GST NOTIFICATIONS

[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i)]

Government of India Ministry of Finance (Department of Revenue) [Central Board of Excise and Customs]

Notification No. 56/2017 - Central Tax

New Delhi, the 15th November, 2017

G.S.R.....(E):- In exercise of the powers conferred by section 168 of the Central Goods and Services Tax Act, 2017 (12 of 2017) read with sub-rule (5) of rule 61 of the Central Goods and Services Tax Rules, 2017, the Commissioner, on the recommendations of the Council, hereby specifies that the return in **FORM GSTR-3B** for the month as specified in column (2) of the Table shall be furnished electronically through the common portal, on or before the last date as specified in the corresponding entry in column (3) of the said Table, namely:-

Table

Sl No.	Month	Last date for filing of return in FORM GSTR-3E
(1)	(2)	(3)
1.	January, 2018	20 th February, 2018
2.	February, 2018	20 th March, 2018
3.	March, 2018	20 th April, 2018

2. Payment of taxes for discharge of tax liability as per FORM GSTR-3B: Every registered person furnishing the return in FORM GSTR-3B shall, subject to the provisions of section 49 of the said Act, discharge his liability towards tax, interest, penalty, fees or any other amount payable under the said Act by debiting the electronic cash ledger or electronic credit ledger, as the case may be, not later than the last date, as mentioned in column (3) of the said Table, on which he is required to furnish the said return.

[F. No.349 /58/2017-GST(Pt)]

(Dr. Sreeparvathy S.L.) Under Secretary to the Government of India

[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i)]

Government of India Ministry of Finance (Department of Revenue) [Central Board of Excise and Customs]

Notification No. 57/2017 - Central Tax

New Delhi, the 15th November, 2017

- G.S.R. (E):— In exercise of the powers conferred by section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, notifies the registered persons having aggregate turnover of up to 1.5 crore rupees in the preceding financial year or the current financial year, as the class of registered persons who shall follow the special procedure as detailed below for furnishing the details of outward supply of goods or services or both.
- 2. The said persons shall furnish the details of outward supply of goods or services or both in **FORM GSTR-1** effected during the quarter as specified in column (2) of the Table below till the time period as specified in the corresponding entry in column (3) of the said Table, namely:-

Table

SI No.	Quarter for which the details in FORM GSTR-1 are furnished	Time period for furnishing the details in FORM GSTR-1
(1)	(2)	(3)
1	July - September, 2017	31st December, 2017
2	October - December, 2017	15 th February, 2018
3	January - March, 2018	30 th April, 2018

3. The special procedure or extension of the time limit for furnishing the details or return, as the case may be, under sub-section (2) of section 38 and sub-section (1) of section 39 of the Act, for the months of July, 2017 to March, 2018 shall be subsequently notified in the Official Gazette.

[F. No. 349/58/2017-GST(Pt.)]

(Dr.Sreeparvathy S.L.) Under Secretary to the Government of India

Government of India Ministry of Finance (Department of Revenue) [Central Board of Excise and Customs]

Notification No. 58/2017 - Central Tax

New Delhi, the 15th November, 2017

G.S.R. (E):— In exercise of the powers conferred by the second proviso to subsection (1) of section 37 read with section 168 of the Central Goods and Services Tax Act, 2017 (12 of 2017) (hereafter in this notification referred to as the Act) and in supersession of notification No. 30/2017 – Central Tax dated the 11th September, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 1144 (E), dated the 11th September, 2017, except as respects things done or omitted to be done before such supersession, the Commissioner, on the recommendations of the Council, hereby extends the time limit for furnishing the details of outward supplies in **FORM GSTR-1** under sub-section (1) of section 37 of the Act for the months as specified in column (2) of the Table, by such class of registered persons having aggregate turnover of more than 1.5 crore rupees in the preceding financial year or the current financial year, till the time period as specified in the corresponding entry in column (3) of the said Table, namely:-

Table

SI No.	Months for which the details in FORM GSTR-1 are furnished	Time period for furnishing the details in FORM GSTR-1
(1)	(2)	(3)
1	July - October, 2017	31st December, 2017
2	November, 2017	10 th January, 2018
3	December, 2017	10 th February, 2018
4	January, 2018	10 th March, 2018
5	February, 2018	10 th April, 2018
6	March, 2018	10 th May, 2018

2. The extension of the time limit for furnishing the details or return, as the case may be, under sub-section (2) of section 38 and sub-section (1) of section 39 of the Act, for the months of July, 2017 to March, 2018 shall be subsequently notified in the Official Gazette.

