

Option I: Generation of challan for every payment made during the month

Option II: Bunching of TDS deducted from the bills on weekly, monthly or any periodic manner

5. In order to give effect to the above options from 01.10.2018, a process flow of deduction and deposit of TDS by the DDOs has been finalised in consultation with CGA for guidance and implementation by Central and State Government Authorities. The process flow for Option I and Option II are described as under:

Option I - Individual Bill-wise Deduction and its Deposit by the DDO

6. In this option, the DDO will have to deduct as well as deposit the GST TDS for each bill individually by generating a CPIN (Challan) and mentioning it in the Bill itself.

7. Following process shall be followed by the DDO in this regard:

- (i) The DDO shall prepare the Bill based on the Expenditure Sanction. The Expenditure Sanction shall contain the (a) Total amount, (b) net amount payable to the Contractor/Supplier/Vendor and (c) the 2% TDS amount of GST.
- (ii) The DDO shall login into the GSTN Portal (using his GSTIN) and generate the CPIN (Challan). In the CPIN he shall have to fill in the desired amount of payment against one/many Major Head(s)

(CGST/SGST/UTGST/IGST) and the relevant component (e.g. Tax) under each of the Major Head.

- (iii) While generating the CPIN, the DDO will have to select mode of payment as either (a) NEFT/RTGS or (b) OTC. In the OTC mode, the DDO will have to select the Bank where the payment will be deposited through OTC mode.
- (iv) The DDO shall prepare the bill on PFMS (in case of Central Civil Ministries of GoI), similar payment portals of other Ministries/Departments of GoI or of State Governments for submission to the respective payment authorities.
- (v) In the Bill,
 - (a) the net amount payable to the Contractor; and
 - (b) 2% as TDS
 will be specified
- (vi) In case of NEFT/RTGS mode, the DDO will have to mention the CPIN Number (as beneficiary's account number), RBI (as beneficiary) and the IFSC Code of RBI with the request to payment authority to make payment in favour of RBI with these credentials.
- (vii) In case of the OTC mode, the DDO will have to request the payment authority to issue 'A' Category Government Cheque in favour of one of the 25 authorized Banks. The Cheque may then be deposited along with the CPIN with any of branch of the authorized Bank so selected by the DDO.
- (viii) Upon successful payment, a CIN will be generated by the RBI/Authorized Bank and will be shared electronically with the GSTN Portal. This will get credited in the electronic Cash Ledger of the concerned DDO in the GSTN Portal. This can be viewed and the details of CIN can be noted by the DDO anytime on GSTN portal using his Login credentials.
- (ix) The DDO should maintain a Register as per proforma given in Annexure 'A' to keep record of all TDS deductions made by him during the month. This Record will be helpful at the time of filing Monthly Return (FORM GSTR-7) by the DDO. The DDO may

also make use of the offline utility available on the GSTN Portal for this purpose.

- (x) The DDO shall generate TDS Certificate through the GST Portal in FORM GSTR-7A after filing of Monthly Return.

Option II - Bunching of deductions and its deposit by the DDO

8. Option-I may not be suitable for DDOs who make large number of payments in a month as it would require them to make large number of challans during the month. Such DDOs may exercise this option wherein the DDO will have to deduct the TDS from each bill, for keeping it under the Suspense Head. However, deposit of this bunched amount from the Suspense Head can be made on a weekly, monthly or any other periodic basis.

9. Following process shall be followed by the DDO in this regard:

- (i) The DDO shall prepare the Bill based on the Expenditure Sanction. The Expenditure Sanction shall contain the (a) Total amount, (b) net amount payable to the Contractor/Supplier/Vendor and (c) the 2% TDS amount of GST.
- (ii) The DDO shall prepare the bill on PFMS (in case of Central Civil Ministries of GoI), similar payment portals of other Ministries/Departments of GoI or of State Governments for submission to the respective payment authorities.
- (iii) In the Bill, it will be specified
 - (a) the net amount payable to the Contractor; and
 - (b) 2% as TDS
- (iv) The TDS amount shall be mentioned in the Bill for booking in the Suspense Head (8658 - Suspense; 00.101 - PAO Suspense; xx – GST TDS)
- (v) The DDO will require to maintain the Record of the TDS so being booked under the Suspense Head so that at the time of preparing the CPIN for making payment on weekly/monthly or any other periodic basis, the total amount could be easily worked out.
- (vi) At any periodic interval, when DDO needs to deposit the TDS amount, he will prepare the CPIN on the GSTN Portal for the amount (already booked under the Suspense Head).

- (vii) While generating the CPIN, the DDO will have to select mode of payment as either (a) NEFT/RTGS or (b) OTC. In the OTC mode, the DDO will have to select the Bank where the payment will be deposited through OTC mode.
- (viii) The DDO shall prepare the bill for the bunched TDS amount for payment through the concerned payment authority. In the Bill, the DDO will give reference of all the earlier paid bills from which 2% TDS was deducted and kept in the suspense head. The DDO may also attach a certified copy of the record maintained by him in this regard.
- (ix) The payment authority will pass the bill by clearing the Suspense Head operated against that particular DDO after exercising necessary checks.
- (x) In case of NEFT/RTGS mode, the DDO will have to mention the CPIN Number (as beneficiary's account number), RBI (as beneficiary) and the IFSC Code of RBI with the request to payment authority to make payment in favour of RBI with these credentials.
- (xi) In case of the OTC mode, the DDO will have to request the payment authority to issue 'A' Category Government Cheque in favour of one of the 25 authorized Banks. The Cheque may then be deposited along with the CPIN with any of branch of the authorized Bank so selected by the DDO.
- (xii) Upon successful payment, a CIN will be generated by the RBI/Authorized Bank and will be shared electronically with the GSTN Portal. This will get credited in the electronic Cash Ledger of the concerned DDO in the GSTN Portal. This can be viewed and the details of CIN can be noted by the DDO anytime on GSTN portal using his Login credentials.
- (xiii) The DDO should maintain a Register as per proforma given in Annexure 'A' to keep record of all TDS deductions made by him during the month. This Record will be helpful at the time of filing Monthly Return (FORM GSTR-7) by the DDO. The DDO may also make use of the offline utility available on the GSTN Portal for this purpose.

- (xiv) The DDO shall file the Return in FORM GSTR-7 by 10th of the following month
- (xv) The DDO shall generate TDS Certificate through the GSTN Portal in FORM GSTR-7A

10. Departments in Central Government should instruct all its DDOs under them to follow the above procedure for payment of GST TDS amount deducted from payments to be made to suppliers.

11. Difficulty, if any, in implementation of this circular may please be brought to the notice of Department of Revenue.

(Ritvik Pandey)
Joint Secretary to the Government of India

Annexure A**Record to be maintained by the DDO for filing of GSTR7**

Sl. No.	GSTIN of the Deductee	Trade Name	Amount paid to the Deductee on which tax is deducted	Integrated Tax	Central Tax	State/UT Tax	Total



**GOVERNMENT OF TELANGANA
FINANCE (TFR) DEPARTMENT**

Circular Memo No.8213/291/A1/TFR/2018, Dated:16-11-2018

Sub: Telangana Goods and Services Act, 2017- Tax deduction at source(TDS) by the Government departments, Local authorities and Governmental agencies – Implementation of TDS provisions w.e.f.01.10.2018 – Guidelines for DDO's – Instructions – Issued.

- Ref:-1. The Telangana Goods and Services Tax Act, 2017 (Act No.23 of 2017)
 2. Government of India Notification No.50/2018, dt:13.09.2018
 3. G.O.Ms.No.238, Revenue(CT-II)Department, dt:26.10.2017
 4. Government of India, Ministry of Finance, Department of Revenue Circular No. 65/39/2018 – DOR, F.No.S.31011/11/2018 – ST – I – DoR, dated 14.09.2018.
 5. Ref No.A(1)/63/2017, dt:28.09.2018 of Commissioner of State Tax, Telangana State, Hyderabad.
 6. Revenue Department U.O.Note.No.22786/CT.II(1)/2018-1, dt:06.10.2018
 7. Lr.No.F4/3864/2018, dt:08.10.2018 of the Director of Treasuries and Accounts, Telanganan State, Hyderabad.

* * *

Section 51 of the Telangana GST Act 2017 provides for deduction of tax by the Government Agencies (Deductor) or any other person to be notified in this regard, from the payment made or credited to the supplier (Deductee) of taxable goods or services or both, where the total value of such supply, under a contract, exceeds two lakh and fifty thousand rupees. The amount deducted as tax under this section shall be paid to the Government by deductor within ten days after the end of the month in which such deduction is made alongwith a return in FORM GSTR-7 giving the details of deductions and deductees. Further, the deductor has to issue a certificate to the deductee mentioning therein the contract value, rate of deduction, amount deducted etc.

2. As per the Act, every deductor shall deduct the tax amount from the payment made to the supplier of goods or services or both and deposit the tax amount so deducted with the Government account through NEFT to RBI or a cheque to be deposited in one of the authorized banks, using challan on the common portal. In addition, the deductors are entrusted the responsibility of filing return in FORM GSTR-7 on the common portal for every month in which deduction has been made based on which the benefit of deduction shall be made available to the deductee. All the DDOs who have to deduct GST from the bills have to register with the common portal and get the GST Identification Number (GSTIN) for the purpose of TDS.

3. The subject section which provides for tax deduction at source was not notified to come into force with effect from 1st July, 2017, the date from which GST was introduced. Government of India vide reference 2nd cited have notified that these provisions shall come into force with effect from 1st October, 2018 and issued guidelines vide reference 4th cited.

4. In order to comply with the provisions of the said Act for TDS, the following steps are required to be taken:-

- A. Registration as Tax Deductors in the GST common portal
- B. Deduction of TDS amount as per the provisions from the bills to be paid to the suppliers/deductees
- C. Deposit the TDS amount in to appropriate government account(s)
- D. File Tax Returns for TDS within the prescribed time limit

5. As per Section 51 of the Act, the following entities are required to do TDS and thus are required to get them registered as Tax Deductors under Section 24 (vi) of the said Act:-

- (i) Central and State Government Departments / Establishments (e.g. Departments, Heads of Departments, Collectorates, other sub-ordinate / field offices etc.)
- (ii) Local Authority (e.g. Municipalities, Panchayati Raj Institutions etc.)
- (iii) | Government Agencies (e.g. DRDA, ITDA etc.)
- (iv) An Authority / Board / Any other Body set up by an Act of Parliament / State Legislature or established by any Government with fifty-one percent or more participation by way of equity or control to carry out any function
- (v) Society established by Central Government or State Government or a Local Authority under Societies Registration Act, 1860 (21 of 1860)
- (vi) Public Sector Undertakings (Central and State)

6. Registration: For Registration as Tax Deductor, the following are required:
- (i) TAN/ PAN of the entity
 - (ii) Proof of Address of the place of the entity (Any proof issued by Government authority / by Local Authority / Municipal Khata Copy / Electricity Bill / Legal Ownership Document / Rent or Lease Agreement etc.) -- to be uploaded
 - (iii) PAN of the DDO (or Authorised Signatory)
 - (iv) Photograph of the DDO (or Authorised Signatory) - to be uploaded
 - (v) Aadhar Card / Digital Signature Certificate (DSC) of the DDO (or Authorised Signatory)
 - (vi) Valid email ID (preferably official email ID) of the DDO (or Authorised Signatory)
 - (vii) Mobile Phone Number of the DDO (or Authorised Signatory)

The DDO or the Authorised Signatory is required to make an application online in GSTREG 7 in the GST Common Portal on behalf of the Tax Deductor. The step by step user manual for applying for registration as Tax Deductor is available in the portal of the Commissionerate of CT& GST Telangana.(www.tgct.gov.in) and (www.gst.gov.in)

7. After the application is successfully submitted by the DDO, the same would be disposed of by the respective jurisdictional officer. Once the application is approved, the DDO (or Authorised Signatory) will receive the GST Number in the given email ID along with the initial password.

8. The Tax Deductor is required to deduct TDS amount from the payment to be made to the Supplier / Deductee at the rate of 2% (i.e. 1% Telangana GST + 1% Central GST in case of Intra- State Supply and 2% IGST in case of Inter-State Supply). Once such deduction is made by the Tax Deductor, the TDS amount is required to be deposited by the Tax Deductor in the Government account (TGST / CGST / IGST, as the case may be) within 10 days from the end of the month in which the deduction is made.

9. There are various kinds of office establishments relating to the frequency of deduction of TDS and the modalities for disbursement of payments to deductees / suppliers.

- a) Government entities drawing and disbursing by raising bills through the Treasury/PAO, where the number of TDS deduction cases are not very high (e.g. Departments / Heads of Departments / Subordinate offices etc.)

- b) Government entities drawing and disbursement by issuing Cheques, where the number of TDS deduction cases are considerably high (e.g. Works Divisions, Forest Divisions etc.)
 - c) Government entities where drawal and disbursement is not made through treasury/PAO and payment is made through Banks.
10. For payment process of Tax Deduction at Source under GST two options can be followed, which are as under:

Option I: Generation of challan for every payment made during the month.

Option II: Bunching of TDS deducted from the bills on weekly, monthly or any periodic manner.

11. In order to give effect to the above options from 01.10.2018, a process flow of deduction and deposit of TDS by the DDOs has been finalized for guidance and implementation by State Government Authorities. The process flow for Option I and Option II are described as under:

Option I - Individual Bill-wise Deduction and its Deposit by the DDO:-

12. In this option, the DDO will have to deduct as well as deposit the GST TDS for each bill individually by generating a CPIN (Challan) and mentioning it in the Bill itself.

13. Following process shall be followed by the DDO in this regard:

- (i) The DDO shall prepare the Bill based on the Expenditure Sanction. The Expenditure Sanction shall contain the (a) Total amount, (b) net amount payable to the Contractor/Supplier/Vendor and (c) the 2% TDS amount of GST. (TGST / CGST / IGST, as the case may be)
- (ii) The DDO shall login into the GSTN Portal (using his GSTIN) and generate the CPIN (Challan). In the CPIN he shall have to fill in the desired amount of payment against one/many Major Head(s) (CGST/SGST/UTGST/IGST) and the relevant component (e.g. Tax) under each of the Major Head.
- (iii) While generating the CPIN, the DDO will have to select mode of payment as either (a) NEFT/RTGS or (b) OTC. In the OTC mode, the DDO will have to select the Bank where the payment will be deposited through OTC mode.
- (iv) The DDO shall prepare the bill on PFMS (in case of Central Civil Ministries of GoI), similar payment portals of other Ministries/Departments of GoI or of State Governments (DDO request/HRMS portal) for submission to the respective payment authorities(Treasury/PAO).

- (v) In the Bill,
- (a) the net amount payable to the Contractor; and
 - (b) 2% as TDS will be specified (TGST / CGST / IGST, as the case may be)
- (vi) the bill will be scrutinized by treasury/PAO as per rules in force. After authorization the net amount will be paid to the contractor/vender concerned and the TDS amount shall be credited to the DDO current account.
- (vii) In case of NEFT/RTGS mode, the DDO will have to mention the CPIN Number (as beneficiary's account number), RBI (as beneficiary) and the IFSC Code of RBI with the request to payment authority to make payment in favour of RBI with these credentials.
- (viii) In case of the OTC mode, the DDO will issue Cheque from DDO current account in favour of one of the 25 authorized Banks. The Cheque may then be deposited along with the CPIN with any of branch of the authorized Bank so selected by the DDO.
- (ix) Upon successful payment, a CIN will be generated by the RBI/Authorized Bank and will be shared electronically with the GSTN Portal. This will get credited in the electronic Cash Ledger of the concerned DDO in the GSTN Portal. This can be viewed and the details of CIN can be noted by the DDO anytime on GSTN portal using his Login credentials.
- (x) The DDO should maintain a Register as per proforma given in Annexure 'A' to keep record of all TDS deductions made by him during the month. This Record will be helpful at the time of filing Monthly Return (FORM GSTR-7) by the DDO. The DDO may also make use of the offline utility available on the GSTN Portal for this purpose.
- (xi) The DDO shall generate TDS Certificate through the GST Portal in FORM GSTR-7A after filing of Monthly Return.

