



The Western Maharashtra Tax Practitioner Association

Refreshing / Crash Course on GST

Friends

Our association is organising refreshing crash course on GST to refurbish the knowledge of GST possibly missed out due to excessive use of system. It has been noticed recently that to implement the taxation laws over dependence on system is leaving very limited scope for interpretation. But there is no fiscal statute on this earth which can be implemented without application of enacted laws.

Friends after passage of 11months from the introduction of GST, it is not the time to focus on preliminaries of the law but to ascertain the answers to the operational queries. In order to cater this need of our members, organizing committee has worked relentlessly to draft the questionnaire on various topics of the course. The speakers on the assigned subject would focus on those points offering you appropriate answers.

Thus this crash course aims at answering to the questionnaire in addition to the sharing of knowledge on basic concepts of assigned subject. All these privileges have been made available **at nominal enrolment fees of Rs. 4,000/-** including study material, breakfast, tea or coffee and **enrolment to full day conference on VAT, GST and Income Tax proposed to be held on 16th June 18**. So friends grab the opportunity by enrolling immediately to the course. Limited 150 seats.

Thanks

Narendra Sonawane

Milind Bhonde, Navneetlal Bora, Vilas Aherkar, Sharad Suryawanshi, Pranav Seth & All GST committee members.

Warm Regards,

Narendra K. Sonawane

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Issues referred to speakers for their expert comments

A) Composite supply and mixed supply: Adv. G.Y.Patwardhan

- i. Provisions and legal status of earlier divisible contracts and indivisible contracts.
- ii. Comparison of divisible contract and indivisible contracts with mixed supply and composite supply.
- iii. Possible need to introduce the concept of mixed supply and composite supply.
- iv. Deep analysis of both the supplies with reference to the definitions and example stated in definition.
- v. Any other examples of both the supply.
- vi. Legal provisions in respect of levy of GST under GST laws.
- vii. When mixed supply is not a mixed supply.
- viii. What is a meaning of “Naturally bundled”.
- ix. When composite supply is not composite supply.
- x. Does “Principal supply” connote principal in value or functional utility whether it is a subjective term?
- xi. Tax incidence in case of wrong interpretation of both the supplies.



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B) Works contract supply and construction services: CA Ishaan Patkar

- i. Status of works contract sales in earlier tax regimes.
- ii. Effects of insertion of clause 29A to the article 366 of the constitution.
- iii. Applicability of works contract relating to movable property and immovable property. Eligibility of standard deductions or labour and service cost deduction method. Effect on taxation or tax quantum due to not allowance of these deductions.
- iv. Possible reason of classifying the works contract supply as supply of service.
- v. Impact on taxation of works contract activity relating to movable goods after removing the same from the definition of works contract supply under GST.
- vi. Detailed analysis of the definition of works contract with reference to various activities enumerated in the definition. Comments on some of the activities with special reference to fitting out, improvement, modification and alteration.
- vii. Taxation of works contract services with reference to rate of tax, SEZ dealers. Central Government and State Government, Export of works contract service. Existence of composition scheme if any to pay WCT liability under GST.
- viii. Status of taxation in respect of execution of WC between principal contractor and sub contraction.
- ix. TDS provisions if any.
- x. What is a constructions service? Is it a part of works contract supply service.
- xi. Determination of value of construction service in normal course with reference to the provisions of the clause 5(b) in schedule II. Redevelopment of the building by cooperative society and/or apartment holders.
- xii. Rate of tax on construction services. Whether any deduction permissible for stage wise construction.
- xiii. Taxation of SRA developments against TDR.
- xiv. Taxation of deposits received towards MSEB meter, special requirement booking, parking charges.
- xv. Taxation in case repairs, alteration services provided by the developer post completion in both the cases of ready possession flats and construction against agreement.



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C) Place of supply and important provisions relating to e-way bill:

Adv. Milind Bhonde

- i. Origin of place of supply concept.
- ii. Provisions of place of supply relating to goods and services with examples and intricacies relating to place of supply.
- iii. Intrastate supply, interstate supply of goods and services with special reference to CGST and IGST levy.
- iv. Importance of fixed establishments under place of supply.
- v. Impact of wrong interpretation relating to place of supply
- vi. Brief discussion on location of supplier and location of recipient.
- vii. Uploading, generating and validating of e-way bills.
- viii. Updating part B of e way bill.
- ix. Validity verification of e way bill, validity period of e way bill and extension of validity period of e way bill.
- x. Various circumstances under which e-way bill to be generated by the supplier, recipient and/or transporter.
- xi. Amendment, cancellation of e-way bill and the impact on cancellation of e-way bill.
- xii. Non-requirement of generation of e-way bill under various circumstance.
- xiii. Validation of e-way bill in case of multimode transport of goods.
- xiv. Penalty applicable for non-generation of e-way bill.
- xv. Circumstances leading to interception, detention and confiscation of goods and vehicle.
- xvi. Provisions relating to generation of e-way bill in case of movement of goods from SEZ to DTA.