[F. No. 349/58/2017-GST(Pt.)]

(Dr.Sreeparvathy S.L.) Under Secretary to the Government of India [To be published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i)]

Government of India Ministry of Finance Department of Revenue Central Board of Excise and Customs

Notification No. 64/2017 - Central Tax

New Delhi, the 15th November, 2017

G.S.R.....(E):- In exercise of the powers conferred by section 128 of the Central Goods and Services Tax Act, 2017 (12 of 2017) (hereafter in this notification referred to as the said Act), the Central Government, on the recommendations of the Council, hereby waives the amount of late fee payable by any registered person for failure to furnish the return in FORM GSTR-3B for the month of October, 2017 onwards by the due date under section 47 of the said Act, which is in excess of an amount of twenty five rupees for every day during which such failure continues:

Provided that where the total amount of central tax payable in the said return is nil, the amount of late fee payable by such registered person for failure to furnish the said return for the month of October, 2017 onwards by the due date under section 47 of the said Act shall stand waived to the extent which is in excess of an amount of ten rupees for every day during which such failure continues.

[F. No. 349/58/2017-GST(Pt)]

(Dr.Sreeparvathy S.L.) Under Secretary to the Government of India

F. No. 349/169/2017-GST Government of India Ministry of Finance Department of Revenue Central Board of Excise and Customs GST Policy Wing

New Delhi, Dated the 15th November, 2017

To,

The Principal Chief Commissioners / Chief Commissioners / Principal Commissioners / Commissioners of Central Tax (All)
The Principal Director Generals / Director Generals (All)

Madam/Sir,

Sub – Manual filing and processing of refund claims in respect of zero-rated supplies - reg.

Due to the non-availability of the refund module on the common portal, it has been decided by the competent authority, on the recommendations of the Council, that the applications/documents/forms pertaining to refund claims on account of zero-rated supplies shall be filed and processed manually till further orders. Therefore, in exercise of the powers conferred by sub-section (1) of section 168 of the Central Goods and Services Tax Act, 2017 (hereinafter referred to as 'the CGST Act') and for the purpose of ensuring uniformity, the following conditions and procedure are laid down for the manual filing and processing of the refund claims:

2.1 As per sub-section (3) of section 16 of the Integrated Goods and Services Tax Act, 2017 (hereinafter referred to as 'the IGST Act') read with clause (i) of sub-section (3) and sub-section (6) of section 54 of the CGST Act and rules 89 to 96A of the Central Goods and Services Tax Rules, 2017 (hereinafter referred to as 'the CGST Rules'), a registered person may make zero-rated supplies of goods or services or both on payment of integrated tax and claim refund of the tax so paid, or make zero-rated supplies of goods or services or both under bond or Letter of Undertaking without payment of integrated tax and claim refund of unutilized input tax credit in relation to such zero rated supplies.