Option II - Bunching of deductions and its deposit by the DDO

14. Option-I may not be suitable for DDOs who make large number of payments in a month as it would require them to make large number of challans during the month. Such DDOs may exercise this option wherein the DDO will have to deduct the TDS from each bill, for keeping it under the Suspense Head. However, deposit of this bunched amount from the Suspense Head can be made on a weekly, monthly or any other periodic basis.

15. Following process shall be followed by the DDO in this regard:

(i) The DDO shall prepare the Bill based on the Expenditure Sanction. The Expenditure Sanction shall contain the (a) Total amount, (b) net amount payable to the Contractor/Supplier/Vendor and (c) the 2% TDS amount of GST. (TGST / CGST / IGST, as the case may be)

(ii) The DDO shall prepare the bill on PFMS (in case of Central Civil Ministries of GoI), similar payment portals of other Ministries/Departments of GoI or of State Government (DDO request/HRMS Portal) for submission to the respective payment authorities (Treasury/PAO).

(iii) In the Bill, it will be specified

(a) the net amount payable to the Contractor; and

(b) 2% as TDS (TGST / CGST / IGST, as the case may be)

(iv) The TDS amount shall be mentioned in the Bill for booking in the Suspense Head:- **8658 - Suspense; 00.101 - PAO Suspense; SH(02) – GST TDS**

(v) The DDO will require to maintain the Record of the TDS so being booked under the Suspense Head so that at the time of preparing the CPIN for making payment on weekly/monthly or any other periodic basis, the total amount could be easily worked out.

(vi) At any periodic interval, when DDO needs to deposit the TDS amount, he will prepare the CPIN on the GSTN Portal for the amount (already booked under the Suspense Head).

(vii) While generating the CPIN, the DDO will have to select mode of payment as either (a) NEFT/RTGS or (b) OTC. In the OTC mode, the DDO will have to select the Bank where the payment will be deposited through OTC mode.

(viii) The DDO shall prepare the bill in Form-58 for the bunched TDS amount for payment through the concerned payment authority (Treasury/PAO). In the Bill, the DDO will give reference of all the earlier paid bills from which 2% TDS was deducted and kept in the suspense head. The DDO may also attach a certified copy of the record maintained by him in this regard.

(ix) The payment authority(Treasury/PAO) will pass the bill by clearing the Suspense Head operated against that particular DDO after exercising necessary checks and the amount credited to the DDO current account.

(x) In case of NEFT/RTGS mode, the DDO will have to mention the CPIN Number (as beneficiary's account number), RBI (as beneficiary) and the IFSC Code of RBI with the request to payment authority to make payment in favour of RBI with these credentials.

(xi) In case of the OTC mode, the DDO will issue Cheque from DDO current account in favour of one of the 25 authorized Banks. The Cheque may then be deposited along with the CPIN with any of branch of the authorized Bank so selected by the DDO.

(xii) Upon successful payment, a CIN will be generated by the RBI/Authorized Bank and will be shared electronically with the GSTN Portal. This will get credited in the electronic Cash Ledger of the concerned DDO in the GSTN Portal. This can be viewed and the details of CIN can be noted by the DDO anytime on GSTN portal using his Login credentials.

(xiii) The DDO should maintain a Register as per proforma given in Annexure 'A' to keep record of all TDS deductions made by him during the month. This Record will be helpful at the time of filing Monthly Return (FORM GSTR-7) by the DDO. The DDO may also make use of the offline utility available on the GSTN Portal for this purpose.

16. The Tax Deductors are required to file monthly tax return for TDS online in GST Common Portal. The TDS returns are to be filed by 10th of the succeeding month in which the deduction is made. The tax returns can be filed online by logging into the GST Portal or by using the offline tool available in the GST portal. The step-by-step user manual for filing returns (both online and offline) are available in the in the portal of the Commissionerate of CT & GST Telangana.(www.tgct.gov.in) and (www.gst.gov.in)

17. The DDO shall generate TDS certificate through the GSTN Portal in Form GSTR-7A.

18. Late fee, interest and penalty:

- The provision of late Fees in respect of TDS in the GST is a two-layered provision.

- If the deductor(DDO) fails to furnish the return in FORM GSTR-7 (under Section 39(3)) by the due date (i.e. within 10 days of the month succeeding the month in which deduction was made) he shall pay a late fee of Rs. 100/- per day under CGST Act & SGST/UTGST Act separately during which such failure continues subject to a maximum amount of Rs. 5000/- each under CGST Act & SGST/UTGST Act.

• If any deductor(DDO) fails to furnish the certificate of TDS deduction to the deductee [i.e. the supplier] within 5 days of crediting the amount so deducted to the Government (i.e. furnishing return in FORM GSTR-7), the deductor(DDO) shall pay a late fee of Rs. 100/- per day under CGST Act & SGST/UTGST Act separately from the day after the expiry of five day period until the failure is rectified, subject to a maximum amount of Rs.5000/- each under CGST Act & SGST/UTGST Act.

19. Training & Support:

a. Departments should instruct all its DDOs under their control to follow the above procedure for registration, deduction, deposit and return filing of TDS. .

b. The Commissioner of State Tax, Telangana is requested to provide necessary training and support in coordination with the local Treasury Officers to familiarize and help the State Government organizations in registration as Tax Deductor in GST portal, deduction, deposit of TDS and filing of returns.

20. The DTA is directed to make necessary changes, if any, in their packages and issue necessary guidelines to the treasury officers under his control.

21. Difficulty, if any, in implementation of this circular shall be brought to the notice of Department of Revenue and department of Finance, Telangana State.

**K.RAMAKRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Revenue (CT)Department
The Commissioner, State Tax, Telangana State, Hyderabad.
All the Departments of Secretariat.
All the Heads of Departments.
All the District Collectors.
The Director of Treasuries & Accounts, Telangana, Hyderabad.
The Pay and Accounts Officer, Telangana State, Hyderabad
The Director of works & Accounts, Telangana State, Hyderabad.
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER

Annexure A

Annexed to the Circular Memo No.8213/291/A1/TFR/2018, Dated:16-11-2018

Record to be maintained by the DDO for filing of GSTR7

Sl. No.	GSTIN of the Deductee	Trade Name	Amount paid to the Deductee on which tax is deducted	Integrated Tax	Central Tax	State/UT Tax	Total

**K.RAMAKRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT**

// FORWARDED :: BY ORDER //

SECTION OFFICER

**GOVERNMENT OF TELANGANA
WORKS ACCOUNTS DEPARTMENT**

From
V. Phanibhushan Sharma,
Director of Works Accounts(I/c),
Telangana State,
1st Floor, ENC(PH) Buildings,
Kashana, A.C Guards,
Hyderabad – 500004.

To
The Engineers-in-Chief/Chief Engineers
of All Departments.

Lr.No.DWA/TS/Hyd/Sn.I/A-1/2020-21/ 94,

Date: 30. - 07 - 2020.

Sir,

Sub:- Public Works – GST Clarification on the value of supply in works contracts for addition of GST and memo of payment for work bills in GST regime – Communication of Govt. Orders – Regarding.

Ref:- Govt. Memo.No.139-A/03/WP/A1/2020, dt:24-07-2020 of Finance (WP) Department.

I am directed to communicate the Government Memo cited with regard to clarification on the value of supply in works contracts for the purpose of calculating and adding the applicable percentage of GST and deduction at source.

1. As per Section 15(2) (a) of TGST Act, 2017, in respect of works contracts, the value of supply shall include Part-B provisions of estimate that are added to the value of work as per agreement for considering /adding eligible GST.
2. The GST TDS is applicable on the total value of supply i.e., before deduction of any amount (even before Withholding amount in bills).

A memo of payment in respect of work bills executed in GST regime for the purpose of calculation of GST and GST TDS is herewith enclosed for guidance. This is for illustrative purpose only and admissibility of items/provisions mentioned therein is subject to eligibility or otherwise as per respective agreement conditions and estimate provisions.

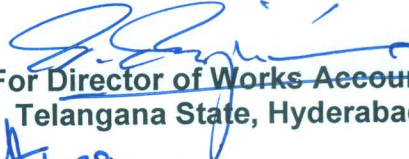
I request to issue necessary instructions to all the Departmental Officers in this regard for uniform implementation of GST in work bills.

Encl: Copy of Ref.

Yours faithfully,
Sd/-

**Director of Works Accounts,
Telangana State, Hyderabad.**

Copy to the JDWAs, PAOs and APAOs for information and necessary action.


For Director of Works Accounts,
Telangana State, Hyderabad.
30/7/2020

GOVERNMENT OF TELANGANA
FINANCE (WP) DEPARTMENT

Memo No:139-A/03/WP/A1/2020

Date:24-07-2020

Sub:- Public Works-GST-Clarification on the Value of supply in works contracts for addition of GST and memo of payment for work bills in GST regime-Issued-Reg.

- Ref:- 1) Govt. of TS, Fin.(WP) Dept.,Memo No.139-A/03/WP/A1/2020, dated:29-01-2020
2) Lr.No.DWA/TS/Hyd/Sn.I/A-1/2020-21/535 of DOWA, TS, Hyd., dated:04.03.2020 addressed to CCT, TS, Hyd.
3) CCT's Ref No.A(1)/64/2018, dt.21.03.2020 of Commissioner of Commercial Taxes, Hyd.
4) Lr.No.DWA/TS/Hyd/Sn.I/A-1/2020-21/5 of DOWA, TS, Hyd., dated:13.05.2020.

The Director of Works Account vide letter 4th cited, submitted that he has addressed the Commissioner of Commercial Taxes, Hyderabad for clarification regarding the value of supply in works contracts for the purpose of calculating and adding the applicable percentage of GST and deduction at source. The Commissioner of Commercial Taxes has clarified vide reference 2nd cited that,

"as per Section 15 (2) (a) of TGST Act, 2017, value of supply shall include any taxes, duties, cesses, fees and charges levied under any Law for the time being in force other than GST. Hence, the value of supply in works contracts service shall include all the items including tender premium quoted by the agency, price variation during the period of bill, Cesses and charges like seigniorage charge and labour cess etc., except GST taxes (CGST/SGST/IGST/Cess). Also, GST TDS is applicable on the total value of supply i.e., Amount arrived before deduction of any amount".

The Director of Works Accounts has accordingly proposed a model memo of payment for uniform implementation in all Works/Engineering Departments.

In the circumstances submitted by the Director of Works Accounts and keeping in view the clarification obtained from the Commissioner of Commercial Taxes, the Director of Works Accounts is directed to take necessary action for adoption of the model memo as proposed by him, in all Works and Engineering Departments, duly communicating the same to the HODs of the Engineering Departments.

K.RAMAKRISHNA RAO
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Works Accounts,
Telangana State, Hyderabad.
SF/SC.

//FORWARDED :: BY ORDER//


SECTION OFFICER

Ch
24/7

Model Memo of Payment

		Bill-1	Bill-2	Bill-3	Bill-4
	Value of work done (Inclusive of Tender premium, Price variation and excluding Embedded taxes, if applicable)	10000	20000	30000	50000
	ADD				
	S.Charges	1000	2000	3000	4000
	DMF	100	200	300	400
	SMET	20	40	60	80
	cess	100	200	300	500
	NAC	10	20	30	50
	Total	11230	22460	33690	55030
	GST 12%	1348	2695	4043	6604
1	Total	12578	25155	37733	61634
2	WITH HELD				
	FSD 7.5%	842	1685	2527	0
	With held for QC	0	0	100	0
3	Balance upto date	11736	23470	35106	61634
	DEDUCT				
4	Previous payment	0	11736	23470	35106
5	Payment to be made	11736	11734	11636	26528
a	Amounts creditable to same Work				
	(i)QCR	0	-23	0	0
		11736	11711	11636	26528
b	Amounts creditable to other Heads of Account				
	(i)S.C	1000	1000	1000	1000
	(ii)Cess	100	100	100	200
	(iii)NAC	10	10	10	20
	(iv)DMF	100	100	100	100
	(v)SMET	20	20	20	20
	(vi)IT	225	224	225	427
	(vii)V&E	0	120	0	0
	(viii)GST TDS 2%	225	225	225	427
	(ix)FSD 2.5%	0	0	0	1376
	Total recoveries	1680	1799	1680	2194
c	Net by cheque	10056	9912	9956	24334



STANDARD OPERATING PROCEDURE



A ready reckoner for DDOs / other Deductors in GST

(Updated as on 18th February 2019)

Law Committee
GST Council
28th September 2018

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1. Introduction:

The concept of Tax Deduction at Source (TDS) was there in the erstwhile VAT Laws. GST Law also mandates Tax Deduction at Source (TDS) vide Section 51 of the CGST/SGST Act 2017, Section 20 of the IGST Act, 2017 and Section 21 of the UTGST Act, 2017. GST Council in its 28th meeting held on 21.07.2018 recommended the introduction of TDS from 01.10.2018.

Following would be the deductors of tax in GST under section 51 of the CGST Act, 2017 read with notification No. 33/2017-Central Tax dated 15.09.2017:

- (a) a department or establishment of the Central Government or State Government; or
- (b) local authority; or
- (c) Governmental agencies; or
- (d) an authority or a board or any other body,-
 - (i) set up by an Act of Parliament or a State Legislature; or
 - (ii) established by any Government, with fifty-one per cent. or more participation by way of equity or control, to carry out any function; or
- (e) a society established by the Central Government or the State Government or a Local Authority under the Societies Registration Act, 1860 (21 of 1860); or
- (f) public sector undertakings.

The procedures of TDS along with related legal provisions are discussed herein below for the understanding of the stakeholders including the Drawing and Disbursement Officers (DDOs) who are required to deduct tax in accordance with the provisions of the GST Laws.

2. Relevant provisions of TDS in GST and effective date:

2.1 Provisions of Law:

GST Laws provide for tax deduction at source (TDS) by the specified category of persons (herein after referred to as 'the deductor') from the payment made or credited to the supplier of **taxable** goods or services or both (herein after referred to as 'the deductee') at a prescribed rate.

2.2 Effective date:

Notification No. 33/2017 – Central Tax dated 15.09.2017 was issued by the CBIC to enable registration of tax deductors. However, Government suspended the applicability of TDS till 30.09.2018. Now, it has been decided that the TDS provision would be made operative with effect from 01.10.2018. Notification No. 50/2018-Central Tax dated 13.09.2018 has already been issued in this regard by CBIC. Similar notifications have been issued by respective State Governments.

2.3 Brief Diagrammatic presentation of the TDS provisions in GST:

Deductor is required to take registration [Sec 24(vi)]

Registration to be done through the common portal www.gst.gov.in by using PAN/TAN

Enters into Contract for purchase of taxable goods / services or both with any supplier

Total Value of taxable supply under a contract (excluding GST) > Rs.2.5L
→ Deduct tax from payment

Total Value of taxable supply under a contract (excluding GST) < Rs.2.5 L
→ Don't deduct tax from payment

Deduct tax while making/crediting payment to the supplier

For Inter-State supply:
IGST: @2%

For Intra-State supply:
SGST: @1%
CGST: @ 1%

Make payment of deducted tax to the Government within 10 days after the end of the month in which deduction was made

Submit return in Form GSTR-7 within 10 days after the end of the month in which deduction was made

Furnish system generated TDS certificate in Form GSTR-7A to the deductee within 5 days of crediting payment of TDS to the Government i.e. furnishing FORM GSTR-7

Fails to make payment of deducted tax:

Both deducted tax and interest to be paid [Sec 50(1) read with Sec 51(6)]

Fails to furnish FORM GSTR-7 within due date:

Late fee payable (Section 47(1)): Rs. 100/- + Rs. 100/- per day (Maximum Rs. 5000/-) under CGST Act & SGST /UTGST Act separately

Fails to furnish FORM GSTR-7A within due date:

Late fee payable [Section 51(4)]: Rs.100/- + Rs.100/- per day (Maximum Rs.5000/-) under CGST Act & SGST/UTGST Act separately

In such cases recovery may be initiated u/s 73 or 74

If excess amount deducted:

Refund may be claimed by the deductor / dedcutee as the case may be (if excess tax gets credited to the deductee then no refund shall be granted to the deductor)

Late fee, Interest, Penalty (payable by the deductor) & Refund

2.4 Concept of Supply in GST:

Section 7 of the CGST/SGST Acts 2017: "....."supply" includes – (a) all forms of supply of **goods or services or both** such as **sale, transfer, barter, exchange, license, rental, lease or disposal** made or agreed to be made for a consideration by a person in the course or furtherance of business;....."

