

CONTENTS

Pg.

INDEX

| | |
|---|----|
| President's Message | 04 |
| Compliance Calendar | 05 |
| "Swachh Bharat Diwas" | 06 |
| Program on Grievance Handling, Conflict Management & Time Management | 07 |
| Important Notifications & Circulars | 08 |
| Update on 37th GST Council Meet held in Goa | 11 |
| India Jumps 14 Places on World Bank's EoDB List | 14 |
| Assistance to MSMEs to compete in International Market | 15 |
| Corporate Taxes cut for Domestic Companies | 17 |
| Government to contribute 10% of funds for MSMEs in stock market, says Nitin Gadkari | 18 |
| MSMEs need to integrate into Global Supply Chains | 19 |
| Important FAQs On Sabka Vishwas (Legacy Dispute Resolution) Scheme, 2019 | 20 |

BI-MONTHLY NEWS BULLETIN

GOA STATE INDUSTRIES ASSOCIATION

(An Apex Association for Micro, Small & Medium Enterprises in Goa)

ISO 9001:2008 Certified

Office: 4TH FLOOR, GOA-IDC HOUSE, PATTO PLAZA, PANAJI, GOA – 403 001.

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GSIA Executive Committee Members for 2019-2021

- **President** : Mr. Vishwanath Kochkar
- **Vice President** : Mr. Anirudh Dempo
- **Vice President** : Mr. Gautam Verlekar
- **Hon. Secretary** : Mr. Sameer Keny
- **Hon. Treasurer** : Mr. Kirat Shirsat
- **Imm. Past President**: Mr. Rajkumar Kamat
- **Members** : Mr. Suraj Mantravadi
Mr. D. Kumar Pillai
Mr. Naval Naik
Mr. Sanjeev Trivedi
Mr. Naresh S. Pai
Mr. Sanat Raiturcar
Mr. Prakash Kapadia
Mr. Mayuresh Dhume
Mr. Shekhar Sardessai
Mr. Atul Pai Kane
Mr. Sohan Kelekar (Co-opted)

GSIA Advisory Members for 2019-2021

- **President** :
Mr. Vishwanath Kochkar
- **Imm. Past President** :
Mr. Rajkumar Kamat
- **Past Presidents** :
Mr. Sudin Naik
Mr. Shekhar Sardessai
Mr. Atul P. Naik

GSIA Coordination Teams/Committees for 2019-21

| | | |
|---|---|---|
| Entrepreneurship & Skill Development | : | Mr. Sanat Raiturcar |
| Power & Infrastructure in Indl. Estates | : | Mr. Naval Naik Mr. Sohan Kelekar |
| Environment & Pollution Control | : | Mr. Mayuresh Dhume |
| HR, EPF & Training | : | Mr. D. Kumar Pillai |
| Central Excise/Customs & Commercial Taxes/GST. | : | Mr. Atul Pai Kane Mr. Gautam Verlekar |
| Labour and ESI | : | Mr. Sameer Keny Mr. Suraj Mantravadi |
| GIDC Issues | : | Mr. Vishwanath Kochkar Mr. Anirudh Dempo |
| DITC and Facotries & Boilers Issues | : | Mr. Anirudh Dempo Mr. Prakash Kapadia Mr. Shekhar Sardessai |
| GHRSSIDC, Rate Contract & MSME Development | : | Mr. Kiran Shirsat Mr. Rajkumar Kamat |
| Membership Development, Bulletin & Events | : | Mr. Sanjeev Trivedi Mr. Naresh Pai |

**GSIA's Representation on various Committees of the Government/
Government undertakings etc. For the tenure 2019-2021**

| Sr. | COMMITTEE | REPRESENTATIVE |
|------------|--|-----------------------|
| 1. | Goa Industrial Development Corporation (Goa IDC) Board | President |
| 2. | Micro, Small Enterprises Facilitation Council | President |
| 3. | State Labour Advisory Board | Mr. Sameer Keny |
| 4. | State Minimum Wages Advisory Board | Mr. Sameer Keny |
| 5. | State Level Skill Development Mission | Mr. Sohan Kelekar |
| 6. | Sub-Committee to Skill Development Mission | Mr. Prakash Kapadia |
| 7. | State Level Steering Committee for Center of Excellence (COE) Scheme under World Bank | Mr. Sohan Kelekar |
| 8. | Vocational Training Provider (VTP) Evaluation Committee (VEC) for Skill Development Initiative Scheme | Mr. Naresh Pai |
| 9. | State Board of Examination constituted by State Council for Vocational Training (SDCT) | Mr. Prakash Kapadia |
| 10. | Human Resource Development Foundation Society | Mr. Sudesh Rane |
| 11. | State Level Steering Committee for IMC's of ITI's | Mr. Naval Naik |
| 12. | Task Force Committee on New Schemes | Mr. Anirudh Dempo |
| 13. | Rate Contract Committee under Preferential Purchase Scheme | Mr. Kiran Shirsat |
| 14. | MSME Development Institute, Margao | Mr. Sanat Raiturkar |
| 15. | Public Grievance Committee for Customs & Central Excise | Mr. Gautam Verlekar |
| 16. | RBI's Empowered Committee for MSMEs | Mr. D. K. Pillai |
| 17. | State Level Bankers Committee (SLBC) | President |
| 18. | Goa State Social Security Board | Mr. Suraj Mantravadi |
| 19. | Regional Board / Local (ESIC) Employees State Insurance Corporation | Mr. Sameer Keny |
| 20. | State Level Committee on Standardization & Quality System | Mr. Sanjeev Trivedi |
| 21. | Controller of Legal Metrology (Weights & Measures) | Mr. Naresh Pai |
| 22. | Regional Committee of Employees Provident Fund for the State of Goa (EPF) | Mr. Kiran Shirsat |
| 23. | Special Committee under Goa-IDC Transfer & Sub-Lease Regulations | Mr. Shekhar Sardessai |
| 24. | Screening Committee for Allotment of Industrial Plots by GIDC | Mr. Anirudh Dempo |
| 25. | State Level Advisory Board under Solid Waste Management Rules, 2016 | Mr. Mayuresh Dhume |