- 2.2 The refund of integrated tax paid on goods exported out of India is governed by rule 96 of the CGST Rules. The shipping bill filed by an exporter shall be deemed to be an application for refund in such cases. The application shall be deemed to have been filed only when export manifest or export report is filed and the applicant has furnished a valid return in FORM GSTR-3 or FORM GSTR-3B, as the case may be. Upon receipt of the information regarding furnishing of a valid return in FORM GSTR-3 or FORM GSTR-3B, as the case may be, from the common portal, the system designated by the Customs shall process the claim for refund and an amount equal to the integrated tax paid in respect of such export shall be electronically credited to the bank account of the applicant. Any order regarding withholding of such refund or its further sanction respectively in PART-B of FORM GST RFD-07 or FORM GST RFD-06 shall be done manually till the refund module is operational on the common portal.
- 2.3 The application for refund of integrated tax paid on zero-rated supply of goods to a Special Economic Zone developer or a Special Economic Zone unit or in case of zero-rated supply of services (that is, except the cases covered in paragraph 2.2 above and para 2.4 below) is required to be filed in **FORM GST RFD-01A** (as notified in the CGST Rules vide notification No. 55/2017 Central Tax dated 15.11.2017) by the supplier on the common portal and a print out of the said form shall be submitted before the jurisdictional proper officer along with all necessary documentary evidences as applicable (as per the details in statement 2 or 4 of Annexure to **FORM GST RFD 01**), within the time stipulated for filing of such refund under the CGST Act.
- 2.4 The application for refund of unutilized input tax credit on inputs or input services used in making such zero-rated supplies shall be filed in FORM GST RFD-01A on the common portal and the amount claimed as refund shall get debited in accordance with sub-rule (3) of rule 86 of the CGST Rules from the amount in the electronic credit ledger to the extent of the claim. The common portal shall generate a proof of debit (ARN- Acknowledgement Receipt Number) which would be mentioned in the FORM GST RFD-01A submitted manually, along with the print out of FORM GST RFD-01A to the jurisdictional proper officer, and with all necessary documentary evidences as applicable (as per details in statement 3 or 5 of Annexure to FORM GST RFD-01), within the time stipulated for filing of such refund under the CGST Act.
- 2.5 The registered person needs to file the refund claim with the jurisdictional tax authority to which the taxpayer has been assigned as per the administrative order issued in this regard by the Chief Commissioner of Central Tax and the Commissioner

of State Tax. In case such an order has not been issued in the State, the registered person is at liberty to apply for refund before the Central Tax Authority or State Tax Authority till the administrative mechanism for assigning of taxpayers to respective authority is implemented. However, in the latter case, an undertaking is required to be submitted stating that the claim for sanction of refund has been made to only one of the authorities. It is reiterated that the Central Tax officers shall facilitate the processing of the refund claims of all registered persons whether or not such person was registered with the Central Government in the earlier regime.

2.6 Once such a refund application in **FORM GST RFD-01A** is received in the office of the jurisdictional proper officer, an entry shall be made in a refund register to be maintained for this purpose with the following details –

Table 1

SI. No	Applicant's name	GSTI N	Date of receipt of application	Period to which the claim pertain s	Nature of refund — Refund of integrated tax paid/Refund of unutilized ITC	Amoun t of refund claime d	Date of issue of acknowledgme nt in FORM GST RFD-02	Date of receipt of complete application (as mentioned in FORM GST RFD-02)
1	2	3	4	5	6	7	8	9

2.7 Further, all communication in regard to the FORMS mentioned below shall be done manually, within the timelines as specified in the relevant rules, till the module is operational on the common portal, and all such communications shall also be recorded appropriately in the refund register as discussed in the succeeding paragraphs –

Sl.No.	FORM	Details	Relevant provision o the CGST Rules, 2017		
1.	FORM GST RFD-02	Acknowledgement	Rules 90(1) and 90(2)		
2.	FORM GST RFD-03	Deficiency memo	Rule 90(3)		
3.	FORM GST RFD-04	Provisional refund order	Rule 91(2)		
4.	FORM GST RFD-05	Payment advice	Rules 91(3), 92(4), 92(5)		

			and 94
5.	FORM GST RFD-06	Refund sanction/Rejection order	Rules 92(1), 92(3), 92(4), 92(5) and 96(7)
6.	FORM GST RFD-07	Order for complete adjustment/withholding of sanctioned refund	Rules 92(1), 92(2) and 96(6)
7.	FORM GST RFD-08	Notice for rejection of application for refund	Rule 92(3)
8.	FORM GST RFD-09	Reply to show cause notice	Rule 92(3)

2.8 The processing of the claim till the provisional sanction of refund shall be recorded in the refund register as in the table indicated below -