⇒ Supply in GST covers both supply of goods as well as supply of services by vendors/suppliers to the Government Departments, local authorities and other recipients as listed in para 1 (a) to (f) above.

Examples of supply of goods to Government/local authorities:

Procurement of stationery items, toilet articles, towels, furniture, air-conditioning machines, electrical goods, books and periodicals & medicines, etc.

Examples of supply of services to Government/local authorities:

Procurement of security services, car rental services, generator rental services, rental services like office building/land taken on rent, maintenance services, rental of machinery, etc.

⇒ There may be supplies which are composite in nature i.e. taxable supplies of goods and services or both which are naturally bundled and supplied in conjunction with each other in the ordinary course of business [Section 2(30) refers].

Examples of Composite supplies to Government/local authorities:

Works Contract services such as road, bridge, building development / renovation / repairing / maintenance services

involving supplies of both goods and services.

⇒ Taxable Supply means supply of goods or services or both which is leviable to tax under GST [Section 2(108) refers]

⇒ Exempt supply means supply of any goods or services or both which attracts nil rate of tax or which may be wholly exempt from tax under section 11 of the CGST / SGST Acts or under section 6 of the IGST Act, and includes non-taxable supply. [Section 2(47) refers]

3. When tax deduction is required to be made in GST:

Tax is required to be deducted from the payment made / credited to a supplier, if the total **value of supply under a contract** in respect of supply of **taxable goods or services or both, exceeds Rs. 2,50,000/-** (Rupees two lakh and fifty thousand).

This value shall exclude the taxes leviable under GST (i.e. 'Central tax', 'State tax', 'UT tax', 'Integrated tax' & Cess).

3.1 Conditions for & amount of deduction:

⇒ Tax deduction is required if all the following conditions are satisfied –

- a. Total value of taxable supply > Rs.2.5 Lakh under a single contract. This value shall exclude taxes & cess leviable under GST.
- b. If the contract is made for both taxable supply and exempted supply, deduction will be made if the total value of taxable supply in the contract > Rs.2.5 Lakh. This value shall exclude

taxes & cess leviable under GST.

- c. Where the location of the supplier and the place of supply are in the same State/UT, it is an intra-State supply and TDS @ 1% each under CGST Act and SGST/UTGST Act is to be deducted if the deductor is registered in that State or Union territory without legislature.
- d. Where the location of the supplier is in State A and the place of supply is in State or Union territory without legislature - B, it is an inter-State supply and TDS @ 2% under IGST Act is to be deducted if the deductor is registered in State or Union territory without legislature - B.
- e. Where the location of the supplier is in State A and the place of supply is in State or Union territory without legislature B, it is an inter-State supply and TDS @ 2% under IGST Act is to be deducted if the deductor is registered in State A.
- f. When advance is paid to a supplier on or after 01.10.2018 to a supplier for supply of taxable goods or services or both.

4. When tax deduction is not required to be made under GST:

Tax deduction is not required in following situations:

- a) Total value of taxable supply \leq Rs. 2.5 Lakh under a contract.
- b) Contract value $>$ Rs. 2.5 Lakh for both taxable supply and exempted supply, but the value of taxable supply under the said contract \leq Rs. 2.5 Lakh.
- c) Receipt of services which are exempted. For example services

exempted under notification No. 12/2017 – Central Tax (Rate) dated 28.06.2017 as amended from time to time.

- d) Receipt of goods which are exempted. For example goods exempted under notification No. 2/2017 – Central Tax (Rate) dated 28.06.2017 as amended from time to time.
- e) Goods on which GST is not leviable. For example petrol, diesel, petroleum crude, natural gas, aviation turbine fuel (ATF) and alcohol for human consumption.
- f) Where a supplier had issued an invoice for any sale of goods in respect of which tax was required to be deducted at source under the VAT Law before 01.07.2017, but where payment for such sale is made on or after 01.07.2017 [Section 142(13) refers].
- g) Where the location of the supplier and place of supply is in a State(s)/UT(s) which is different from the State / UT where the deductor is registered.
- h) All activities or transactions specified in Schedule III of the CGST/SGST Acts 2017, irrespective of the value.
- i) Where the payment relates to a tax invoice that has been issued before 01.10.2018.
- j) Where any amount was paid in advance prior to 01.10.2018 and the tax invoice has been issued on or after 01.10.18, to the extent of advance payment made before 01.10.2018.
- k) Where the tax is to be paid on reverse charge by the recipient i.e. the deductee.
- l) Where the payment is made to an unregistered supplier.
- m) Where the payment relates to “Cess” component.

5. Illustrations of various situations requiring deduction of tax:

Situations / Contracts	Deduction required YES / NO	Remarks
Finance Department is making a payment of Rs.3 Lakh to a supplier of 'printing & stationery' .	Yes	Where the total contract value of taxable supply is more than Rs.2.5 Lakh deduction is mandatory.
Education Department is making payment of Rs.5 Lakh to a supplier of 'printed books and printed or illustrated post cards' where payment for books is Rs.2 Lakh and Rs.3 Lakh is for other printed or illustrated post cards.	Yes, deduction is required in respect of payment of Rs. 3 Lakh only i.e. for payment in respect of taxable supply.	Books are exempted goods; no deduction is required in respect of supply of books. However, payment involving 'printed or illustrated post cards' is for supply of taxable goods and value of such supply is > Rs.2.5 Lakh; so deduction is required.
Finance Department, is <u>making payment of Rs.1.5 Lakh</u> to a supplier of 'car rental service'.	See Remarks	Deduction is mandatory in case the total value of taxable supply under the contract > Rs.2.5 Lakh irrespective of the amount paid. However, if the total value of supply under a contract is < Rs.2.5 Lakh, deduction is not required.

Health Department executed a contract with a local supplier to supply “medical grade oxygen” of Rs.2.6 Lakh (including GST) and is making full payment.

No

Total value of supply as per the contract is Rs.2.6 Lakh (including GST). Tax rate is 12%.

So, taxable value of supply (excluding GST) stands at
 $Rs.2.6L \times 100/112$
 $= Rs.2.32 L < Rs.2.5 Lakh$
 Hence, deduction is not required.

Municipal Corporation of Kolkata purchases a heavy generator from a supplier in Delhi. Now, it is making payment of Rs.5 Lakh and IGST @18% on Rs.5 Lakh for such purchase.

Yes, deduction is required @2%

Deduction is required in case of inter-State supply and if the value of taxable supply under a contract exceeds Rs.2.5 Lakh.

Fisheries Department is making a payment of Rs.10 Lakh to a contractor for supplying labour for digging a pond for the purpose of Fisheries.

No

This supply of service is exempt in terms of Sl. No. 3 of notification No.12/2017 – Central Tax (Rate) dated 28.06.2017 and hence deduction is not required.

Municipality is making payment of Rs.5 Lakh to a supplier in respect of cleaning of drains where the value of supply of goods is not more than 25% of the value of composite supply.

No

This supply of service is exempt in terms of Sl. No. 3A of notification No.12/2017 – Central Tax (Rate) dated 28.06.2017 as amended by notification no. 2/2018- Central Tax (Rate) dated 25.01.2018 and hence deduction is not required.

Government school is making a payment of Rs.3 Lakh to a supplier for supply of cooked food as mid-day meal under a scheme sponsored by Central/State Government.

No

This supply of service is exempt in terms of Sl. No. 66 of notification No. 12/2017 – Central Tax (Rate) dated 28.06.2017 as amended and hence deduction is not required.

Health Department is making payment of Rs.10 Lakh to a supplier for supply of Hearing Aids.

No

This supply of goods is exempt in terms of Sl. No.142 of notification No. 2/2017 – Central Tax (Rate) dated 28.06.2017 as amended and hence deduction is not required.

Situation (in all cases taxable contract value is over Rs.2.5 Lakh)	Location of Supplier	Place of Supply	State of registration of recipient	Type of Supply	Tax	TDS deduction
Govt. of WB purchases taxable goods from a local supplier	Kolkata	Kolkata	West Bengal	Intra State	CGST+ SGST	Yes
Govt. of Punjab purchases taxable goods from a supplier in Delhi	Delhi	Punjab	Punjab	Inter State	IGST	Yes
Govt. of WB engages a contractor of Delhi for renovation of Bangla Bhawan in Delhi	Delhi	Delhi	West Bengal	Intra State in the State of Delhi	CGST+ SGST	No

6. Valuation of supply for deduction of TDS and applicable rates with illustrations:

For the purpose of deduction of TDS, the value of supply shall exclude the taxes leviable under GST (i.e. 'Central tax', 'State tax', 'UT tax', 'Integrated tax' & Cess). Thus, no tax shall be deducted on 'Central tax', 'State tax', 'UT tax', 'Integrated tax' and cess component levied on supply. No deduction of tax and cess should also be made on the value of exempted goods or services or both even if the exempt and taxable supply are billed together.

NOTE: Suppose three separate contracts for supply are given to M/S ABC by the Health Department of the Government of West Bengal and the value of taxable supply is below Rs.2.5 Lakh in case of each contract though their combined value is more than Rs.2.5 Lakh; in such case no deduction is required to be made since value of taxable supply in neither of the contract exceeds Rs. 2.5 Lakh.

6.1 Rate of deduction of tax:

There are 4 types of taxes in GST – Integrated Tax (IGST), Central Tax (CGST) and State Tax (SGST) / Union territory Tax (UTGST).

The deduction in case of intra-State supply (supply within a State) will be CGST & SGST (in case of Union territory without legislature, it will be CGST & UTGST), and the deduction in case of inter-State supply (supply from one State to another) will be IGST.

Rate of such deduction is @ 2% [i.e. 1% each on CGST & SGST/UTGST component] on the amount paid/credited in respect of intra-State supply & @ 2% [as IGST] on the amount paid/credited in respect of inter-State supply.

6.2 Illustration of various situations requiring determination of value of supply for deduction of tax:

6.2.1 Supplier is registered and contract value is excluding GST:

Example 1: Supplier X makes taxable supply worth Rs. 10,000/- to a Municipality where contract for supply is for Rs.15,00,000/-. The rate of GST is 18%. Supplier and the deductor are in the same State. Following payment is being made by this Municipality to X:

Rs. 10,000 (value of Supply) + Rs 900 (Central Tax) + Rs 900 (State Tax).

Value of supply = Rs.10,000/-

Tax to be deducted from payment:

Central Tax = 1% on Rs.10,000/- = Rs.100/- ; State Tax = 1% on Rs.10,000/- = Rs.100/-

Payment due to X after TDS as per GST provisions: Rs. 11600/-

6.2.2 Supplier is registered and contract value is inclusive of GST:

Example 2: Supplier Y of Mumbai makes taxable supply worth Rs. 10,000/- & exempted supply worth Rs. 20,000/- in an invoice/bill of supply to Finance Deptt. of GoI located in New Delhi where contract for supply is for Rs.6,00,000/- (Rs.2,60,000 for taxable supply including GST and Rs.3,40,000 for exempted supply). The rate of GST is 18%. Following payment is being made by GoI to Y: Rs.10,000/- (value of taxable Supply) + Rs.1,800 (Integrated Tax) + Rs.20, 000/- (value of exempted Supply).

Whether any deduction of tax is required?

Value of taxable supply in the contract= Rs.2,60, 000/- (including GST)

Value of such contract excluding tax= $260000 \times 100 / 118 =$

Rs.220340/-

Since, the value of taxable supply in the contract does not exceed Rs.2.5 Lakh, deduction of tax is not required.

6.2.3 Supplier is registered under composition scheme:

Example 4: Supplier ZA is a person registered under the composition scheme in Jharkhand who makes taxable supply worth Rs. 10,000/- to a Local Authority of Jharkhand where value of taxable supply under the contract is for Rs.2, 55,000/-

Following payment is being made by the Local Authority of Jharkhand to ZA: Rs.10, 000/-

Value of taxable supply under the contract is Rs.2, 55, 000/- which is more than Rs.2.5 Lakh and hence deduction of tax is required.

7. Persons liable to deduct tax under GST Law:

As per the provisions of the GST Law, the following persons are mandatorily required to deduct TDS :-

- (a) a department or establishment of the Central/ State Government; or
- (b) local authority; or
- (c) Governmental agencies; or
- (d) such persons or category of persons as may be notified by the Government on the recommendations of the Council.

The following class of persons under clause (d) of section 51(1) of the CGST Act, 2017 has been notified vide notification No. 33/2017 – Central Tax dated 15.09.2017 :-

- (a) an authority or a board or any other body,—
 - (i) set up by an Act of Parliament or a State Legislature; or
 - (ii) established by any Government, with fifty-one percent or more participation by way of equity or control, to carry out any function;
- (b) society established by the Central/ State Government or a Local Authority under the Societies Registration Act, 1860;
- (c) public sector undertakings.

Local authority:

Section 2(69): “local authority” means--

- (a) a “Panchayat” as defined in clause (d) of article 243 of the Constitution;
- (b) a “Municipality” as defined in clause (e) of article 243P of the Constitution;
- (c) a **Municipal Committee, a Zilla Parishad, a District Board, and any other authority** legally entitled to, or entrusted by the Central Government or any State Government with the control or management of a municipal or local fund;
- (d) a **Cantonment Board** as defined in section 3 of the Cantonments Act, 2006;
- (e) a **Regional Council or a District Council** constituted under the Sixth Schedule to the Constitution;
- (f) a **Development Board** constituted under article 371 of the Constitution; or
- (g) a **Regional Council** constituted under article 371A of the Constitution.

8. Registration of deductor of tax in GST:

- The existing deductors of STDS/TCS under VAT Act will not be automatically migrated to GST.
- Section 24(vi) of the CGST Act, 2017 provides for compulsory liability for registration for the deductors of TDS.
- A deductor in GST will be required to get registered and obtain a GSTIN [Goods & Services Tax Identification Number] as a TDS deductor even if he is separately registered as a supplier.
- A deductor has to get himself registered through the portal www.gst.gov.in by using their PAN/TAN. The entire process is online.

8.1 Step by step process of registration of TDS Deductors in GST:

PART - I : Entering User credentials for Registration Application

1. Go to the GST Portal at www.gst.gov.in
2. Click on the “Services” Tab → Click on “Registration” → Select

“New Registration”.

3. Find the box **“I am a”** which will capture your status as an applicant. Select **“Tax Deductor”** from the drop-down menu.
4. Look below for the options: I have a (a) PAN (b) TAN. **Please select the option “TAN”.**
5. Enter the TAN in the box below.
6. Now find the box **“State”** and select your State (e.g. West Bengal) from the drop-down Menu.
7. Select the **applicable district** (e.g. Howrah) from the drop- down Menu in the **“District” box**.
8. Find the box **“Legal name of the Tax deductor”**. Enter the name as mentioned in TAN. Please don't deviate from such data.
9. Enter your **e-mail address** and **Mobile Number** in the respective boxes. **Please ensure that this e-mail and mobile are regularly accessed by you. OTP for registration will be sent to these contacts only.**
10. Enter the **Captcha Code** as displayed onscreen.
11. Click on the button **“Proceed”**.
12. Automatically you will be guided to the next page.
13. **The system will also send 2 different OTPs. One to the Mobile Number and another to the e-mail id as entered by you.**

PART – II : OTP Verification

1. Enter the individual **OTPs sent to your e-mail id & the Mobile number** in the respective boxes.
2. In case, you have **not received the OTPs** due to any reason, you

may click on the link **“Click here to resend the OTP”**.