The views expressed in this Bulletin are not necessarily those of the Association. All information is provided with the usual waiver of responsibility as neither the GSIA nor its members, employees or service providers can accept liability for loss and damage resulting from omissions and inaccuracies relating to articles, information, data, telephone numbers, addresses, wording, spacing or positioning of any listings, representations and other material regardless of the cause.

" We find that lot of positive intentions have been displayed by the Government in improving the Ease of Doing Business in the State, however, the assurances have remained on paper only and nothing worth mentioning has been done so far".



Mr. Vishwanath Kochkar
President
GSIA

At the Annual Function of Goa State Industries Association on 28th June 2019, the Chief Minister Dr. Pramod Sawant had said "Give me three months' time to improve the ease of doing business in the State". He had also assured to bring down the raw water charges at Verna Industrial Estate to Rs. 10/- per cubic meter from the present Rs. 20/- charged by the WRD and set up a single window clearance system to clear the investment proposals. The Industries Minister too had a meeting with the industry representatives of all the Industrial Estates to hear the grievances of the Industries and assured time-bound solutions.

We find that lot of positive intentions have been displayed by the Government in improving the Ease of Doing Business in the State, however, the assurances have remained on paper only and nothing worth mentioning has been done so far. Power shortages, water unavailability, bad roads, bureaucratic red tapism and inadequate infrastructure continue unabated. Delays in getting construction licence/occupancy certificate for new and expansion of factory building still persists. Everyone agrees that industry is the key sector for generation of employment and revenue to the State. However, industries have been given the least priority by the State Government.

We find that at Goa-IDC, decisions/resolutions passed by the Board do not percolate down to the dealing hands and, as a result, different lease rents, interest rates, penalties are charged to the lease

holders. In the case of renewal of lease deeds, we have written to MD, Goa-IDC suggesting that an office order should be issued to the concerned staff so that Resolution No. 118/2015 of the 344th Board Meeting is implemented and after completion of initial period of 30 years, the original lease rent, as in the original lease deed, should continue with 10% increase (simple) every 3 years from the date of allotment and rectification/renewal lease deed should be executed with the lessee wherever required.

Department of Factories and Boilers has been another irritant for the development of industries in Goa. For construction/expansion of factory building they have been asking for hygiene survey on noise, ventilation and illumination from their empanelled OSH auditor even where the units have obtained Occupational Safety and Health (OSH) certification from National Accredited Bodies. There are 5 or 6 consultants empanelled in their list out of which two are from outside the State, who quote for the work at exorbitant prices and the rest from Goa do not take up the job for reasons best known to them.

We have sought an appointment with the Chief Minister to discuss the issue of Ease of Doing Business in Goa. We understand that from this year EoDB ranking of the State will be based on the industry feedback and not on Departments submissions. We hope Government will take note of our concerns so that Goa does not fall behind in the rankings.



Compliance Calendar

- By CA Ashish Verlekar

August 2019

| | |
|------------------|--|
| 07 th | TDS/TCS Payment |
| 10 th | GSTR-7 (TDS deductor) Due Date for the month of July 2019 |
| 11 th | GSTR-1 (Jul'19) Monthly return having turnover > 1.5 Cr |
| 15 th | PF Payment |
| 15 th | ESIC Payment |
| 20 th | GSTR-3B for the month of July'19 |
| 20 th | Payment of GST liability for the month of July'19 |
| 31 st | Extended Due Date for Return of Income of non-corporate Assesseees (other than tax audits) |

September 2019

| | |
|------------------|--|
| 07 th | TDS/TCS Payment |
| 10 th | GSTR-7 (TDS deductor) Due Date for the month of Aug 2019 |
| 11 th | GSTR-1 (Aug'19) Monthly return having turnover > 1.5 Cr |
| 15 th | PF Payment |
| 15 th | Advance Income Tax Instalment all Assesseees |
| 15 th | ESIC Payment |
| 20 th | GSTR-3B for the month of Aug'19 |
| 20 th | Payment of GST liability for the month of Aug'19 |
| 30 th | Return of Income of Companies & others covered under tax audit |