Table 2

Date of issue of Deficiency Memo in FORM GST RFD-03	Date of receipt of reply from the applicant	provisional refund order in FORM	THE STATE OF SHORE STATES AND THE	I DESCRIPTION	ount of nd sanction		visional	Date of issue of Payment Advice in FORM GST RFD-05
				CT	ST/UTT	IT	Cess	
1	2	3	4	5	6	7	8	9

2.9 After the sanction of provisional refund, the claim shall be processed and the final order issued within sixty days of the date of receipt of the complete application form. The process shall be recorded in the refund register as in the table indicated below -

Table 3

Date of sissue of of recei notice, pt of if any reply, for if any rejecti to on of SCN refund in FOR FORM M	Date of issue of Refund sanction/rejec tion order in FORM GST RFD-06	Total amount refund sanctioned	Date of issue of Payme nt Advice in FORM GST RFD-05	Amount rejected	of	refund	Date of issue of order for adjustm ent of sanction ed refund/withholding

RFD- R	GST RFD- 09											refund in FORM GST RFD-07
			C	ST/UT T	I T	Ces s		C T	ST/UT T	IT	Ces s	
1	2	3	4	5	6	7	8	9	10	11	12	13

- 2.10 After the refund claim is processed in accordance with the provisions of the CGST Act and the rules made thereunder and where any amount claimed as refund is rejected under rule 92 of the CGST Rules, either fully or partly, the amount debited, to the extent of rejection, shall be re-credited to the electronic credit ledger by an order made in **FORM GST PMT-03**. The amount would be credited by the proper officer using **FORM GST RFD-01B** (as notified in the CGST Rules vide notification No. 55/2017 Central Tax dated 15.11.2017) subject to the provisions of rule 93 of the CGST Rules.
- 3. For the sake of clarity and uniformity, the entire process of filing and processing of refunds manually is tabulated as below:

3.1 Filing of Refund Claims:

SI.	Catagory of Defend	
	Category of Refund	Process of Filing
No.		
1.	Refund of IGST paid on export of goods	No separate application is required
		as shipping bill itself will be
		treated as application for refund.
2.	Refund of IGST paid on export of services	
	/ zero rated supplies to SEZ units or SEZ	01A needs to be filed manually
	developers	with the jurisdictional GST officer
		(only at one place - Centre or
		State) along with relevant
		documentary evidences, wherever
		applicable.
3.	Refund of unutilized input tax credit due to	FORM GST RFD-01A needs to
	the accumulation of credit of tax paid on	be filed on the common portal.
	inputs or input services used in making	The amount of credit claimed as
	zero-rated supplies of goods or services or	refund would be debited in the
	both	electronic credit ledger and proof
		of debit needs to be generated on
		the common portal. Printout of the

	FORM GST RFD- 01A needs to
	be submitted before the
	jurisdictional GST officer along
3	with necessary documentary
	evidences, wherever applicable.

3.2 Steps to be followed for processing of Refund Claims:

Three different refund registers are to be maintained for record keeping of the manually sanctioned refunds – for receipts, sanction of provisional refunds and sanction of final refunds. The steps are as follows:

Step No.	Action to be Taken
Step-1	Entry to be made in the Refund register for receipt of refund applications
Step-2	Check for completeness of application as well as availability of the
	supporting documents in totality. Once completeness in all respects is
	ascertained, acknowledgement in FORM GST RFD-02 shall be issued
	within 15 days from the date of filing of the application and entry shall be
8	made in the Refund register for receipt of refund applications
Step-3	 All communications (issuance of deficiency memo, issuance of
	provisional and final refund orders, payment advice etc.) shall be
	done in the format prescribed in the Forms appended to the CGST
	Rules, and shall be done manually (i.e. not on the common portal)
	within the timelines prescribed in the rules;
	 Processing for grant of provisional refund shall be completed within
	7 days as per the CGST Rules and details to be maintained in the
	register for provisional refunds. Bifurcation of the taxes to be
	refunded under CGST (CT) /SGST (ST) /UTGST (UT) /IGST (IT)
	/Cess shall be maintained in the register mandatorily;
	• After the sanction of the provisional refund, final order is to be
	issued within sixty days (after due verification of the documentary
	evidences) of the date of receipt of the complete application form.
	The details of the finally sanctioned refund and rejected portion of
	the refund along with the breakup (CT / ST / UT / IT/ Cess) to be
	maintained in the final refund register;
	• The amount not sanctioned and eligible for re-credit is to be re-
	credited to the electronic credit ledger by an order made in FORM
	GST PMT-03 . The actual credit of this amount will be done by the
	proper officer in FORM GST RFD-01B.