3. Click on the **button “Proceed”**.
4. A **Temporary Reference Number (TRN)** will be generated. **Please note this TRN is for further course of action.**
5. **Now, you have to fill up the rest of the details in the Registration Application against this TRN only.**
6. Click on the **button “Proceed”** to leave this page.
7. **This TRN will be valid for 15 days.** So you can always come back to the system for filling up the rest of the details at any time within such 15 days. **In case this TRN expires beyond 15 days, you will have to follow the steps as detailed in Part I and Part II all afresh.**

PART – III : Filling up the registration Form : Entering TRN

1. Go to the GST Portal at **www.gst.gov.in**
2. Click on the **“Services” Tab** → Click on **“Registration”** → Select **“TRN”**.
3. **Enter the TRN** as you have noted down previously.
4. Enter the **Captcha Code** as displayed on screen.
5. Click on the button **“Proceed”**.
6. You will be guided to the next page.

PART – IV : Filling up the registration Form : OTP Verification

1. **This time only 1 OTP will be sent to your e-mail id & the Mobile number.**

2. **Enter the OTP** in the respective box.
3. In case, you have **not received the OTPs** due to any reason, you may click on the link **“Click here to resend the OTP”**.
4. Click on the **button “Proceed”**.
5. You will be guided to the **“My saved Applications” page**.
6. The link of your application for **Registration as a Tax Deductor in Form GST REG 07 will be displayed** on screen with the corresponding expiry date of 15 days.
7. Click on the **blue coloured box with an icon of Pen** under the field **“Action”** to proceed.
8. Now **you will be guided to the main application form** for filling up the details.
9. **This will have 5 different tabs**. Please ensure that all the fields in the individual tabs are duly selected.

PART – V : Filling up the registration Form : Tab 1 : Business Details

1. As per the GST Law, Business includes all activities undertaken by a Govt. Dept. or a Local Authority. **So, the Business details as mentioned in this Form will capture your Office details.**
2. The **Legal Name of Tax Deductor, e-mail address, Mobile No., TAN** and Status as a Tax Deductor will be displayed on screen automatically as all these have already been entered by you.
3. **Ignore the box “Trade Name”**.
4. Select your **Office type e.g. Govt. Dept./ Local Authority etc.** from the drop down menu of the box **“Constitution of Business”**.
5. Select **“Type of Government” as State or Central** (as applicable) if you have entered your constitution as Govt. Dept.
6. **Date of liability will be auto-populated.** You need not worry even it shows as the current date because you will be liable to deduct

TDS only from the day, Section 51 of the CGST/SGST Acts, 2017 is notified i.e. with effect from 01.10.2018. If you apply for registration after this date, you will be liable from the date of application for registration.

7. **Enter the State Jurisdiction details** by selecting the applicable “District” and “Sector/Circle/Charge/Unit” from the drop-down menu.
8. Enter the Center Jurisdiction accordingly. **To know the Central Jurisdiction, you may click on the designated link** given therein and find the appropriate data.
9. Click on “**Save and Continue**” to proceed to the next tab.
10. Once all the required data are filled up, you will find that the Tab: **Business Details will be displayed with a tick (√) mark.**

PART – VI : Filling up the registration Form : Tab 2 : DDO Details

1. Enter the **Personal details of the DDO** in the first part of this page.
2. Here you will have to enter: **(a) name of DDO, (b) Father’s name of DDO, (c) Date of Birth, (d) Mobile Number, (e) e- mail address, (f) Gender, (g) Telephone (landline) with STD Code.**
3. **Enter the Identity Information of the DDO** in the second part of this page.
4. Here you will have to enter: **(a) Designation of DDO, (b) PAN of DDO, (c) Aadhar Number (not mandatory)**
5. **Enter the Residential details of the DDO** in the third part of this page.
6. Here you will have to enter: **(a) Residential address of the DDO.**
7. **Now, upload a photograph of the DDO in JPEG format (file size max. 100kb)**
8. **Select the button “Also authorized signatory” as Yes.**

9. Click on **“Save and Continue”** to proceed to the next tab.
10. Once all the required data is filled up, you will find that the Tab: **DDO Details will be displayed with a tick (√) mark.**

PART – VII : Filling up the registration Form : Tab 3 : Authorised Signatory Details

1. As you have already selected the button **“Also authorized signatory”** as **Yes** in the previous page, the data from DDO details will be auto-populated.
2. Click on **“Save and Continue”** to proceed to the next tab.
3. Once all the required data is filled up, you will find that the Tab: **Authorised Signatory Details will be displayed with a tick (√) mark.**

PART – VIII : Filling up the registration Form : Tab 4 : Office Address Details

1. Enter the DDO’s Office Address details in the first part of this page.
2. Enter the Office Contact details in the second part of this page.
3. Select the nature of possession of premises from drop-down menu.
4. Now, select from the drop-down menu, a type of document you want to upload as an address proof.
5. Now upload such document accordingly either in PDF or JPEG format (file size max. 2mb)
6. Click on **“Save and Continue”** to proceed to the next tab.
7. Once all the required data is filled up, you will find that the Tab: **Office Address Details will be displayed with a tick (√) mark.**

PART – IX : Filling up the registration Form : Tab 5 : Verification

1. Select the Verification Check Box.
2. Select the DDO's name (with TAN) from the drop-down menu of "Name of Authorised Signatory".
3. Enter Place.
4. You can sign the application either with your DSC or with EVC.
5. Select the appropriate option and proceed accordingly.
6. In case you face any glitch regarding attaching your DSC, a designated link for solution is provided in the page itself.
7. If you have entered all the details and have successfully submitted your properly signed application, the page will now display a success message and accordingly an Acknowledgement will be sent to you.

Now, the proper officer will process your application and your 15 digit GSTIN as a Tax Deductor will be generated.

9. Payment of TDS (provisions and procedure):

By nature, the method of depositing TDS under GST is very much similar with the method followed for VAT efs payment in VAT. In GST, there will be a single portal www.gst.gov.in for registration, payment and filing of Returns. This section to be State-specific and to be written by the State concerned in accordance with the respective Treasury Management System. The Centre has already issued necessary instructions.

9.1 Challan generation for depositing the deducted tax

The deductor has to generate a challan in the portal at www.gst.gov.in and deposit the tax so deducted through e-payment mode [Net Banking/Debit-Credit card/NEFT-RTGS] or

OTC Mode [Cash/Cheque/DD].

For further details, circular No. 65/39/2018-DOR dated 14.09.2018 may be referred.

10. TDS return:

The filing the TDS Return in **FORM GSTR-7** can be done both through the online mode in the GST portal as well as by using the offline tool.

10.1 TDS return submission procedure:

- In the offline method, the deductor would be required to fill up the designated .xl file and upload the said file with signature validation.
- **Every registered TDS deductor is required to file a Return in FORM GSTR 7** electronically within 10th of the month succeeding the month in which deductions have been made to avoid payment of any late fee, interest. [Section 39(3) of the CGST Act, 2017 read with Rule 66 of the CGST Rules, 2017 refers]
- Tax deposited by challan would get credited in the electronic cash ledger of the deductor. **The liability of a deductor in FORM GSTR 7 has to be paid by him by debiting his electronic cash ledger.**
- The deductor shall furnish to the deductee a system generated **certificate in FORM GSTR 7A** mentioning therein the contract value, rate of deduction, amount deducted, amount paid to the Government and other related particulars. The said certificate is to be furnished within five days of crediting the amount so deducted to the Government i.e. within five days of furnishing return in **FORM GSTR-7**.

- The entire exercise has to be completed through www.gst.gov.in.
- The deductee (i.e. the supplier) shall claim the credit of such deduction in his electronic cash ledger.

10.2 Time limit for filing the TDS Returns under GST:

The **FORM GSTR-7** for a particular month has to be filed online within 10th of the month succeeding to the month in which deductions have been made.

10.3 Filing of TDS Return for period during which there was no registration:

All deductions made on or after 1st October, 2018 but before the date of registration may be included in the first return to be furnished after obtaining registration. (inserted as on 27/12/2018)

11. Benefit of TDS to deductee and TDS certificate:

With the deduction of tax and submission of return in **FORM GSTR 7** the amount deducted would be available in **FORM GSTR 2A/4A** of the registered deductee and the same would be credited in his electronic cash ledger. The deductee would be able to utilize this amount for discharging his tax liabilities.

12. Late fee, interest and penalty:

Provision for late fees for late filing of TDS Returns in GST

- The provision of late Fees in respect of TDS in the GST is a two-layered provision.
- If the deductor fails to furnish the return in **FORM GSTR-7** (under Section 39(3)) by the due date (i.e. within 10 days of the month succeeding the month in which deduction was made) he shall pay a late fee of Rs. 100/- per day under CGST Act &

SGST/UTGST Act separately during which such failure continues subject to a maximum amount of Rs. 5000/- each under CGST Act & SGST/UTGST Act.

- If any deductor fails to furnish the certificate of TDS deduction to the deductee [i.e. the supplier] within 5 days of crediting the amount so deducted to the Government (i.e. furnishing return in **FORM GSTR-7**), the deductor shall pay a late fee of Rs. 100/- per day under CGST Act & SGST/UTGST Act separately from the day after the expiry of five day period until the failure is rectified, subject to a maximum amount of Rs.5000/- each under CGST Act & SGST/UTGST Act.

13. Legal References

Details	Sections of CGST/SGST Act, 2017	Rules of CGST/SGST Rules, 2017	GST Forms
Deduction of TDS, Persons liable to deduct, Conditions & Rate of deduction	Section 51	Rule 66	
Compulsory Liability of Registration for TDS deductors	Section 24(vi)		
Application for registration	Section 25	Rule 12(1)	GST REG-07
Grant of Registration Certificate		Rule 12(2)	GST REG-06
Cancellation of Registration		Rule 12(3) read with Rule 22	GST REG-08
Payment of TDS	Section 51(2)	Rule 85(4)	GST PMT-05
Payment through GST Challan		Rule 87(2) & Rule 87(3)	GST PMT-06

Communication to Bank in case amount paid is debited but CIN not generated		Rule 87(8)	GST PMT-07
TDS Return	Section 51(5) read with Section 39(3)	Rule 66(1)	GSTR-07
Issue of Certificate of deduction	Section 51(3)	Rule 66(3)	GSTR-7A
Late Fees (for late filing of GSTR-7)	Section 47(1)		
Late Fees (for late furnishing of GSTR-7A)	Section 51(4)		
Interest	Section 51(6) read with Section 50(1); Sec 20(xxv) of IGST Act read with section 51(6) & section 50(1) of the CGST/SGST Act		
Penal provisions Demands & recovery	Section 51(7) read with Section 73 & Section 74 & Section 122(1)(v) and Section 20(xxv) & 4 th proviso to Section 20 of IGST Act	Rule 142	DRC 1 to DRC 8
Refund	Section 51(8) read with Section 54		
Transitional Provisions	Section 142(13)		

14. Frequently asked questions (FAQs)

TDS in GST

Q1	As a DDO I am deducting TDS from salary and also while making payment of other bills under Income Tax Act. Then why should I need to deduct TDS again?
A.	TDS under Income Tax is different from TDS under GST. There was a provision of TDS under VAT Act also. TDS under the GST Law is different from the above. Deductions of tax under the GST Laws is required to be made wherever applicable while making payments to the suppliers/ vendors of <u>goods or services or both</u> under GST for taxable supply of goods or services or both.

Persons liable to deduct TDS under GST

Laws

Q2	Who are liable to deduct TDS?
A. All the DDOs of the (a) a department or establishment of the Central Government or State Government; (b) local authority; (c) Governmental agencies; (d) an authority or a board or any other body, - (i) set up by an Act of Parliament or a State Legislature; or (ii) established by any Government, with fifty-one percent or more participation by way of equity or control, to carry out any function; (e) a society established by the Central Government or the State Government or a Local Authority under the Societies Registration Act, 1860 (21 of 1860); (f) public sector undertakings.	
Q3	Describe the responsibilities of DDO in TDS under GST to get his/her office registered under GST?
<p>A. To know the GSTIN of his office</p> <p>B. To be aware of the contract value</p> <p>C. To know when to deduct TDS under GST</p> <p>D. To know the nature of TDS (IGST or CGST & SGST/UTGST) to be deducted & the rate of tax</p> <p>E. To know the GSTIN of his/her vendors/suppliers</p> <p>F. To deduct TDS while making/crediting payment</p> <p>G. To generate CPIN while depositing the deducted tax</p> <p>H. To pay the deducted amount of TDS to the appropriate Govt. A/c</p> <p>I. To submit GSTR-7(Return)</p> <p>J. To generate GSTR-7A (TDS certificate for suppliers)</p>	

Registration requirement for TDS deductors & Procedure of Registration

Q4	Does every Government office require to be registered under GST laws?
A. Yes, every Government office shall get itself mandatorily registered under GST. Here the role of DDO is very important as he is responsible for deducting tax while making/crediting payment under GST in applicable cases and, unless & until the process of registration is completed, the DDO will not be able to deduct any tax.	
Q5	I am a DDO of a small Government Office. My office has not entered into any contract with any vendor whose taxable value of supply is more than Rs 2.5 Lakh in the recent past. Do I have to take GST registration for my office?
A. No. You are liable to register only when you make a payment on which tax is required to be deducted.	
Q6	Do I have to pay any Fees for obtaining a GST registration?
A. No fee is required to be paid for obtaining a GST Registration on the common portal.	

Q7	Is there any printed form for registration which I require to fill up?
A. No. The process of getting registration under GST is a fully online process. Registration should be done in the common portal www.gst.gov.in . There is no need to submit any hardcopy of any form or any document for Registration.	
Q8	Is there any need to upload any document to complete the registration process?
A. Yes, (i) a proof of address of the concerned office & (ii) a scanned photo of concerned DDO is required to be uploaded. A valid TAN is also needed.	
Q9	What types of documents are needed to be uploaded for address proof?
A. Scanned copy of either of the following will have to be uploaded: valid electricity bill or Municipality khata copy or property tax receipt or any legal ownership documents etc.	
Q10	To submit my registration application do I always need a DSC?
A. One can use Electronic Verification Code for submission of the registration form in the common portal apart from DSC.	
Q11	How do I know that I have submitted the application form correctly? What is an ARN?
A. A pop-up message will appear that the form has been successfully submitted & an Acknowledgement Reference Number (ARN) will be sent to the registered mobile no & registered email address of the applicant after successful submission of Registration Application (FORM GST REG-07) online.	
Q12	Is this ARN called the GST registration No?
A. No. This ARN is generated only for a temporary period. Once FORM GST REG-07 is processed by the proper officer, the 15-digit GSTIN of the Tax Deductor will be generated. This GSTIN is the GST Registration No. of the applicant office.	
Q13	How do I know that GSTIN has been generated for my office or not?
A. Information will be given to the DDO in his registered email id as well as registered mobile no.	

Q14	After getting GSTIN what should I do?
A.	DDO should update his DDO master details with the GSTIN in their respective DDO login in E-bill module of PFMS.
Q15	As a DDO, I have to enter some personal information to get TDS registration. What will happen if I get transferred? Will I still be responsible for any lapse committed by the DDO who succeeds me?
A.	It is true that the DDO is personally liable for any lapses regarding TDS deduction. But at the same time, the personal details of the DDO as entered in the Registration Form can always be amended; it is suggested that, the new DDO upon assuming of office should immediately amend such details. However the GSTIN of the deductor will remain unaltered.
Q16	If the new DDO does not amend the details of his predecessor in office whether the ex-DDO would be liable for any lapse done by this new DDO?
A.	No, the ex-DDO will not be liable for any lapse by his successor in office. A DDO is required to perform any responsibility in respect of TDS in GST either through a valid DSC (which is person specific) or through an EVC which would be sent to the registered mobile no as well as registered email id of the DDO only.