Notes:-

- Kindly note that VAT is applicable only on alcohol for human consumption and petroleum products. All other goods and services are covered under GST.
- Kindly refer to www.cbic.gov.in for latest notifications on rates, changes in due dates for filing of returns and other amendments to the Act/Rules of GST.
- Person failing to furnish return within above time shall pay a fee of -
 - Rs.5,000/- if return is furnished on or before 31st December of the A.Y.
 - Rs.10,000/- in any other case.
 - Rs.1,000/- if total income does not exceed Rs. 5 Lakhs

October 2019

| | |
|------------------|---|
| 07 th | TDS/TCS Payment |
| 10 th | GSTR-7 (TDS deductor) Due Date for the month of Sept 2019 |
| 11 th | GSTR-1 (Aug'19) Monthly return having turnover > 1.5 Cr |
| 15 th | PF Payment |
| 15 th | TCS Quarterly Returns (July-Sept) |
| 15 th | ESIC Payment |
| 20 th | GSTR-3B for the month of Sept'19 |
| 20 th | Payment of GST liability for the month of Sept'19 |
| 31 st | TDS Quarterly Returns (July-Sept) |
| 31 st | GSTR-1 (Quarterly) Due Date from July to Sept 2019 (Having Turnover less than 1.50 Crore) |
| 31 st | Extended Due Date for Return of Income of Companies & others covered under tax audit |

November 2019

| | |
|------------------|--|
| 07 th | TDS/TCS Payment |
| 10 th | GSTR-7 (TDS deductor) Due Date for the month of Oct 2019 |
| 11 th | GSTR-1 (Oct'19) Monthly return having turnover > 1.5 Cr |
| 15 th | PF Payment |
| 15 th | ESIC Payment |
| 20 th | GSTR-3B for the month of Oct'19 |
| 20 th | Payment of GST liability for the month of Oct'19 |
| 30 th | Return of Income assesseees required to file Transfer Pricing Audit report |
| 30 th | GSTR-9A/B/C Annual return for dealers having turnover > 2 Cr |

“Swachh Bharat Diwas”

Various Industrial Estate Associations in coordination with the Field Managers of the Industrial Estates in Goa observed “Swachh Bharat Diwas” on Mahatma Gandhi's 150th birth anniversary on 2nd October 2019.

In response to Prime Minister's ambitious Swachh Bharat (Clean India) campaign, a major cleanliness drive was done in Madkaim, Bethora and other Industrial Estates collecting heaps of plastic and other garbage.



Program on Grievance Handling, Conflict Management & Time Management

Goa State Industries Association (GSIA) organized a full day program on Grievance handling, Conflict management & Time Management on 19th Sept., 2019 and again on 26th Sept., 2019 at GSIA Conference Hall, Patto, Panaji, Goa. The facilitator for the program was Mr. Guilman Fernandes, Consultant and Trainer in

Human Resources & Employee Relations.

The program had to be repeated again on 26th Sept., 2019 as all the participants could not be accommodated on 19th Sept., due to space constraints. The repeated program was specially held for the employees of M/s Vedanta.



Important Notifications & Circulars

OFFICIAL GAZETTE — GOVT. OF GOA

SERIES II No. 29

17TH OCTOBER, 2019

List of Holidays for the Year 2020

Notification

No. 37/5/2019-GAD-III/3287

The Government of Goa is pleased to direct that the days specified in the Annexure-I shall be observed as Public Holidays and the days specified in the Annexure-II as Special Holidays in all Government Offices in the State of Goa during the year 2020 (Saka 1941-1942). All Government Offices will be functional on Special Holidays except if the Special Holidays occur on Saturday or Sunday.

2. In addition to the Holidays specified in Annexure-I and Annexure-II, employees are permitted to avail of any two holidays from the list of Restricted Holidays specified in Annexure-III for the year 2020.

3. The Government is also pleased to declare Commercial and Industrial Holidays for the Commercial and Industrial Workers in Goa as specified in Annexure-IV for the year 2020.

4. Further, in exercise of the powers conferred under explanation to Section 25 of the Negotiable Instruments Act, 1881 (Act 26 of 1881) read with Government of India, Ministry of Home Affairs, New Delhi, vide Notification No. U.11030/2/73-UTL dated 28-6-1973, the Government of Goa is also pleased to declare the days specified in Annexure-V as Bank Holidays in the State of Goa for the year 2020.

By order and in the name of the Governor of Goa.

Shripad Arlekar, Under Secretary (GA-I).

Porvorim, 10th October, 2019.