3.3 Detailed procedure for manual processing of refund claims:

The detailed procedure for disposal of Refund claims filed manually is as under:

MANUAL PROCESSING OF REFUND		
STEPS	REMARKS	LEGAL PROVISIONS
Filing of refund application in FORM GST RFD- 01A online on the common portal (only when refund of unutilized ITC is claimed)	The corresponding electronic credit ledger of CT / ST / UT / IT/ Cess would get debited and an ARN number would get generated.	Rule 89
Filing of printout of FORMGST RFD-01A	 The printout of the ARN along with application of refund shall be submitted manually in the appropriate jurisdiction. This form needs to be accompanied with the requisite documentary evidences. This Form shall contain the debit entry in the electronic credit ledger of the amount claimed as refund in FORM GST RFD-01A. 	1
Initial scrutiny of the Documents by the proper officer	has been claimed against	Rule 90(2) – 15 day time for scrutiny Rule 90(3) – Issuance of Deficiency memo Rule 90(3) – Fresh refund application requirement Rule 93(1) – recredit of refund amount applied for

	within 15 days of filing of the refund application. Deficiency Memo should be complete in all respects and only one Deficiency Memo shall be given. Submission of application after Deficiency Memo shall be treated as a fresh application. Resubmission of the application, after rectifying the deficiencies pointed out in the Deficiency memo, shall be made by using the ARN and debit entry number generated originally. If the application is not filed afresh within thirty days of the communication of the deficiency memo, the proper officer shall pass an order in FORM GST PMT-03 and re-credit the amount claimed as refund through FORM GST RFD-01B.
Issue acknowledgement manually within 15 days in FORM GST RFD-02	• The date of submission of application for which acknowledgement has been given will be considered as the date for ensuring whether the refund application has been sanctioned within the stipulated time period. Rule 90(2) Acknowledgement

Grant of provisional refund within seven days of issue of acknowledgement	 The amount of provisional refund shall be calculated taking into account the total input tax credit, without making any reduction for credit being provisionally accepted. Provisional refund shall be granted separately for each head CT / ST / UT / IT/ Cess within 7 days of acknowledgement in FORM GST RFD-04. Before sanction of the refund a declaration shall be obtained that the applicant has not contravened rule 91(1). Payment advice to be issued in FORM GST RFD-05. Refund would be made directly in the bank account mentioned in the registration.
Detailed scrutiny of the refund application along with submitted documents	 The officer shall validate refund statement details with details in FORM GSTR 1 (or Table 6A of FORM GSTR-1) available on the common portal. The Shipping bill details shall be checked by officer through ICEGATE SITE (www.icegate.gov.in) wherein the officer would be able to check details of EGM and shipping bill by keying in port name, Shipping bill number and date. Further, details of IGST paid also needs to be

	verified from FORM GSTR- 3 or FORM GSTR- 3B, as the case may be, filed by the applicant and it needs to be verified that the refund amount claimed shall be less than the tax paid on account of zero rated supplies as per FORM GSTR-3 or FORM GSTR-3B, as the case may be. • Ascertain what amount may be sanctioned finally and see whether any adjustments against any outstanding liability is required (FORM GST RFD-07 – Part A). • Ascertain what amount of the input tax credit is sanction-able, and amount of refund, if any, liable to be withheld. • Order needs to be passed in FORM GST RFD-07
If the sanction-able amount is less than the applied amount	 Part B. Notice has to be issued to the applicant in FORM GST RFD-08. The applicant has to reply within 15 days of receipt of the notice in FORM GST RFD-09. Principles of natural justice to be followed before making the final decision. Final order to be made in FORM GST RFD-06. Rule 92(3) – Notice for refund not admissible / payable Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days Rule 92(3) – Requirement of reply to the notice within 15 days
Pre-Audit	Pre-audit of the manually processed refund applications is not required to be