Situations when tax is required to be deducted in GST

Q17	Is there any threshold exceeding which tax is required to be deducted?
A.	Yes. Tax is required to be deducted from the payment made/credited to a supplier, if the value of supply under a contract in respect of supply of taxable goods or services or both, exceeds Rs. 2,50,000/- (Rupees two lakh and fifty thousand). This value shall exclude the taxes leviable under GST (i.e. 'Central tax', 'State tax', 'UT tax', 'Integrated tax' & 'Cess').
Q18	Mr B, a DDO of ABC Office of the Government West Bengal needs to buy stationeries for his office from supplier Mr C. Should Mr B deduct tax under GST while making payment to Mr C?
A.	Yes, Mr B is required to deduct tax while making / crediting payment to Mr C if value of taxable supply under a contract exceeds Rs 2.5 lakh.

Situations when Tax is not required to be deducted in GST

Q19	Is there any threshold up to which GST needs not to be deducted?
A.	Yes, GST need not to be deducted where the value of taxable supply under a contract does not exceed Rs 2.5 lakh.

Q20	As a deductor am I supposed to deduct GST where the taxable value of the contract entered with supplier Mr A is Rs 2.5 Lakh?
A. No. As the total value of taxable supply under the contract does not exceed Rs 2.5 Lakh the deductor is not liable to deduct tax under GST.	
Q21	I have entered into a contract worth Rs. 10 lakh with a supplier XYZ prior to 01.10.2018. Now, I am making a payment of Rs.1.5 Lakh in respect of an invoice dated 25.10.2018 submitted by the supplier. Should I deduct tax while making payment of Rs.1.5 Lakh?
A. Yes. Tax is required to be deducted since the payment is being made after the effective date.	
Q22	I have entered into a contract worth Rs. 10 Lakh with a supplier XYZ prior to 01.10.2018. I have made a payment of Rs.3 Lakhs to him prior to 01.10.2018. Now, I am making payment of the balance amount of Rs.7 Lakh after 01.10.2018. Should I deduct tax on Rs.10 Lakh?
A. No. Tax cannot be deducted for any payment made prior to 01.10.2018. So deduction will be made only in respect of Rs.7 Lakh	
Q23	I enter into a contract with a supplier ABC where the value of taxable supply is Rs.2 Lakh and payment of Rs.1 Lakh has been made on 15.10.2018. Now, on 20.10.2018 the contract value is revised from Rs.2 Lakh to Rs.6 Lakh. Am I liable to deduct any tax and if so, on which amount?
A. Yes, TDS shall have to be deducted on entire amount i.e. Rs. 6 lakhs while making remaining payment of Rs.5 Lakh. In other words, 12,000/- would be deducted when remaining payment of Rs.5 Lakh is made.	
Q24	Mr A. Roy, a DDO has purchased goods during May, 2018. He could not make payment for such purchase due to shortage of allotment. He is expected to receive allotment only in October, 2018. Is he liable to deduct TDS while making payment in the month of October considering that the purchase was made before October?
A. The tax payer is required to adjust the TDS amount to his liability relating to such invoices in the month in which goods are supplied. Therefore, TDS cannot be made for the amount paid in October but goods or services supplied before 30.09.2018.	
Q25	When should I not deduct tax under GST?

A. No deduction is required in respect of payment against-

- **all services which are exempted** as per principal notification No.12/2017 – Central Tax (Rate) as amended from time to time;
- **all goods which are exempted** as per principal notification No.2/2017 – Central Tax (Rate) as amended from time to time;
- When the goods and services are supplied prior to 30.09.2018 and payments are being made after 01.10.2018.

Valuation for deduction of tax with illustrations

Q26 Mr Z, a supplier in West Bengal has issued a Tax Invoice of Rs. 11,800/- for supply of goods/services or both worth Rs. 10,000/- and GST of Rs. 1,800/- to Mr A of ABC office in West Bengal. What is the value of payment on which Mr A should deduct TDS during making payment to Mr Z? Calculate the amount payable to Mr Z.

A. For purpose of deducting of TDS, the value of supply is to be taken as the amount excluding the tax indicated on the invoice. This means TDS shall not be deducted on the CGST, SGST or IGST component of invoice.

In this case, TDS is to be deducted on Rs. 10,000/- and not on the full amount of Rs. 11,800/-.

Mr Z has issued a Tax Invoice of Rs. 11,800/- which comprises a GST component of Rs. 1,800/-. TDS in this case is to be deducted @ 2% (1% of CGST & 1% of SGST) on Rs. 10,000/-. Mr A will deduct Rs. 200/- which he will deposit in the proper Govt. A/c head. Mr A will pay Rs. 11600/- (11800/- - 200/-) = (i.e. Full Invoice Value – TDS amount) to Mr Z.

Nature of TDS & its Rate

Q27 What is the different nature of supply & what is the rate of deduction?		
Nature of Supply	Name of TDS	Rate of Tax
Location of the Supplier & Place of supply is in the same State /UT without any legislature	CGST	1%
	SGST / UTGST	1%
Location of the Supplier & Place of supply are in the different States	IGST	2%

Q28 If Supplier A of Maharashtra supplies goods to ABC office in West Bengal, then tax is required to be deducted under which Act?

A. The concerned DDO needs to deduct IGST @2%.

Q29 Health Department of WB receives a taxable service from MNO company of WB. What would be the nature of TDS to be deducted here & what would be the rate of deduction?

A. The DDO of the Health Department is liable to deduct TDS (1% CGST+1% SGST) while making payment to MNO Company as in this case the supplier or the vendor & the DDOs office (the place of supply) both are in West Bengal.

TDS Payment

Q30 How can I discharge my TDS liability?

A. TDS liability can be discharged by debiting of Electronic Cash Ledger only at the time of filing return in **FORM GSTR 7**.

Q31 Payment is made in respect of a single contract whose value of taxable supply is Rs.3.5 Lakh. Two bills amounting to Rs 1.5 lakh & Rs. 2 lakh respectively are passed for such payment. Since in respect of both the bills the amount paid does not exceed Rs. 2.5 lakh, I think that no tax is required to be deducted. Am I right?

A. No. Here the payments are being made against a single contract value of taxable supply exceeding Rs.2.5 Lakh. Here, the value of taxable supply in the contract is Rs. 3.5 lakh. So, the deductor should deduct TDS on each payment to the supplier in respect of the aforesaid contract.

Q32 When will a DDO know that his liability for payment has been completed?

A. Electronic cash Ledger of the DDO will be credited when tax deducted at source is deposited in Government account. Payment of such liability (which is the tax deducted at source) shall have to be done by debiting of the electronic cash Ledger and such debit can be done while submitting **FORM GSTR 7**. So, unless the return in **FORM GSTR 7** is submitted the payment liability of the DDO will not be completed.

Q33 Can the deductee take action on the TDS credit declared by me?

Yes. After filing of return by deductors (DDOs) in **FORM GSTR-7**, the amount so deducted will be auto-populated in 'TDS/TCS credit receipt' table of respective suppliers. The supplier (deductee) has to accept or reject the amount so auto-populated in the table after logging on the portal. The accepted amount will be credited to Electronic cash ledger while rejected amount will be auto-populated in Amendment table of next month's **FORM GSTR-7** of the deductor.

Q34 What will happen if the TDS credit entry is rejected by the deductee?

A. The rejected transactions in 'TDS/TCS credit receipt' table will be communicated back to the deductor who will download the auto-populated transactions and make necessary amendments in GSTIN or amount etc. in table 4 of **FORM GSTR-7**. The amended details will again be auto-populated in "TDS/TCS credit receipt" table. Supplier will take action comprising Accept/Reject the transactions. As usual, amount of accepted invoices will be credited to electronic cash ledger of the supplier.

Q35 Is there any provision of refund to the deductor or the deductee arising on a/c of excess or erroneous deduction made under GST?

A. The refund to the deductor or the deductee arising on account of excess or erroneous deduction shall be dealt with in accordance with the provisions of section 54. Further no refund to the deductor shall be granted, if the amount deducted has been credited to the electronic cash ledger of the deductee.

TDS return

Q36 Who are liable to file return (GSTR-7)?

A. Post 01.10.2018, DDOs deducting tax will be liable to file return in **FORM GSTR-7** for the month in which such deductions are made.

Q37 What is the need for filing a return when deposit of TDS has already been made?

A. Electronic cash Ledger of the DDO will be credited when tax deducted at source is deposited in Government account. Payment of such liability (which is the tax deducted at source) shall have to be done by debiting of the electronic cash Ledger and that can be done only while submitting **FORM GSTR 7**. So, unless the return in **FORM GSTR 7** is submitted the payment liability of the DDO will not be treated as discharged.

Q38 Mr S has deducted GST amounting to Rs 50,000/- in the month of Nov'18. He filed return on 16.12.2018. Is he liable to pay a late fee?

A. Yes he is liable to pay a late of Rs. 600/- at the rate of Rs 100/- per day for delay of 6 days (11.12.2018 – 16.12.2018). Maximum amount of late fee payable is capped at Rs.5,000/- Similar late fees is applicable under SGST Act / UTGST Act.

Q39 During October, 2018, I have not deducted any amount of GST. Do I need to file return for the month of October?

A. The Deductor i.e. DDO is required to furnish a return in **FORM GSTR-7** electronically for the month in which such deductions have been made in accordance with the provision of section 39(3) of the CGST/SGST Acts, 2017. Hence, submission of **FORM GSTR-7** is not required for a month in which no deduction is made.

Q40 How can a deductor file FORM GSTR-7?

A. **FORM GSTR-7** can be filed on the GST Portal, by logging in the Returns Dashboard by the deductor.

The path is **Services > Returns > Returns Dashboard**.

Q43	What are the pre-conditions for filing FORM GSTR-7?
A.	<p>Pre-conditions for filing of FORM GSTR-7 are:</p> <ul style="list-style-type: none"> • Tax Deductor should be registered and should have a valid/active GSTIN. • Tax Deductor should have a valid User ID and password. • Tax Deductor should have an active & non-expired/ non-revoked digital signature (DSC) in case return is to be filed through DSC. • Tax Deductor has made payment or credited the amount to the supplier's account.
Q44	What are the modes of signing FORM GSTR-7?
A.	FORM GSTR-7 can be filed using DSC or EVC.
Q45	Can I preview the FORM GSTR-7 before filing?
A.	Yes, the preview of FORM GSTR-7 can be seen by clicking on 'Preview Draft GSTR-7' before filing on the GST Portal.
Q46	What happens after FORM GSTR-7 is filed?
A.	<p>After FORM GSTR-7 is filed:</p> <ul style="list-style-type: none"> • ARN is generated on successful filing of the return in FORM GSTR-7. • An SMS and an email are sent to the applicant on his registered mobile and email id.
Q47	Can I file the complete FORM GSTR-7 using Offline Utility?
A.	<p>No. Filing can take place only online on the GST Portal.</p> <p>The details of Table 3 and Table 4 can be prepared offline but remaining activities like payment and filing has to be completed on the portal only.</p> <p>Once the json file is uploaded on the GST Portal, one may continue to proceed to file. Liabilities will then be computed and after making payment, return can be filed.</p>
Q48	What are the features of FORM GSTR-7 Offline Utility?
A.	<p>The key features of FORM GSTR-7 Offline Utility are:</p> <ul style="list-style-type: none"> • The FORM GSTR-7 details of Table 3 and 4 can be prepared offline, with no connection to Internet. • Most of the data entry and business validations are in built in the offline utility, reducing errors upon upload to GST Portal.
Q49	From where can I download and use the FORM GSTR-7 Offline Utility in my system?
A.	<p>Following steps are required to be performed to download and open the FORM GSTR-7 Offline Utility in your system from the GST Portal:</p> <ol style="list-style-type: none"> 1. Access the GST Portal: www.gst.gov.in. 2. Go to Downloads > Offline Tools > GSTR7 Offline Utility option and click on it.

3. Unzip the downloaded Zip file which contain GSTR7_Offline_Utility.xls excel sheet.
4. Open the GSTR7_Offline_Utility.xls excel sheet by double clicking on it.
5. Read the 'Read Me' instructions on excel sheet and then fill the worksheet accordingly.

Q50 Do I need to login to GST Portal to download the FORM GSTR-7 Offline Utility?

A. No. One can download the **FORM GSTR-7** Offline Utility under 'Download' section without logging in to the GST Portal.

Q51 Do I need to login to GST Portal to upload the generated JSON file using FORM GSTR-7 Offline Utility?

A. Yes. You must login in to the GST Portal to upload the generated JSON file using **FORM GSTR- 7** Offline Utility.

Q52 What are the basic system requirements/ configurations required to use FORM GSTR-7 Offline Tool?

A. The offline functions work best on Windows 7 and above and MS EXCEL 2007 and above.

Q53 Is Offline utility mobile compatible?

A. As of now **FORM GSTR-7** Offline utility cannot be used on mobile. It can only be used on desktop/laptops.

Q54 How many TDS details of the suppliers can I enter in the offline utility?

A. One can enter maximum 10,000 rows of TDS details of the suppliers in the offline utility.

Q55 I am a tax deductor. I've made payment for four different products to one of my suppliers. Shall I report each payment in four different rows of the offline utility?

A. No. **Row with a duplicate GSTIN is not allowed in the utility.** One should report the whole amount in one row only. All the payments are required to be added and one single consolidated amount has to be entered in the "Amount paid to deductee on which tax is deducted" column.

Q56 I have mistakenly entered rows with the same GSTIN. Should I use the "Delete" option from the dropdown of "Action" column to delete these rows?

A. No, the incorrect data has to be deleted in the utility manually using the "Delete" button of the keyboard.

Add and **Delete** options of the "Action" column are meant for adding or deleting data in the GST portal. **Delete** option is required to be ignored while preparing **FORM GSTR-7** for first- time upload, and for the subsequent uploads it can be used only to delete those particular rows from the already-uploaded data on the portal.

Q57 Can I enter negative or decimal amounts in the offline utility?

A. No, any negative value cannot be entered in the utility. However, decimal values can be entered. All decimal values would be rounded off to two decimal places. But, total liability will be rounded off to whole number.

Q58 I've uploaded GSTR-7 JSON File and it was processed without error. Do I need to download the generated file?

A. No, it is not necessary to download the GSTR-7 JSON File processed without error. One can download it only if he wants to update, add or delete the details added previously. One can download the uploaded file for record if so required.

Interest, Penalty & Late Fee

Q59 Mr A, a DDO has submitted return for the month of November upon payment of liability as shown in such return on 11.12.2018. Is he liable to pay interest?

A. Mr. A has to pay interest for one day as return is to be filed by 10th December, 2018.

Q60 Mr X has deducted Rs 1 lakh of TDS in Nov'18. He deposits Rs 70,000/- on 10.12.2018 & the rest of Rs 30,000 on 30.01.2019. He submits the return in FORM GSTR 7 on 28.02.2019. Has he incurred any liability to pay late fee or interest? Is he liable to pay any penalty?

A. Electronic Cash Ledger of the DDO is credited on 10.12.2018 and 30.01.2019 with Rs. 70,000/- and Rs. 30,000/- respectively on account of deposit of TDS of Rs 70,000/- on 10.12.2018 & Rs 30,000 on 30.01.2019.

Since return in **FORM GSTR 7** for the month of November, 2018 is filed on 28.02.2019 and he discharges his payment liability of tax so deducted by debiting his electronic cash ledger as well on this date only, therefore, late fee of 80 days (11.12.2018 to 28.02.2019) have to be paid under CGST and SGST. The amount of late fee will be restricted to Rs. 5000/- (upper limit provided in the Act). Interest has also to be paid for the delay.

Penalty is also payable by a DDO if he fails to deduct the tax in accordance with the provisions of sub-section (1) of section 51, or deducts an amount which is less than the amount required to be deducted under the said sub-section, or where he fails to pay to the Government under sub-section (2) of section 51 [section 122(v) refers]. He is liable to penalty of Rs.1,00,000/-.