ANNEXURE-I

List of Public Holidays for the Year 2020

| Sr. No. | Holidays | Date | Saka | Days of the week |
|---------|---|-------------|---------------|------------------|
| 1 | 2 | 3 | 4 | 5 |
| 1. | Republic Day | January 26 | Magha 06 | Sunday |
| 2. | Holi | March 10 | Phalguna 20 | Tuesday |
| 3. | Gudi Padava | March 25 | Chaitra 05 | Wednesday |
| 4. | Good Friday | April 10 | Chaitra 21 | Friday |
| 5. | Birth Anniversary of Dr. Babasaheb Ambedkar | April 14 | Chaitra 25 | Tuesday |
| 6. | May Day | May 01 | Vaisakha 11 | Friday |
| 7. | Id-UI-Fitr* | May 25 | Jyaishta 04 | Monday |
| 8. | Id-UI-Zuha (Bakri Id)* | August 02 | Sravana 11 | Sunday |
| 9. | Independence Day | August 15 | Sravana 24 | Saturday |
| 10. | Ganesh Chaturthi (1st Day) | August 22 | Sravana 31 | Saturday |
| 11. | Ganesh Chaturthi (2nd Day) | August 23 | Bhadra 01 | Sunday |
| 12. | Gandhi Jayanti | October 02 | Asvina 10 | Friday |
| 13. | Dussehra (Vijaya Dashmi) | October 25 | Kartika 03 | Sunday |
| 14. | Diwali (Deepavali) | November 14 | Kartika 23 | Saturday |
| 15. | Feast of St. Francis Xavier | December 03 | Agrahayana 12 | Thursday |
| 16. | Goa Liberation Day | December 19 | Agrahayana 28 | Saturday |
| 17. | Christmas Day | December 25 | Pausa 04 | Friday |

* The Holidays mentioned at Sr. No. 7 & 8 are subject to appearance of moon.

ANNEXURE-II

List of Special Holidays for the Year 2020

| Sr. No. | Holidays | Date | Saka | Days of the week |
|---------|--|-------------|-------------|------------------|
| 1. | Mahashivratri | February 21 | Phalguna 02 | Friday |
| 2. | Milad-Un-Nabi or Id-e-Milad (Birthday of Prophet Mtd.) | October 31 | Kartika 09 | Saturday |

N.B.:-

1. Special Holiday at Sr. No. 1 applied shall be necessarily sanctioned. In case where employees do not avail of the Special Holiday on the designated day, the holiday may be availed of on any working day during the calendar year 2020 only.
2. Special Holiday at Sr. No. 2 falls on Saturday as such request for Special Holiday on this day or in lieu of this does not arise.
3. Special Holiday mentioned at Sr. No. 2 is subject to appearance of moon.
4. Special Holidays can be prefixed or suffixed to the leave.

ANNEXURE-III

List of Restricted Holidays for the Year 2020

| Sr. No. | Holidays | Date | Saka | Days of the week |
|---------|--------------------------------|--------------|---------------|------------------|
| 1 | 2 | 3 | 4 | 5 |
| 1. | New Year Day | January 01 | Pausa 11 | Wednesday |
| 2. | Makarsankranti | January 15 | Pausa 25 | Wednesday |
| 3. | Guru Ravi Das Birthday | February 09 | Magha 20 | Sunday |
| 4. | Shivaji Jayanti | February 19 | Magha 30 | Wednesday |
| 5. | Ram Navami | April 02 | Chaitra 13 | Thursday |
| 6. | Mahavir Jayanti | April 06 | Chaitra 17 | Monday |
| 7. | Maundy Thursday | April 09 | Chaitra 20 | Thursday |
| 8. | Vaisakhi | April 13 | Chaitra 24 | Monday |
| 9. | Vishu | April, 13 | Chaitra 24 | Monday |
| 10. | Budha Purnima | May 07 | Vaisakha 17 | Thursday |
| 11. | Feast of Sacred Heart of Jesus | June 19 | Jyaishta 29 | Friday |
| 12. | Raksha Bandhan | August 03 | Sravana 12 | Monday |
| 13. | Janmashtami | August 11 | Sravana 20 | Tuesday |
| 14. | Hartalika | August 21 | Sravana 30 | Friday |
| 15. | Onam | August 31 | Bhadra 09 | Monday |
| 16. | Muharam | September 01 | Bhadra 10 | Tuesday |
| 17. | All Souls Day | November 02 | Kartika 11 | Monday |
| 18. | Govardhan Puja | November 15 | Kartika 24 | Sunday |
| 19. | Bhaubij | November 16 | Kartika 25 | Monday |
| 20. | Guru Teg Bahadur Martydom Day | November 24 | Agrahayana 03 | Tuesday |
| 21. | Guru Nanak's Birthday | November 30 | Agrahayana 09 | Monday |
| 22. | Feast of Immaculate Conception | December 08 | Agrahayana 17 | Tuesday |
| 23. | Christmas Eve | December 24 | Pausa 03 | Thursday |
| 24. | New Year's Eve | December 31 | Pausa 10 | Thursday |