	carried out, irrespective of the amount involved, till separate detailed guidelines are issued. • Post-audit of the orders may however continue on the basis of extant guidelines. • The proper officer shall issue the refund order
	manually for each head i.e. CT / ST / UT / IT/ Cess. Amount paid provisionally needs to be adjusted accordingly.
	 Payment advice is to be made in FORM GST RFD-05. The amount of credit rejected has to be recredited to the credit ledger by an order in Puls 02(2) 02(4)
Final sanction of refund	FORM GST PMT- 03 and shall be intimated to the common portal in FORM GST RFD- 01B. Rule 92(3), 92(4), 92(5) – Sanction of Refund order Rule 92(4), 92(5) – Payment and viscon
	paid by an order with payment advice in FORM GST RFD-05. The details of the refund along with taxpayer
	bank account details shall be manually submitted in PFMS/[States'] system by the jurisdictional Division's DDO and a
Payment of interest if any	signed copy of the sanction order shall be sent to PAO office for release of payment. • Amount, if any, will be paid by an order with

payment advice in FORM GST RFD-05.

- 4. The refund application for various taxes i.e. CT / ST / UT / IT/ Cess can be filed with any one of the tax authorities and shall be processed by the said authority, however the payment of the sanctioned refund amount shall be made only by the respective tax authority of the Centre or State government. In other words, the payment of the sanctioned refund amount in relation to CT / IT / Cess shall be made by the Central tax authority while payment of the sanctioned refund amount in relation to ST / UT would be made by the State tax/Union territory tax authority. It therefore becomes necessary that the refund order issued either by the Central tax authority or the State tax/UT tax authority is communicated to the concerned counter-part tax authority within three days for the purpose of payment of the relevant sanctioned refund amount of tax or cess, as the case may be.
- 5. It is requested that suitable trade notices may be issued to publicize the contents of this Circular.
- 6. Difficulty, if any, in implementation of the above instructions may please be brought to the notice of the Board. Hindi version would follow.

(Upender Gupta) Commissioner (GST)

F. No. 349/58/2017-GST Government of India Ministry of Finance Department of Revenue Central Board of Excise and Customs ***

New Delhi, the 15th November, 2017

Order No. 9/2017-GST

Subject: Extension of time limit for submitting the declaration in FORM GST TRAN-1 under rule 117 of the Central Goods and Service Tax Rules, 2017

In exercise of the powers conferred by rule 117 of the Central Goods and Services Tax Rules, 2017 read with section 168 of the Central Goods and Services Tax Act, 2017, on the recommendations of the Council, and in supersession of Order No. 07/2017-GST dated 28th October, 2017, except as respects things done or omitted to be done before such supersession, the period for submitting the declaration in **FORM GST TRAN-1** is extended till 27th December, 2017.

(Upender Gupta) Commissioner (GST)

F. No. 349/58/2017-GST Government of India Ministry of Finance Department of Revenue Central Board of Excise and Customs

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New Delhi, the 15th November, 2017

Order No. 10/2017-GST

Subject: Extension of time limit for submitting the declaration in FORM GST TRAN-1 under rule 120A of the Central Goods and Service Tax Rules, 2017

In exercise of the powers conferred by rule 120A of the Central Goods and Services Tax Rules, 2017 read with section 168 of the Central Goods and Services Tax Act, 2017,on the recommendations of the Council,and in supersession of Order No. 08/2017-GST dated 28th October, 2017, except as respects things done or omitted to be done before such supersession, the period for submitting the declaration in **FORM GST TRAN-1** is extended till 27th December, 2017.

(Upender Gupta) Commissioner (GST)