TDS Certificate & Benefit of TDS to the deductee

Q61 As a DDO I have deducted tax while making payment to various Vendors. I have deposited the amount in the appropriate Government A/c & also filed return within stipulated time. Have I discharged all my liabilities relating to TDS?

A. Yes, as a system generated TDS certificate in **FORM GSTR-7A** mentioning therein the value on which tax is deducted, and amount of tax deducted and other related particulars shall be available for download from the portal by deductee. This shall be deemed to be sufficient compliance with the provisions of section 51(3) since such certificate cannot be generated/downloaded unless the deductor files the return. **(Amended on 18/02/2019).**

Q62 How can a supplier download the TDS certificate in FORM GSTR 7A?

A. TDS certificate can be downloaded by access the **www.gst.gov.in** URL and using the following path: Login to the GST Portal with valid credentials. Navigate to **Services > User Services > View/Download Certificates** option.

Q63 How many TDS Certificates are issued per GSTIN?

A. A single TDS certificate is issued per GSTIN per **FORM GSTR-7** return filed by deductor.

Q64 Is the signature of Tax Deductor required in TDS Certificate?

A. **FORM GSTR-7A** is system generated TDS certificate; signature of Tax Deductor is not required.

Q65 Do I as a taxpayer have to file FORM GSTR-7A?

A. No, a tax payer (deductee) is not required to file **FORM GSTR-7A**.

Q66 Can I as a taxpayer (Deductor or Deductee) download and keep a copy of my TDS Certificate for future reference?

A. Yes, TDS Certificate can be viewed and/or downloaded in post-login mode on the GST portal.

Q67 Being a deductor do I have to fill any form to generate FORM GSTR 7A? How can I view Form GSTR-7A?

A. No, a deductor is not required to fill up any separate form for generation of **FORM GSTR-7A**. **FORM GSTR 7A** shall be generated if return in **FORM GSTR 7** is filed. To view Form GSTR-7A, perform following steps:

1. Access the **www.gst.gov.in** URL. The GST Home page is displayed.
2. Login to the GST Portal with valid credentials.
3. Click the **Services > User Services > View/Download Certificates** command.

Q68 What needs to be done if I have taken registration for TDS on 1st November, 2018 but was required to deduct TDS from 1st October, 2018?

A. All deductions made earlier must be included while furnishing the first return. In other words, while furnishing the return for the month of November, 2018, TDS deducted for the months of October and November, 2018 shall be included in the said return

(inserted as on 27/12/2018)

Disclaimer: This Standard Operating Procedure (SOP) is clarificatory in nature and is not meant for legal interpretation of provisions of relevant Acts and rules.

(Note: The highlighted portion in red is the newly added portion to the earlier SOP on TDS)

GOVERNMENT OF TELANGANA
ABSTRACT

I & CAD Department – Implementation of Goods and Services Tax (GST) for ongoing and future works contracts w.e.f 01-07-2017 – Guidelines on implementation of Goods and Services Tax (GST) for regulating work bills for all Engineering Departments- Orders –Issued.

IRRIGATION AND CAD (REFORMS) DEPARTMENT

G.O.Ms.No. 67

Dated: 04-07-2018

Read the following:

1. From the Engineer-in-Chief (I), I&CAD Department, Hyderabad, Lr.No.ENC(I)/DCEI/OT2/AEE20/GST/2017, Dt:10-07-2017.
2. Government Memo No.6774/Reforms/2017, Dt:11-07-2017.
3. From the Deputy Commissioner, Commercial Tax Department Hyderabad letter Dt: 24-07-2017.
4. From the Engineer-in-Chief(I),I&CAD Department Hyderabad,Lr.No.ENC/IW/P&M/EE/DEE.2/AEE.4/GST/Vol-I/17,Dt:11-01-2018 and 17-03-2018.

ORDER:

The new Tax regime in the form of the Goods and Services Tax (GST) came into effect from 1st of July 2017 with Central Goods & Services Tax (CGST) Act No. 12 of 2017 and the Telangana Goods & Services Tax (TGST) Act No. 23 of 2017. Section 2 (119) & para 6(a) of schedule-II of CGST Act stipulates that all the work contracts shall be treated as supply of services. This provision makes a substantial difference in view of the fact that the works contracts with SOR prior to 2017-18, were inclusive of Central & State Taxes. Now, in the GST regime there shall not be any tax imposed on tax. Thus, there is a need for uniform guidelines for implementation of GST, categorising the works into those estimated with SOR up to & including 2016-17 and those with SOR of 2017-18. The implementation of GST in all the Engineering Departments involves major process and procedural changes. Based on the request of the Engineer-in-Chief(Irrigation) in the reference 1st read above, Government of Telangana constituted a Committee for implementation of GST in all Engineering Departments vide reference 2nd read above.

2.In the reference 3rd read above, the Deputy Commissioner, Commercial Tax Department has submitted the Committee Report on the effect of Goods and Services Tax (GST).

3.In the reference 4th read above, the Engineer-in-Chief (I) has submitted the recommendations of the Board of Chief Engineers on implementation of GST with draft guidelines on implementation mechanism for various Works Contracts and requested to issue guidelines.

(P.T.O)

// 2 //

4. Government after careful consideration of the reports of BOCEs and the committee constituted by the Government hereby issue the following guidelines on implementation mechanism of GST for various Works Contracts in all Engineering Departments:

5(a) As per the GST Act all works contracts are to be levied GST with effect from 1/07/2017 i.e., including subsisting contracts as on that date at the rates mentioned below:

- i. From 01-07-2017 to 21-08-2017 for all work contracts GST at 18%
- ii. From 22-08-2017 to 12-10-2017 for all work contracts GST at 12%
- iii. From 13-10-2017 onwards
 - a. For works having earth work component of 75% and more in terms of cost of the concerned works estimates GST is to be levied at 5% on the bills value.
 - b. For all the other works contracts of all Departments and sectors GST is to be levied at 12% on the bills value.

(b) All the Works Contracts are to be considered under two categories for implementation of GST w.e.f 01-07-2017.

i. SOR for year 2017-18 onwards:

Contracts for which estimates are prepared with SOR 2017-18 (in which rates are excluding taxes).

Since the SOR 2017-18 was already approved by BOCE without taxes, necessary provisions may be made in part-B of the estimates as follows:

- GST @ 18% for the period from 01-07-2017 to 21-08-2017 and @ 12% from 22-08-2017 onwards.
- Those works contracts involving more than 75% earth work attract 5% GST w.e.f. 13-10-2017.

ii. SOR prior to 2017-18 :

Ongoing contracts for which estimates were prepared with SOR prior to 2017-18 (in which taxes are included):

The estimates which were prepared with earlier SORs (prior to SOR 2017-18) are to be split into two i.e. value of work done and paid in VAT regime (i.e as per the respective Agreements) and value of work done on or after 01-07-2017 for which GST applicable.

(c) Under GST regime, there is a facility of taking credit for all the GST already paid by the Agencies on all the inputs i.e., various materials like Cement, Steel, Pipes etc., during the course of works execution. These taxes paid by the works agencies are to be accounted as paid against the GST payable @ 18% or 12% or 5% on the bills and the balance tax is to be paid by the agencies towards GST on the work bills payments received by them.

(Contd..P-3)

// 3 //

- (d) Since, GST is a new tax not stipulated in the subsisting agreements of the ongoing works as on 01.07.2017 or after without the stipulation, the same has to be reimbursed to the agencies after considering the actual net amounts paid / payable by them during the works execution towards GST.

The net GST payable to the Contractors for ongoing works as on 01.07.2017 and also for the works taken up after 01.07.2017 with rates inclusive of taxes shall be @ 5% or 12% or 18% whichever applicable on amount of work bill after deducting embedded taxes.

- (e) The difference of taxes paid and GST leviable for every running bill is to be reimbursed to agencies. For this purpose, the taxes embedded in the estimates are to be worked out by the estimate sanctioning authorities and communicated to the agreement authorities. After due approval of Agreement authorities, the difference has to be adjusted.
- (f) For new Works contracts which are based on estimates with SSR of 2017-18 excluding tax component, the GST payable shall be indicated in Part-B of agreement at the rate of 18% or 12% or 5% as the case may be and accordingly paid for every running bill to the agencies. This provision is to be made in the sanctioned estimates separately.
- (g) The concerned agencies of works contracts are responsible to discharge their liability as per GST Act and provisions and to file their returns accordingly.

6. The Board of Chief Engineers (BOCEs) shall quantify the embedded taxes in various types/components of works, within a fortnight of issue of this order, so as to have uniformity across the state. The BOCEs shall also ensure that a mechanism is set up for monitoring the GST paid by each agency. Suitable clause/condition may be framed for incorporation into future bid documents/Agreements of all Departments.

7. The 5% additional amount paid towards GST for the intervening period based on the instructions issued by the Government vide Memo.No.33/WP/A2/2017, Dt: 08-08-2017 has to be taken in to account while adjusting the GST payable.

8. The Finance (W.P) Department shall issue instructions to the D.D.Os on the following:

- i. Provide the agency wise (along with GSTIN number) GST paid and work value to the CT Department by web service as well as through soft copy.

- ii. Take an undertaking from the agency before releasing the amounts that the Agency has filed GST returns up to previous month.

(P.T.O)

// 4 //

9. The Engineer-in-Chief (Irrigation), Hyderabad shall take further necessary action accordingly.

10. This order issues with the concurrence of Finance (W.P) Department videtheirU.O.No.2868/42/WP/A2/2018, Dt: 04-07-2018.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr. SHAILENDRA KUMAR JOSHI
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)**

To

The Engineer-in-Chief(Irrigation), I&CAD Department, Jalasoudha Buildings,
Errummanzil, Hyderabad.

The Engineer-in-Chief (I.W), I&CAD Department, Jalasoudha Buildings,
Errummanzil, Hyderabad.

Copy to:-

All Engineer-In-Chiefs and the Chief Engineers, I & CAD Department.
The Accountant General/Principal Accountant General, Telangana, Hyderabad.
The Director Works & Accounts, Telangana, Hyderabad.
The Commissioner, Commissionerate of Tenders, Hyderabad.
The Engineer-in-Chief (TR&RB)Department, Hyderabad.
The Engineer-in-Chief, PR&RD Department, Hyderabad.
The Engineer-in-Chief, MA&UD Department, Hyderabad.
The Engineer-in-Chief, PH Department, Hyderabad.
The Finance (W.P) Department.
The Revenue (C.T) Department.
The Special Chief Secretary (FAC) to I& CAD Department.
The Principal Secretary, TR&RB Department.
The Principal Secretary, PR&RD Department.
The Principal Secretary, MA&UD Department.
The P.S. to Principal Secretary,Hon'ble Chief Minister
The P.S to Hon'ble Minister, Irrigation.
The P.S. to Hon'ble Minister, TR&B Department.
The P.S. to Hon'ble Minister, PR&RD Department.
The P.S. to Hon'ble Minister, MA&UD Department.
The Dy. Director Monitoring Wing, I&CAD Department.
All work Sections in this Department.
SF/SC (C.No.6774/Reforms/2017).

//FORWARDED::BY ORDER//

SECTION OFFICER

**GOVERNMENT OF TELANGANA
FINANCE (WP) DEPARTMENT**

&&&

Circular Memo No.1823205-A/231/A1/WP/2022, dated: 29.12.2022

Sub: Works - Revision of Goods and Services Tax (GST) Rates – Reg.

- Ref: 1. G.O.Ms.No.67, I&CAD (Reforms) Department, Dt: 04.07.2018
2. Government of India Notification No.15/2021, Central Tax (Rate), dated: 18.11.2021.
3. Government of India Notification No.22/2021, Central Tax (Rate), dated: 31.12.2021.
4. Government of India Notification No.3/2022, Central Tax (Rate), dated:13-7-2022.
5. From the Engineer-in-Chief (General), Hyderabad, Letter No.ENC(G)/SE(P&M)/DCE/DEE8/AEE22/KPH/GST/F-67, dated:09.11.2022.

&&&

Government in the reference 1st cited, have issued guidelines for implementation of Goods and Services Tax (GST) for ongoing and future works contracts with effect from 01.07.2017 for regulating work bills for all Engineering Departments.

2. The Government of India in the references 2nd to 4th cited have issued following notifications making certain amendments inter-alia revising the Goods and Services Tax (GST) rates on works contracts.

- i. Government of India vide Notification No.15/2021, dated: 18.11.2021 and notification No.22/2021 dated: 31.12.2021 have amended the master Notification No.11/2017 dated: 28.06.2017 to be effective from 01.01.2022 and the effect of the amendment is that the Government Authority and Government Entity are excluded from the list of specified recipients of the supply of services at concessional rates i.e 5%, 12% and nil rate.
- ii. Government of India vide Notification No.03/2022 dated:13.07.2022 have amended the master Notification No.11/2017 dated:28.06.2017 as per which with effect from 18.07.2022, GST is applicable @18% on all works contracts and @12% for the works contracts provided to Government and Local Authorities, having predominantly earth work.

3. In the reference 5th read above, the Engineer-in-Chief(General),Hyderabad has submitted the proposal for amending G.O.Ms.No.67, Irrigation & CAD (Reforms) Department, dated: 04.07.2018, in accordance with GoI Notification 03/2022 dated:13.07.2022 and GoI Notification No.15/2021 dated 18.11.2021 read with Notification No.22/2021 dated:31.12.2021.

4. Government after careful examination of the matter, direct that GST shall be implemented in accordance with Department of Revenue, Ministry of Finance, Govt. of India Notification No.03/2022-Central Tax (Rate), Dated: 13.07.2022 and Notification No.15/2021 dated 18.11.2021 read with Notification No.22/2021 dated: 31.12.2021 as tabulated below.

S.No.	Description of Service	Existing GST Rate (CGST+SGST)	Revised GST Rate (CGST+SGST)	With effect from
1	2	3	4	5
1	Construction services to Government Entity or Government Authority as per the Notification No.15/2021, dated: 18.11.2021 read with Notification No.22/2021, dated: 31.12.2021.	12%	18%	01.01.2022
2	Construction services to Government Entity or Government Authority involving predominantly earth work (more than 75 % value of work) as per the Notification No.15/2021, dt.18.11.2021 read with Notification No.22/2021, dated: 31.12.2021.	5%	18%	01.01.2022
3	Construction services to Central Government or State Government or Union Territory or Local authority as per the Notification No.03/2022 dated: 13.07.2022.	12%	18%	18.07.2022

4	Construction services to Central Government or State Government or Union Territory or Local Authority involving predominantly earth work (more than 75% of value of work) per the Notification No.03/2022 dated: 13.07.2022.	5%	12%	18.07.2022
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5. a) For Works Estimates sanctioned on or after cut off dated mentioned in column(5) of the above table, the provision for GST payable shall be made in PART-B of Estimate at the rate of 18% or 12% as the case may be.
- b) For ongoing works, GST shall be paid as per the provisions of the GST Act at the above rates duly providing for the same in variation/ revised estimates.
- c) The concerned agencies of works contracts are responsible to discharge their liability as per GST Act and provisions and to file their returns accordingly.

6. The Irrigation & CAD, Panchayat Raj & Rural Development, Transport, Roads & Buildings and Municipal Administration & Urban Development Departments are requested to take necessary further action in the matter, accordingly.

7. The Director of Works and Accounts, Telangana, Hyderabad shall issue necessary instructions to all the concerned for adhering the above instructions.

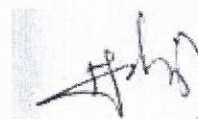
K.RAMAKRISHNA RAO,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Irrigation & CAD Department, Telangana Secretariat, Hyderabad.
The Panchayat Raj & Rural Development Department,
Telangana Secretariat, Hyderabad.
The Transport, Roads & Buildings Department,
Telangana Secretariat, Hyderabad.
The Municipal Administration & Urban Development Department,
Telangana Secretariat, Hyderabad.
The Director of Works and Accounts, Telangana, Hyderabad.