ANNEXURE IV

List of Commercial & Industrial Holidays for the Year 2020

| Sr. No. | Holidays | Date | Saka | Days of the week |
|---------|---|-------------|---------------|------------------|
| 1 | 2 | 3 | 4 | 5 |
| 1. | Republic Day | January 26 | Magha 06 | Sunday |
| 2. | Birth Anniversary of Dr. Babasaheb Ambedkar | April 14 | Chaitra 25 | Tuesday |
| 3. | May Day | May 01 | Vaisakha 11 | Friday |
| 4. | Independence Day | August 15 | Sravana 24 | Saturday |
| 5. | Ganesh Chaturthi (1st day) | August 22 | Sravana 31 | Saturday |
| 6. | Gandhi Jayanti | October 02 | Asvina 10 | Friday |
| 7. | Diwali (Deepavali) | November 14 | Kartika 23 | Saturday |
| 8. | Goa Liberation Day | December 19 | Agrahayana 28 | Saturday |
| 9. | Christmas Day | December 25 | Pausa 04 | Friday |

According to the decision communicated by Government of India, Ministry of Finance in Memorandum No. F. 8 (7) EST (SPI) dated 7th November, 1963 casual employees including daily rated staff will be entitled to paid holidays if they are in service on the preceding and succeeding working days.

ANNEXURE-V

List of Bank Holidays for the Year 2020

| Sr. No. | Holidays | Date | Saka | Days of the week |
|---------|---|-------------|---------------|------------------|
| 1 | 2 | 3 | 4 | 5 |
| 1. | Republic Day | January 26 | Magha 06 | Sunday |
| 2. | Holi | March 10 | Phalguna 20 | Tuesday |
| 3. | Gudi Padava | March 25 | Chaitra 05 | Wednesday |
| 4. | Yearly Closing of Accounts | April 01 | Chaitra 12 | Wednesday |
| 5. | Good Friday | April 10 | Chaitra 21 | Friday |
| 6. | Birth Anniversary of Dr. Babasaheb Ambedkar | April 14 | Chaitra 25 | Tuesday |
| 7. | May Day | May 01 | Vaisakha 11 | Friday |
| 8. | Id-Ul Fitr* | May 25 | Jyaishta 04 | Monday |
| 9. | Id-Ul-Zuha (Bakri Id)* | August 02 | Sravana 11 | Sunday |
| 10. | Independence Day | August 15 | Sravana 24 | Saturday |
| 11. | Ganesh Chaturthi (1st day) | August 22 | Sravana 31 | Saturday |
| 12. | Ganesh Chaturthi (2nd day) | August 23 | Bhadra 01 | Sunday |
| 13. | Gandhi Jayanti | October 02 | Asvina 10 | Friday |
| 14. | Dussehra (Vijaya Dashmi) | October 25 | Kartika 03 | Sunday |
| 15. | Diwali (Deepavali) | November 14 | Kartika 23 | Saturday |
| 16. | Feast of St. Francis Xavier | December 03 | Agrahayana 12 | Thursday |
| 17. | Goa Liberation Day | December 19 | Agrahayana 28 | Saturday |
| 18. | Christmas Day | December 25 | Pausa 04 | Friday |

* The holiday mentioned at Sr. Nos. 8 & 9 are subject to appearance of moon.

Update on 37th GST Council Meet held in Goa



The 37th meeting of GST Council was held on 19-20th September, 2019 at Goa where in several tax-payer friendly measures have been announced which inter alia include GST rate reduction on hotels, few exemptions, lower rate on diamond related job works and outdoor catering, measures to boost export, few clarifications and relaxation in filing annual returns etc. However, no change has been made in audit requirements. It has been assured that GSTR-9 returns will be further simplified and that new returns shall be made applicable from next fiscal.

Decisions taken at 37th GST Council meeting at Goa on 20.09.2019

GST Council in the 37th meeting held on 20th September, 2019 (Friday) at Goa inter-alia, decided to lower GST rates on hotel tariff, outdoor catering and other miscellaneous items.

(A) Hotel / Restaurant / Catering

GST Rates on hotel room tariffs

A comparative analysis of the rates earlier and rates proposed is as follows:

| S.No. | Transaction Value per Unit (Rs) per day | Present GST rate | Proposed GST rates w.e.f. 01.10.2019 |
|-------|---|------------------|--------------------------------------|
| | Rs. 1000 and less | Nil | Nil |
| | Rs. 1,001-2,500 | 12% | 12% |
| | Rs. 2,501-7,500 | 18% | 12% |
| | Rs 7,501 and more | 28% | 18% |

GST Rate on outdoor catering

| S.No. | Particulars | Present GST rate | Proposed GST rates w.e.f. 01.10.2019 |
|-------|--|------------------|--------------------------------------|
| | Institutions other than in premises with daily room tariff of Rs 7,500 or more | 18% with ITC | 5% without ITC |
| | Catering in premises with daily tariff of unit of accommodation being Rs. 7501 and above | 18% with ITC | 18% with ITC |

GST Rate on caffeinated drinks (including energy drinks)

- Increased to 28 per cent from 18 per cent.
- Additional 12 per cent compensation cess would also be imposed on such beverages.