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D) Input Tax Credit : CMA Brijmohan Sharma

- i. Provisions relating to set-off under earlier Tax Regimes.
- ii. Need of Input Tax credit.
- iii. Analysis of definitions relating to terms “input” “inputs services” and “input tax”.
- iv. Eligibility to claim input tax credit.
- v. Provisions of sec.16 relating to claiming of ITC and inputs and input services not eligible for ITC.
- vi. Conditions to be fulfilled to claim ITC.
- vii. Special focus on non-eligibility of ITC on “Works contract services” and “Construction of immovable property on own account.”
- viii. Mode of claiming input tax credit.
- ix. Impact of accumulated ITC in case of change in constitution, closure of business for various reasons.
- x. Circumstances for reversal of ITC.
- xi. Claiming of refund of unutilised balance of ITC.
- xii. Legal provisions for grant of refund in case of any amount is due from the claimant dealer under GST Laws and/or earlier laws.
- xiii. Penal provisions for wrongly claiming ITC.
- xiv. Important tips to avoid reversal of ITC with reference to documentations.



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E) Advance Rulings and Appeal : Adv. Vidyadhar Apte

- i. What is meant by advance ruling?
- ii. Who can apply for advance ruling?
- iii. Structure of advance ruling board.
- iv. Procedure followed in advance ruling relined proceedings.
- v. Binding nature of advance ruling on the tax payers and the departmental authorities. Whether advance ruling order passed by one state authority is binding on another state authority. Authority in one state passes the order on any subject in one way and another state authority decides on the same subject in a different way, what would be conclusive.
- vi. Whether advance ruling application can be made after commencement of assessment/adjudication proceedings.
- vii. Can appeal be filed against advance ruling order?
- viii. Type of orders against which appeal can be filed.
- ix. Against whose order appeal can be filed before whom.
- x. Any requirement of payment of tax to file the appeal or any requirement to deposit any amount to stay the recovery of amount in dispute.
- xi. Brief information of the proceedings to be conducted before appeal authorities. Powers of appellate authority while deciding the appeal and conducting the hearing.
- xii. Appeal before Tribunals, Regional benches, Area benches. Tribunals constituted of how many members with their required qualifications. Subjects on which appeals can be preferred or filed to Central Tribunals and State Tribunals.
- xiii. Procedures to be followed while conducting proceedings before tribunals.
- xiv. Binding nature of judgements passed by Tribunals on the tribunals of another states.
- xv. Time period within which appeals to be filed before appellate authorities from the date of service of orders appealable.
- xvi. Discussion of some of the important advance rulings recently passed and correctness of those advance rulings from the views of the speaker. Additional comments as found necessary by the speaker.



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F) Annual Returns and GST Audits Shri : Suhas Padhye

- i. Applicable provisions relating to annual returns.
- ii. Need of filing annual returns.
- iii. Form number in which annual return to be filed. Data to be compiled to file annual return.
- iv. PPT if possible relating to heads sub heads, columns, rows to prepare annual returns.
- v. Whether any data relating to supply or receipt transaction not entered in 3B or GSTR1 or entered under wrong head in 3B or GSTR 1 can be corrected while filing annual return.
- vi. What is the prescribed To limit for GST audit?
- vii. What data need to be compiled for GST audit?
- viii. Has system prescribed and made available the form to be filled.
- ix. Important issues relating to annual return and GST audit from the point of view of the speaker.



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G) Important provisions in valuation rules and effect of GST on filing of Income

Tax Law.:

Adv. Abhay Bora

- i. What are the provisions relating Exchange supply, Barter supply and Transfer supply with reference to valuation rules.
- ii. What is the significance of “related persons” under valuation rule and what are rules to determine valuation of transaction between related persons?
- iii. Any significant and determining factor to be studied while determine of supply of goods and/or services between two related persons and also between two non-related persons from the point of view of the speaker.



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Schedule of lectures organised in GST Refreshing crash course

Date	Time	Subject	Name of Speaker
09/06/18	3 PM to 7 PM	Input Tax credit	CMA B.M.Sharma
10/06/18	9 AM to 1 PM	Contract supply and construction Services	CA IshaanPatkar
17/06/18	9 AM to 1 PM	Composite Supply, Mixed supply	Adv G. Y. Patvardhan
23/06/18	3 PM to 7PM	Place of supply and E way bill	Adv Milind Bhonde
24/06/18	9AM to 1PM	Advance Rulings and Appeals	Adv VidyadharApte
30/06/18	3PM to 7PM	Annual Return and GST Audit	Tpr SuhasPadhye
01/07/18	9AM to 1PM	Important provisions in valuation rules and effect of GST on Filing Of Income Tax Laws	Adv Abhay Bora

Thank You Very Much



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