Copy to:

All Engineer-In-Chiefs and the Chief Engineers, I & CAD Department.
The Engineer-in-Chief (TR&RB) Department, Hyderabad.
The Engineer-in-Chief, PR&RD Department, Hyderabad.
The Engineer-in-Chief, PH Department, Hyderabad.
The Principal Accountant General, Telangana, Hyderabad.
The Revenue (C.T) Department, Telangana Secretariat, Hyderabad.
The P.S. Prl. Secretary to Hon'ble Chief Minister, Telangana, Hyderabad.

//FORWARDED :: BY ORDER//



SECTION OFFICER

వస్తుసేవల పన్ను చెల్లింపు సందర్భంగా DDOs కొంత పన్ను తగ్గించడం (GST TDS) పై అవగాహన పత్రం

ఏ నిబంధనల ప్రకారం DDO GST లో TDS చేయాలి?

- కేంద్ర వస్తుసేవల పన్ను చట్టం (CGST) 2017 లోని సెక్షన్ 51
 - తెలంగాణ రాష్ట్ర వస్తుసేవల పన్ను చట్టం (TSGST) 2017 లోని సెక్షన్ 51
 - సమీకృత వస్తుసేవల పన్ను చట్టం (IGST) 2017 లోని సెక్షన్ 20
 - కేంద్రపాలిత ప్రాంతాల వస్తుసేవల పన్ను చట్టం (UTGST) 2017 లోని సెక్షన్ 21
1. కేంద్ర ప్రభుత్వం జారీచేసిన నోటిఫికేషన్ సంఖ్య 50/2018-కేంద్ర ప్రభుత్వం తేదీ 13.09.2018 మరియు దీనికి అనుగుణంగా తెలంగాణ రాష్ట్ర ప్రభుత్వం జారీచేసిన ఈ కింది ఆదేశాలు
 1. ఆర్థిక (TFR) శాఖ జారీ చేసిన సర్క్యులర్ మెమో సంఖ్య 8765/204/TFR/2017 తేదీ 26.08.2017
 2. రెవిన్యూ (వాణిజ్య పన్నులు.) శాఖ జారీచేసిన ప్రభుత్వ ఉత్తర్వు సంఖ్య 210 తేదీ 29.09.2018
 3. రెవిన్యూ (వాణిజ్య పన్నులు.) శాఖ జారీ చేసిన ప్రభుత్వ ఉత్తర్వు సంఖ్య తేదీ 10.12.2018
 4. వస్తుసేవలపన్ను మండలి యొక్క న్యాయకమిటీ జారీ చేసిన Standard Operating Procedure on TDS under GST
 5. సమయానుసారంగా వస్తుసేవల పన్ను మండలి తీసుకునే నిర్ణయాల ఆధారంగా కేంద్ర రాష్ట్ర ప్రభుత్వాలు జారీ చేసే ఆదేశాలు

అమల్లోకి వచ్చిన తేదీ

- వస్తుసేవల మండలి యొక్క 28 వ సమావేశం (జూలై 2018) లో తీసుకున్న నిర్ణయం ప్రకారం వస్తుసేవల పన్ను విషయంలో చెల్లింపు సమయంలో పన్ను తగ్గింపు (TDS) అమల్లోకి వచ్చిన తేదీ 01.10.2018.

అమలు చేయువారు

- వస్తుసేవల పన్ను చట్టాల ప్రకారం ప్రభుత్వం నోటిఫై చేసిన నిర్దేశిత వ్యక్తులు.
- వీరిలో ప్రభుత్వ శాఖల్లో గల డ్రాయింగ్ & డిస్బర్సింగ్ అధికారులు (DDOs) కూడా ఉన్నారు.
- శ్రీ లక్ష్మీ నరసింహ స్వామి దేవాలయం, యాదగిరిగుట్ట కూడా నిర్దేశిత వ్యక్తుల పరిధిలోకి వస్తుంది.

GST TDS లో తగ్గించాల్సిన పన్ను మొత్తం

- రాష్ట్రంలో అంతర్గతంగా చేసే వస్తుసేవల సరఫరా విషయంలోనైతే 2% [CGST 1% + SGST 1%]
- అంతర్రాష్ట్ర వస్తుసేవల సరఫరా విషయంలో సమీకృత వస్తుసేవల పన్ను (IGST) 2%

వస్తుసేవల పన్ను చెల్లింపు సందర్భంగా DDOs కొంత పన్ను తగ్గించడం (GST TDS) పై అవగాహన పత్రం

అమలు చేయడంలో ప్రధాన అంశాలు

- వస్తుసేవల పన్ను విధించదగిన వస్తుసేవల విషయంలోనే TDS చేయాల్సి ఉంటుంది. అనగా వస్తుసేవల పన్ను చట్టం 2017 లోని సెక్షన్ 2(108) లో నిర్వచించిన విధంగా వస్తుసేవల పన్ను విధించే వస్తుసేవల సరఫరా విషయంలోనే GST TDS ఉంటుంది.
- వస్తుసేవల పన్ను చట్టంలోని సెక్షన్ 2(47) లో నిర్వచించిన వస్తుసేవల పన్ను నుండి మినహాయింపు పొందిన వస్తుసేవలు మరియు ఈ పన్ను పరిధిలోకి రానటువంటి వస్తుసేవల సరఫరా సందర్భంగా చేసే చెల్లింపుల విషయంలో GST TDS వర్తించదు.
- వస్తుసేవల పన్ను TDS చేసే డ్రాయింగ్ & డిస్టర్నింగ్ అధికారులు (DDOs) వస్తుసేవల చట్టం 2017లోని సెక్షన్ 24 (vi) ప్రకారం విధిగా వస్తుసేవల పన్ను వ్యవస్థలో (నెట్ వర్క్) లిజిస్ట్రేషన్ చేయించుకోవాలి.
- DDOs వారి యొక్క PAN/TAN ఉపయోగించుకొని www.gst.gov.in అంతర్జాల వ్యవస్థ ద్వారా లిజిస్ట్రేషన్ ప్రక్రియ పూర్తి చేయాలి.
- వస్తుసేవల పన్ను విధించదగిన వస్తువులు లేదా సేవలు లేదా రెండింటి యొక్క సరఫరా విషయంలో ఒక కాంట్రాక్టు విలువ రెండు లక్షల యాభై వేల రూపాయలు దాటిన సందర్భంలో మాత్రమే GST TDS చేయాల్సి ఉంటుంది. ఈ విలువ ఒకేసారి చేసే చెల్లింపులో కావచ్చు లేదా ప్రతి నెలా చేసే బిల్లుల మొత్తం కలిపితే కూడా కావచ్చు.
- కాంట్రాక్టు విలువ లెక్కించే సమయంలో ఆ మొత్తంపై విధించే వస్తుసేవల పన్ను, ఇతర పన్నులు మరియు సెస్సు లాంటి వాటి యొక్క మొత్తాన్ని మినహాయించాలి.
- ఒక వస్తుసేవల సరఫరా కాంట్రాక్టులో వస్తుసేవల పన్ను విధించదగిన వస్తుసేవలు మరియు వస్తుసేవల పన్ను నుండి మినహాయింపు పొందిన వస్తుసేవల సరఫరా మొత్తం కలిపి ఉన్నట్లయితే GST TDS విధించడానికి కేవలం వస్తుసేవల పన్ను విధించదగిన వస్తుసేవల సరఫరా మొత్తాన్ని మాత్రమే పరిగణనలోనికి తీసుకోవాలి. ఉదాహరణకు ఒక కాంట్రాక్టులో పాలు మరియు నెయ్యి సరఫరా చేసినట్లయితే ఆ కాంట్రాక్టు మొత్తం విలువ మూడు లక్షల రూపాయలు అయితే వెంటనే GST TDS విధించాలనే నిర్ణయం చేయకూడదు. ఎందుకంటే ఆ కాంట్రాక్టులో వస్తుసేవల పన్ను పరిధిలోకి వచ్చే నెయ్యితో పాటు వస్తుసేవల పన్ను పరిధిలోకి రానటువంటి పాలు కూడా ఉన్నాయి. కాబట్టి ఈ కాంట్రాక్టు విలువలో నుండి పాల సరఫరాకు చెల్లించిన మొత్తాన్ని మినహాయించగా మిగతా మొత్తం రెండు లక్షల యాభై వేల రూపాయలు దాటితే ఆ మొత్తంపై మాత్రమే GST TDS చేయాలి. అంటే నెయ్యికి చెల్లించిన మొత్తం విలువ ఆ కాంట్రాక్టులో రెండు లక్షల యాభై వేల రూపాయలు దాటితే ఆ మొత్తంపై మాత్రమే GST TDS చేయాలి. దాటకపోతే GST TDS చేయకూడదు.

వస్తుసేవల పన్ను చెల్లింపు సందర్భంగా DDOs కొంత పన్ను తగ్గించడం (GST TDS) పై అవగాహన పత్రం

- తెలంగాణ రాష్ట్రానికి చెంది తెలంగాణ రాష్ట్రంలో లిజిస్ట్రేషన్ అయిన సరఫరాదారుడు శ్రీ లక్ష్మీ నరసింహ స్వామి దేవాలయానికి నెయ్యి, పప్పుధాన్యాలు మొదలైన వస్తుసేవల పన్ను విధించదగిన వస్తుసేవలను సరఫరా చేసినట్లయితే ఆ సరఫరా మొత్తం విలువ పన్నులు మినహాయించిన తర్వాత రెండు లక్షల యాభై వేల రూపాయలు దాటితే ఆ మొత్తంపై GST TDS 2% [CGST 1% + SGST] గా చేయాలి. దానిని GSTR-7 ద్వారా GSTN లో లిటర్స్ దాఖలు చేయాలి. ఆ సరఫరాదారుడికి సంబంధిత DDO GSTR-7A ద్వారా ఆ మేరకు GST TDS Certificate ఇవ్వాలి.
- ఆంధ్రప్రదేశ్ రాష్ట్రానికి చెంది ఆంధ్రప్రదేశ్ రాష్ట్రంలో లిజిస్ట్రేషన్ అయిన సరఫరాదారుడు శ్రీ లక్ష్మీ నరసింహ స్వామి దేవాలయానికి బియ్యం, గోధుమలు, మిర్చి మొదలైన వస్తుసేవల పన్ను విధించదగిన వస్తుసేవలను సరఫరా చేసినట్లయితే ఆ సరఫరా మొత్తం విలువ పన్నులు మినహాయించిన తర్వాత రెండు లక్షల యాభై వేల రూపాయలు అయితే ఆ మొత్తంపై GST TDS 2% [IGST] గా చేయాలి. దానిని GSTR-7 ద్వారా GSTN లో లిటర్స్ దాఖలు చేయాలి. ఆ సరఫరాదారుడికి సంబంధిత DDO GSTR-7A ద్వారా ఆ మేరకు GST TDS Certificate ఇవ్వాలి.
- ఒకవేళ GST TDS ద్వారా ఎక్కువ పన్ను మొత్తాన్ని వసూలు చేసినట్లయితే ఆ అధిక మొత్తాన్ని ఆ వస్తుసేవల సరఫరాదారుడు GSTN లో లిఫండ్ లిటర్స్ దాఖలు చేసి పొందవచ్చు. DDO కి ఆ అవకాశం లేదు.

GST TDS లిటర్స్ దాఖలు చేయడం

- GST TDS చేసిన నెల ముగిసిన తర్వాత 10 రోజుల సమయంలో GSTR-7 ద్వారా DDOs లిటర్స్ దాఖలు చేయాలి. అనగా అక్టోబర్ 2018 నెలలో చేసిన GST TDS మొత్తాలకు సంబంధించిన లిటర్స్ నవంబర్ 10 వ తేదీలోగా GSTN లో దాఖలు చేయాలి.
- GST TDS చేసిన మొత్తం ప్రభుత్వ ఖాతాకి జమ చేసిన ఐదు (5) రోజుల్లోగా సంబంధిత వస్తుసేవల సరఫరాదారుడికి GSTR-7A ద్వారా TDS ధృవీకరణ పత్రం DDOs అందజేయాలి.

జరిమానా, వడ్డీ మరియు అలస్యపు రుసుము

- **వడ్డీ:** GST TDS ద్వారా తగ్గించిన పన్ను మొత్తాన్ని ప్రభుత్వ ఖజనాకి చెల్లించలేకపోతే వస్తుసేవల పన్ను చట్టం 2017 లోని సెక్షన్ 50(1) తో కలిపి చదివే సెక్షన్ 51(6) ప్రకారం ఆ పన్ను మొత్తం మరియు దానిపై 18% వడ్డీతో కలిసిన మొత్తం సంబంధిత DDO వ్యక్తిగతంగా చెల్లించాల్సి ఉంటుంది.

వస్తుసేవల పన్ను చెల్లింపు సందర్భంగా DDOs కొంత పన్ను తగ్గించడం (GST TDS) పై అవగాహన పత్రం

- అలస్యపు రుసుము: ఇది రెండు రకాలుగా ఉంటుంది.
 1. GSTR-7 దాఖలు చేయడంలో జరిగే ఆలస్యానికి వస్తుసేవల పన్ను చట్టం 2017 లోని సెక్షన్ 47(1) ప్రకారం అలస్యపు రుసుము రోజుకి రెండు వందల రూపాయల చొప్పున (Rs 100 CGST + Rs 100 SGST) గరిష్టంగా ఐదు వేల రూపాయలకు మించకుండా చెల్లించాలి.
 2. GSTR-7A అనగా TDS సర్టిఫికేట్ అందజేయడంలో జరిగే ఆలస్యానికి వస్తుసేవల పన్ను చట్టం 2017 లోని సెక్షన్ 51(4) ప్రకారం అలస్యపు రుసుము రోజుకి రెండు వందల రూపాయల చొప్పున (Rs 100 CGST + Rs 100 SGST) గరిష్టంగా ఐదు వేల రూపాయలకు మించకుండా చెల్లించాలి.
- పై సందర్భాల్లో ఆయా మొత్తాలను లికవలీ చేయడానికి సంబంధించిన చర్యలను వస్తుసేవల పన్ను చట్టంలోని సెక్షన్ 73 లేదా 74 ప్రకారం ప్రారంభిస్తారు.
- జరిమానా: వస్తుసేవల పన్ను చట్టం 2017 లోని సెక్షన్ 122(1)(v) ప్రకారం చేయవలసిన సందర్భంలో TDS చేయనందుకు లేదా చేయవలసిన దాని కన్నా తక్కువ TDS చేసినందుకు లేదా TDS చేసిన మొత్తాన్ని సకాలంలో ప్రభుత్వానికి చెల్లించకపోయినా జరిమానా విధించబడుతుంది. ఈ జరిమానా 10,000 రూపాయలు గానీ లేదా ఆ పన్నుకి సమానంగా కానీ ఈ రెండింటిలో ఏది ఎక్కువగా ఉంటుందో అది విధించబడుతుంది.

GST TDS ద్వారా DDO పన్ను తగ్గింపులు చేయాల్సిన అవసరం లేని సందర్భాలు

- ఒక వస్తుసేవల సరఫరా కాంట్రాక్టు మొత్తం విలువ అన్ని రకాల పన్నులు మరియు సెస్సులు మినహాయించుకొని రెండున్నర లక్షల రూపాయలు దాటని సందర్భాలు.
- వస్తుసేవల పన్ను నుండి మినహాయించబడిన వస్తుసేవల విషయంలో పన్ను తగ్గించాల్సిన అవసరం లేదు. ఎందుకంటే వాటి సరఫరాపై ఎలాంటి వస్తుసేవల పన్ను విధించడం లేదు కాబట్టి DDO పన్ను తగ్గించాల్సిన అవసరం లేదు. ఉదాహరణకు నోటిఫికేషన్ సంఖ్య 12/2017-కేంద్ర ప్రస్తులు తేదీ 28.06.2017 ప్రకారం వస్తుసేవల పన్ను నుండి మినహాయించబడిన సేవల విషయంలో వస్తుసేవల పన్ను లేదు కాబట్టి DDO పన్ను తగ్గించాల్సిన అవసరం లేదు. అలాగే నోటిఫికేషన్ సంఖ్య 2/2017-కేంద్ర ప్రస్తులు తేదీ 28.06.2017 ప్రకారం వస్తుసేవల పన్ను నుండి మినహాయించు పొందిన వస్తువుల విషయంలో వస్తుసేవల పన్ను లేదు కాబట్టి DDO పన్ను తగ్గించాల్సిన అవసరం లేదు.