| <i>Present GST rate</i> | <i>Proposed GST rate w.e.f. 01.10.2019</i> | | |
|-------------------------|--|--------------------------|--------------|
| | <i>GST rate</i> | <i>Compensation Cess</i> | <i>Total</i> |
| 18 percent | 28 percent | 12 percent | 40 percent |

GST rate reduction on other items

| <i>Item</i> | <i>Present GST Rate</i> | <i>Proposed GST rate w.e.f 01.10.2019</i> |
|--|-------------------------|---|
| Dried tamarind | 5% | Nil |
| Plates and cups made up of leaves / flowers / bark | 5% | Nil |
| Wet Stone Grinders | 12% | 5% |
| Slide Fasteners (zips) | 18% | 12% |

(B) Insurance

- To exempt "BANGLA SHASYA BIMA" (BSB) crop insurance scheme of West Bengal Government.
- To exempt services of life insurance business provided or agreed to be provided by the Central Armed Paramilitary Forces (under Ministry of Home Affairs) Group Insurance Funds to their members under the respective Group Insurance Schemes of these Central Armed Paramilitary forces.

(C) Export promotion

- To exempt services provided by an intermediary to a supplier of goods or recipient of goods when both the supplier and recipient are located outside the taxable territory.
- To issue a notification under Section 13(13) of IGST Act notifying the place of supply of specified R&D services (such as Integrated discovery and development, Evaluation of the efficacy of new chemical/ biological entities in animal models of disease, Evaluation of biological activity of novel chemical/ biological entities in in-vitro assays, Drug metabolism and pharmacokinetics of new chemical entities, Safety Assessment/ Toxicology, Stability Studies, Bio Equivalence and Bio Availability Studies, Clinical trials, Bio analytical studies) provided by Indian pharma companies to foreign service recipients, as the place of effective use and enjoyment of a service i.e. location of the service recipient.

- To clarify that the place of supply of chip design software R&D services provided by Indian companies to foreign clients by using sample test kits in India is the location of the service recipient and section 13(3)(a) of IGST Act, 2017 is not applicable for determining the place of supply in such cases. Miscellaneous
- To allow the registered authors an option to pay GST, on royalty charged from publishers, under forward charge and observe regular GST Compliance.
- To notify grant of liquor licence by State Governments against payment of license fee as a "no supply" to remove implementation ambiguity on the subject.
- To exempt services related to FIFA Under-17 Women's World Cup 2020 similar to existing exemption given to FIFA U17 World Cup 2017.

(D) Other decisions

- Diamond Job-work GST rate reduced at 1.5% and Other Job-work GST rate reduced to 12% from 18%.
- Council amended rules regarding Refund by Appellate Authority.
- Council amended rules regarding GST Practitioners and Consumer Welfare Fund.
- GST Annual Returns GSTR-9, 9A Optional for those with turnover upto 2cr for FY 17-18 & 18-19.
- Those with turnover above 2crore to still file GSTR9.
- No relief in case of GSTR-9C as its applicable only

where turnover exceeds 2 crore.

- GSTR-9 also to be made "Saral".
- Exemption to Fishmeal for the period 01.07.17 to 30.09.19. There were doubts as regards taxability of fishmeal in view of the interpretational issues. However, any tax collected for this period shall be required to be deposited.
- Mere heating of leguminous vegetables (gram/lentil) for removing moisture, or to soften and puff it or removing the skin, and not subjecting to any other processing or addition of any other ingredients (salt, oil etc.) would be classified under HSN Code 0713.
- Almond milk is classifiable under HSN code 22029990 and attracts GST rate of 18%.
- It is proposed to defer the implementation of new

return system from April, 2020.

- To increase the validity of conditional exemption of GST on export freight by air or sea by another year, i.e. till 30.09.2020.
- To exempt prospectively services by way of storage or warehousing of cereals, pulses, fruits, nuts and vegetables, spices, copra, sugarcane, jaggery, raw vegetable fibres such as cotton, flax, jute etc., indigo, unmanufactured tobacco, betel leaves, tendu leaves, rice, coffee and tea.

(Note: The GST rate changes shall be made effective with effect from 1st October, 2019 after being notified)

The recent recommendations are welcome and shall ensure better compliance, relief to taxpayers and customers and were need of the hour.



FACILITIES AVAILABLE AT GOA STATE INDUSTRIES ASSOCIATION (GSIA)

4th Floor, Goa IDC House,
Patto Plaza,
Panaji - Goa.

| | No. of Pax | Per hour | Half Day | | Full Day | |
|-----------------|------------|-----------------------|-----------|-------------|-----------|-------------|
| | | Members / non-Members | Members | Non-Members | Members | Non-Members |
| Meeting Room 1 | 4 - 5 | Rs. 200/ - | ----- | ----- | ----- | ----- |
| Meeting Room 2 | 4 - 5 | Rs. 200/ - | ----- | ----- | ----- | ----- |
| Conference Hall | 25 pax | ----- | Rs. 750/- | Rs.1000/- | Rs.1500/- | Rs.2000/- |

For booking contact 2438395/2438210 or email gsiagooa@gmail.com

India Jumps 14 Places on World Bank's EoDB List

India climbed 14 rungs in the World Bank's Ease of Doing Business 2020 survey to stand at 63, among 190 countries, making it the one of world's top 10 most improved countries for the third consecutive time on the back of faster Bankruptcy Resolution and issuance of construction permits.

The sharp rise, which comes on the back of a 23-spot jump last year, underscores the reformist credentials of the Narendra Modi-led National Democratic Alliance (NDA) government and may help the country lure multinational companies, looking at alternatives to China for investment amid Beijing's trade war with the US.

In five years of the Modi government, India's ranking has improved 79 places - to 63 in 2019 from 142 in 2014 - a record for a major economy.

The World Bank said India conducted four reforms in the 12-month period to May 1. "Among other improvements, India made the process of obtaining a building permit more efficient. Obtaining all permits and authorizations to build a warehouse now costs 4% of the warehouse value, down from 5.7% the previous year. In addition, authorities enhanced building quality control in Delhi by strengthening professional certification requirements. Importing and exporting also became easier for companies with the creation of a single electronic platform for trade stakeholders, upgrades to port infrastructure and improvements to electronic submission of documents," it added.

India saw the biggest jump in ranking in "resolving insolvency" category, to 52nd rank from 108th, on the back of implementation of the Insolvency and Bankruptcy Code, while its ranking improved substantially in Dealing with Construction Permits (to 27th from 52nd) and "Trading across Borders" (to 68th from 80th).

"Despite some challenges in the implementation of the reform—particularly regarding court operations and the application of the law by multiple stakeholders—the number of reorganizations in India has been gradually increasing. As a result, reorganization has become the most likely procedure for viable companies as measured by Doing Business, increasing the overall recovery rate



from 27 to 72 cents on the dollar," the World Bank said.

Compared with last year, India's ranking deteriorated on two parameters -- "protecting minority investors" (from 7th to 13th position) and "getting electricity" (from 22nd to 25th) -- and remained unchanged in "enforcing contracts" at 163rd. In all the three parameters, India's score remained unchanged indicating no reforms were recorded by the World Bank.

India's ranking improved in "Registering Property" to 154th rank from 166th despite a drop in score. The ranking is topped by New Zealand. India's ranking is behind Asian peers Singapore (2nd ranked), Hongkong (3rd), Korea (5th), Malaysia (12th) and China (31st). The US was placed 6th on the list. The economies that showed the most notable improvements were Saudi Arabia, Jordan, Togo, Bahrain, Tajikistan, Pakistan, Kuwait, China, India and Nigeria, according to World Bank

World Bank said India still lagged in areas such as enforcing contracts where it is ranked 163rd and registering property where it was 154th.



Assistance to MSMEs to compete in International Market

The Micro, Small and Medium Enterprises (MSMEs) sector has emerged as a highly vibrant and dynamic sector of the Indian economy over the last five decades. MSMEs not only play a crucial role in providing large employment opportunities at comparatively lower capital cost than large industries but also help in industrialization of rural and backward areas, thereby, reducing regional imbalances, assuring more equitable distribution of national income and wealth. MSMEs are complementary to large industries as ancillary units and contribute enormously to the socio-economic development of the country.

Fast changing global economic scenario has thrown up various opportunities and challenges to the MSMEs in India. While on the one hand, many opportunities are opened up for this sector to enhance productivity and look for new markets at national and international level, it has also, on the other hand, put an obligation to upgrade their competencies to meet the competition as new products are launched at an astonishing pace and are available world-wide in a short time.

To make MSMEs competitive in the international market assistance is given by the Ministry through various schemes:-

The National Manufacturing Competitiveness Programme (NMCP)

The National Manufacturing Competitiveness Programme (NMCP) is the nodal programme of the government to develop global competitiveness among Indian MSMEs. NMCP targets at enhancing the entire value chain of the MSME sector through the following schemes:'

- Lean Manufacturing Competitiveness Scheme for MSMEs;
- Promotion of Information and Communication Tools (ICT) in MSME sector;
- Technology and Quality Upgradation Support to MSMEs;
- Design Clinics scheme for MSMEs;
- Enabling Manufacturing Sector to be Competitive through Quality Management Standards

- (QMS) and Quality Technology Tools (QTT);
- Marketing Assistance and Technology Upgradation Scheme for MSMEs;
- Setting up of Mini Tool Room under PPP Mode;
- National campaign for building awareness on Intellectual Property Rights (IPR);
- Support for Entrepreneurial and Managerial Development of SMEs through Incubators.

Bar Code under Market Development Assistance (MDA) Scheme

There are mainly two activities under this scheme:

Bar Code - This scheme aims to encourage micro and small exporters in their efforts in tapping and developing overseas market, enhance exports from Micro / Small manufacturing enterprises by popularizing the adoption of Bar Coding on a large scale. For adoption of bar code, the government provides reimbursement of 75 per cent of one time registration fee and 75 per cent of annual fees paid to GS1 India (Formerly EAN India) by micro and small units for the first three years for bar code.