వస్తుసేవల పన్ను చెల్లింపు సందర్భంగా DDOs కొంత పన్ను తగ్గించడం (GST TDS) పై అవగాహన పత్రం

- వస్తుసేవల పన్ను పరిధి బయట ఉన్న వస్తుసేవల విషయంలో ఎలాంటి పన్ను తగ్గింపు చేయాల్సిన అవసరం లేదు. ఎందుకంటే అలాంటి వస్తుసేవల సరఫరాపై ఎలాంటి వస్తుసేవల పన్ను విధించడం లేదు కాబట్టి DDO పన్ను తగ్గించాల్సిన అవసరం లేదు. ఉదాహరణకు పెట్రోలు మరియు డీజిల్ కొనుగోలు చేసేటప్పుడు వాటిపై ప్రస్తుతం ఎలాంటి వస్తుసేవల పన్ను లేదు కాబట్టి వాటిని తగ్గించాల్సిన అవసరం ఉత్పన్నం కాదు.
- ఒక వస్తుసేవల సరఫరా కాంట్రాక్టులో వస్తుసేవల పరిధిలోకి వచ్చే వస్తుసేవలు, వస్తుసేవల పన్ను పరిధిలోకి రాని వస్తుసేవలు ఉన్నట్లయితే, ఆ కాంట్రాక్టు మొత్తం విలువలో వస్తుసేవల పన్ను పరిధిలోకి వచ్చే వస్తుసేవల సరఫరా విలువ అన్ని రకాల పన్నులు మరియు సెస్సులు మినహాయించుకొని రెండున్నర లక్షల రూపాయలు దాటని సందర్భాలలో.
- వస్తుసేవల పన్ను చట్టం 2017 లోని సెక్షన్ 143(13) ప్రకారం వ్యాట్ అమల్లో ఉన్నప్పుడు అనగా 01.07.2017 కంటే ముందు టాక్స్ ఇన్వాయిస్ జారీ చేయబడి ఆ మొత్తం 01.10.2018 తర్వాతి కాలంలో చెల్లింపు చేయబడిన సందర్భంలో.
- వస్తుసేవల పన్ను చట్టంలోని 3 వ షెడ్యూల్ లో పేర్కొన్న విషయాలకు సంబంధించిన వాటి విలువ ఎంత ఉన్నా GST TDS చేయకూడదు.
- సరఫరాదారు ఆంధ్ర ప్రదేశ్ రాష్ట్రంలో రిజిస్టర్ చేయబడి వస్తుసేవల సరఫరా కర్ణాటక రాష్ట్రంలో జరిగినపుడు తెలంగాణ రాష్ట్రానికి చెందిన DDO ఆ వస్తుసేవల సరఫరా విషయంలో (TDS) పన్ను తగ్గింపు చేయాల్సిన అవసరం లేదు.
- వస్తుసేవల పన్నుకి సంబంధించిన టాక్స్ ఇన్వాయిస్ 01.10.2018 కి ముందు జారీ చేయబడి, వాటి యొక్క చెల్లింపు 01.10.2018 తర్వాత చేసినట్లయితే అలాంటి సందర్భాల్లో ఆ చెల్లింపు నుండి DDO GST TDS (పన్ను తగ్గింపు) చేయకూడదు.
- ఒక ప్రభుత్వ కార్యాలయం ఎయిర్ కండిషనర్ కొనుగోలు చేయాల్సి వచ్చి నేరుగా కొనుగోలు చేయడం ప్రభుత్వ నిబంధనల ప్రకారం నిషేధం కాబట్టి, ప్రభుత్వ ఆదేశాల ప్రకారం అలాంటి కొనుగోళ్ళు చేసే అధికారం కలిగిన తెలంగాణ టెక్నలాజికల్ సర్వీసెస్ లిమిటెడ్ ని ఒక ఎయిర్ కండిషనర్ కొని సరఫరా చేయమని ఆగస్టు 2018 నెలలో కోరడం జరిగింది. అందుకు అంగీకరించిన తెలంగాణ టెక్నలాజికల్ సర్వీసెస్ లిమిటెడ్ ఎయిర్ కండిషనర్ మొత్తం విలువ డెబ్బై ఐదు వేల రూపాయలలో నలభై వేల రూపాయలను అడ్వాన్సు (ముందస్తు) మొత్తంగా ఇవ్వమని సెప్టెంబర్ 2018 నెలలో కోరడం జరిగింది. ఆ మేరకు ఆ ప్రభుత్వ కార్యాలయం సెప్టెంబర్ 2018 నెలలో ఎయిర్ కండిషనర్ కయ్యే మొత్తం విలువ డెబ్బై ఐదు వేల రూపాయలలో నలభై వేల రూపాయలను సంబంధిత సరఫరాదారుడు LG కంపనీకి చెల్లించడం జరిగింది. LG కంపనీ అక్టోబర్ మొదటివారంలో ఎయిర్ కండిషనర్ ని సరఫరా చేయడంతో పాటు టాక్స్ ఇన్వాయిస్ కూడా ఇవ్వడం జరిగింది. ఇలాంటి సందర్భాలలో (అంటే 01.10.2018 కంటే

వస్తుసేవల పన్ను చెల్లింపు సందర్భంగా DDOs కొంత పన్ను తగ్గించడం (GST TDS) పై అవగాహన పత్రం

ముందు కొంత మొత్తం అడ్వాన్సుగా ఇచ్చి, టాక్స్ ఇన్వాయిస్ 01.10.2018 తర్వాత జారీచేయబడిన సందర్భాల్లో అడ్వాన్సు ఇచ్చిన మొత్తాన్ని మినహాయించుకొని మిగిలిన మొత్తానికి మాత్రమే GST TDS (పన్ను తగ్గించడం) చేయాలి.

- RCM (లవర్స్ ఛార్జ్ మెకానిజం) – GSTN లో నమోదు కాని వ్యక్తి నుండి వస్తుసేవల సరఫరా పొందిన వారు వస్తుసేవల పన్ను చెల్లించడం లో GST TDS చేయకూడదు.
- GSTN లో నమోదు కాని వ్యక్తికి చేసే చెల్లింపుల విషయంలో GST TDS చేయకూడదు.
- ప్రభుత్వం విధించే సెస్సుకి సంబంధించిన చెల్లింపుల విషయంలో కూడా GST TDS చేయకూడదు.
- ఒక ప్రభుత్వ సంస్థ నుండి మరొక ప్రభుత్వ సంస్థ చేసే కొనుగోళ్ళ విషయంలో GST TDS చేయకూడదు.
- ఒక ప్రభుత్వ రంగ సంస్థ నుండి మరొక ప్రభుత్వ రంగ సంస్థ చేసే కొనుగోళ్ళ విషయంలో GST TDS చేయకూడదు.
- వస్తుసేవలపన్ను చట్టంలోని సెక్షన్ 51 ప్రకారం GST TDS చేసే సంస్థలు పరస్పరం చేసుకునే కొనుగోళ్ళ విషయంలో GST TDS చేయకూడదు.

వస్తుసేవల పన్ను చెల్లింపు సందర్భంగా DDOs కొంత పన్ను తగ్గించడం (GST TDS) పై అవగాహన పత్రం

వస్తుసేవల పన్ను వ్యవస్థలో (నెట్ వర్క్) లో DDO లిజిస్ట్రేషన్ చేసుకోవడం ఎలా

వస్తుసేవల పన్ను చట్టం 2017లోని సెక్షన్ 39 ప్రకారం ఈ వ్యవస్థలో DDO తప్పనిసరిగా తమ పేరుని నమోదు చేసుకోవాల్సి ఉంటుంది. ఈ మేరకు తెలంగాణ రాష్ట్ర ఆర్థిక శాఖ ప్రత్యేకంగా ఆదేశాలు జారీచేసింది Cir Memo No 8765/204/TFR/2017 Finance (TFR) Department dated 26.08.2017). ఇక్కడ గుర్తుంచుకోవాల్సిన అంశం ఏమిటంటే ప్రతి DDO వస్తుసేవల పన్ను వ్యవస్థలో తమ పేరుని నమోదుచేసుకోవడం తప్పనిసరి. కానీ GST TDS లిటర్స్ దాఖలు చేయడమనేది ఏదైనా వస్తువు లేదా సేవల సరఫరా యొక్క మొత్తం విలువ రెండు లక్షల యాభై వేల రూపాయలు దాటినా పక్షంలో ఆ నెలకు సంబంధించిన లిటర్స్ నిర్దేశిత గడువులోగా దాఖలు చేయాలి. అంటే లిజిస్ట్రేషన్ చేసుకున్నంత మాత్రాన ప్రతి నెలా GST TDS లిటర్స్ దాఖలు చేయాల్సిన అవసరం లేదు.

వస్తుసేవల పన్ను వ్యవస్థలో DDO లిజిస్ట్రేషన్ అనేది రెండు భాగాలుగా జరుగుతుంది. అవి పార్ట్-A మరియు పార్ట్ - B.

వస్తుసేవల పన్ను వ్యవస్థలో లిజిస్ట్రేషన్ చేసుకునే ముందు ప్రతి DDO పార్ట్ - B అంతర్జాలంలో పూరించడానికి వీలుగా ఈ కింద చెప్పబడిన వాటిని సిద్ధంగా ఉంచుకోవాలి. అవసరమైనచోట్ అప్-లోడ్ చేయాలి.

- DDO యొక్క డిజిటల్ ఫోటో (10 KB కి మించకుండా)
- కార్యాలయ చిరునామా (కరెంట్ బిల్లు/ఫోన్ బిల్లు ప్రతి)
- DDO యొక్క ఆధార్ కార్డు ప్రతి
- సంబంధిత సహాయ/జిల్లా ఖజానా అధికారి కార్యాలయం కోడ్ (ఖజానా ద్వారా ఆర్థిక వ్యవహారాలు జరపని పక్షంలో ఆ కార్యాలయం ఆర్థిక లావాదేవీలు జలిపే బ్యాంక్ యొక్క IFSC కోడ్)
- ఫోన్ నెంబర్ (స్థిరవాణి (land-line) ఉన్నట్లయితే దాని నెంబర్ లేదా అధికారిక చరవాణి నెంబర్ ఉన్నట్లయితే దాని నెంబర్

ప్రశ్న: వస్తుసేవల పన్ను వ్యవస్థలో DDO లిజిస్ట్రేషన్ సమయంలో గల DDO యొక్క వ్యక్తిగత వివరాలు నమోదు చేయాల్సి వస్తోంది. దాని కారణంగా భవిష్యత్ లో ఆ DDO ఆ కార్యాలయం నుండి వెళ్ళిపోయిన తర్వాత కూడా బాధ్యత వహించాల్సి వస్తుందా?

జవాబు: అవసరం లేదు. DDO మారగానే కొత్త DDO వివరాలు వస్తుసేవల పన్ను వ్యవస్థలో సంబంధిత DDO సమాచారానికి సవరణ రూపంలో చేర్పాలి. DDO మారిపోగానే బ్యాంక్ మరియు ట్రెజరీలో ఎలాగైతే DDO వివరాలు మార్పుతూ ఉన్నాయో అలాగే వస్తుసేవల పన్ను వ్యవస్థ (GSTN) లో గల సంబంధిత DDO లిజిస్ట్రేషన్ లో అవసరమైన మార్పులు/సవరణలు చేయాలి. ఈ విషయంలో DDO గాభరా పడాల్సిన అవసరం లేదు.

(వస్తుసేవల పన్ను కౌన్సిల్ యొక్క న్యాయ కమిటీ జారీ చేసిన GST TDS SOP ఆధారంగా)

వస్తుసేవల పన్ను చెల్లింపు సందర్భంగా DDOs కొంత పన్ను తగ్గించడం (GST TDS) పై అవగాహన పత్రం

అంతర్జాలం ద్వారా నమోదు ప్రక్రియ పూర్తి చేయడానికి మార్గసూచి పార్ట్ – A & పార్ట్ – B

DDO మొదటగా వస్తుసేవల పన్ను వ్యవస్థ యొక్క అధికారిక వెబ్ సైట్ www.gst.gov.in ని సందర్శించాలి.



వస్తుసేవల పన్ను వ్యవస్థ వెబ్ సైట్ హోం పేజీలో ఉన్న సేవలు (services) అనే దానిపై క్లిక్ చేయగానే డ్రాప్ డౌన్ లో గల అంశాలు ఓపెన్ అవుతాయి. అందులో రిజిస్ట్రేషన్ (registration) అనేదానిపై మౌజ్ వెళ్ళగానే new registration అనేది కనిపిస్తుంది. దానిపై క్లిక్ చేస్తే కొత్త పేజీ ఓపెన్ అవుతుంది.



ఆ పేజీలో రెండు దశలలో సమాచారం పూరించాల్సి ఉంటుంది. మొదటి దశలో ఈ కింది వివరాలను పూరించాలి

I am a: Tax Deductor

State/UT: Telangana

District:

Name of the DDO:

TAN Number of the DDO:

e-mail address: అధికారిక ఈ-మెయిల్ ఇవ్వాలి. లేకుంటే కొత్తది సృష్టించుకోవాలి.

Mobile phone number: అధికారిక మొబైల్ నెంబర్ ఇస్తే మంచిది

పై వివరాలు నమోదు చేసిన తర్వాత చివరలో ఇచ్చిన కోడ్ సంఖ్యని సంబంధిత గడిలో నమోదు చేయాలి. ఆ తర్వాత proceed అనేదానిపై క్లిక్ చేయాలి. వెంటనే మరో కొత్త పేజీ ఓపెన్ అవుతుంది.



రెండో దశలో భాగంగా ఆ కొత్త పేజీలో DDO నమోదు చేసిన ఈ-మెయిల్ మరియు మొబైల్ నెంబర్ లకు OTP (one-time password) వచ్చిన OTP లను నమోదు చేయాలి. వెంటనే ARN (Acknowledgment Reference Number) నెంబర్ వస్తుంది. దీనిని తాత్కాలిక రిజిస్ట్రేషన్ నెంబర్ గా ఉపయోగించుకోవచ్చు.



ARN నెంబర్ మరియు పార్ట్ – B వివరాలను పార్ట్-A వివరాలు సమర్పించిన తేదీ నుండి 15 రోజుల్లోగా పూర్తిచేయాలి. ఆ తర్వాత సంబంధిత వస్తుసేవల అధికారి 15 అంకెలు కలిగిన వస్తుసేవల పన్ను వ్యవస్థ (GSTIN) రిజిస్ట్రేషన్ నెంబర్ DDO కి కేటాయిస్తారు.

సూచన: GST TDS గూర్చి మరింత స్పష్టంగా అర్థం చేసుకోవడం కోసం కేంద్ర ప్రభుత్వం జారీచేసిన ఆదేశాలను తెలుగులో సహజానువాదం చేయడం జరిగింది. ఇది కేవలం ప్రస్తుతం అమల్లో ఉన్న ఆదేశాల ఆధారంగా విషయ పరిష్కారం కొరకు మాత్రమే రూపొందించబడ్డాయి. నిబంధనల అమలు విషయంలో ఆంగ్లంలో జారీ చేయబడిన ప్రభుత్వ ఆదేశాలనే అనుసరించాలి. అదేసమయంలో సమయానుకూలంగా వచ్చే మార్పులను తెలుసుకొని అమలు చేయాలి/పాటించాలి.