International Trade Fair - Under International Trade fair scheme, the government provides 75 per cent of air fare subsidy by economy class and 50 per cent space rental subsidy for micro and small manufacturing enterprises of general category entrepreneurs. For Women/SC/ST Entrepreneurs and Entrepreneurs from North Eastern Region, 100 per cent reimbursement of space rent and economy class air fare is provided. The subsidy is restricted to Rs 1.25 lakh per unit.

Marketing Assistance and Technology Upgradation Scheme for MSMEs (NMCP)

The objective of this scheme is to enhance MSME's competitiveness in the national as well as international market through various activities such as technology upgradation in packaging, skill upgradation/development of modern market techniques, special components for north eastern region (Participation of MSMEs of NER in domestic exhibitions organized in other parts of the country), new market

through state/district level local exhibitions/trade fairs, corporate governance practices, reimbursement to ISO-18000/22000/27000 certification and setting up of marketing hubs in the premises of selected MSME-DIs.

Cluster Development Programme

Under the Micro and Small Enterprises – Cluster Development Programme (MSE-CDP) financial assistance is provided to micro and small enterprises clusters for various activities including marketing assistance. This include participation of entrepreneurs in clusters in one foreign fair, benchmarking support, brochure preparation, website launching etc to help them become competitive in the international market.

Marketing Assistance scheme of National Small Industries Corporation (NSIC)

Marketing support is provided to MSMEs to enhance their competitiveness and marketability of their products. The assistance is provided for following activities:

- Participation in International Exhibitions / trade Fairs in foreign countries.
- Organizing “Techmart” exhibition and international level exhibitions in India which are visited by foreign delegations;
- Organizing visits of delegations abroad for promoting Indian MSMEs.



Corporate Taxes cut for Domestic Companies

Coming out with a slew of fiscal measures to spur growth, the Union Government has slashed the effective corporate tax from 30 per cent to 25.17 per cent, inclusive of all cess and surcharges for domestic companies.

Finance Minister Nirmala Sitharaman explained that the new tax structure is effective from 1st April, 2019. The change will be made through Ordinance to amend Income tax Act, 1961. The Government will have to forego revenue of Rs. 1.45 lakh crores per year from the cuts in tax rate..

Here are the highlights:

(1) In order to promote growth and investment, a new provision has been inserted in the Income-tax Act, with effect from FY 2019-20, which allows any domestic company an option to pay income-tax at the rate of 22% subject to condition that they will not avail any exemption/incentive. The effective tax rate for these companies shall be 25.17% inclusive of surcharge & cess. Also, such companies shall not be required to pay Minimum Alternate Tax.

(2) In order to attract fresh investment in manufacturing and thereby provide boost to 'Make-in-India' initiative of the Government, another new provision has been inserted in the Income-tax Act with effect from FY 2019-20 which allows any new domestic company incorporated on or after 1st October 2019 making fresh investment in manufacturing, an option to pay income-tax at the rate of 15%. This benefit is available to companies which do not avail any exemption/incentive and commences their production on or before 31st March, 2023. The effective tax rate for these companies shall be 17.01% inclusive of surcharge & cess. Also, such companies shall not be required to pay Minimum Alternate Tax.

(3) A company which does not opt for the concessional tax regime and avails the tax exemption/incentive shall continue to pay tax at the pre-amended rate. However, these companies can opt for the concessional tax regime after expiry of their tax holiday/exemption period. After the exercise of the option they shall be liable to pay tax at the rate of 22% and option once exercised cannot be subsequently withdrawn. Further, in order to provide relief to companies which continue to avail



exemptions/incentives, the rate of Minimum Alternate Tax has been reduced from existing 18.5% to 15%.

(4) In order to stabilise the flow of funds into the capital market, it is provided that enhanced surcharge introduced by the Finance (No.2) Act, 2019 shall not apply on capital gains arising on sale of equity share in a company or a unit of an equity oriented fund or a unit of a business trust liable for securities transaction tax, in the hands of an individual, HUF, AOP, BOI and AJP.

(5) The enhanced surcharge shall also not apply to capital gains arising on sale of any security including derivatives, in the hands of Foreign Portfolio Investors (FPIs).

(6) In order to provide relief to listed companies which have already made a public announcement of buy-back before 5th July 2019, it is provided that tax on buy-back of shares in case of such companies shall not be charged.

(7) The Government has also decided to expand the scope of CSR 2 percent spending. Now CSR 2% fund can be spent on incubators funded by Central or State Government or any agency or Public Sector Undertaking of Central or State Government, and, making contributions to public funded Universities, IITs, National Laboratories and Autonomous Bodies (established under the auspices of ICAR, ICMR, CSIR, DAE, DRDO, DST, Ministry of Electronics and Information Technology) engaged in conducting research in science, technology, engineering and medicine aimed at promoting SDGs.



Government to contribute 10% of funds for MSMEs in stock market, says Nitin Gadkari



To boost Micro, Small and Medium Enterprise (MSME) sector in India, the Central Government is considering contribution of 10% of funds to the small companies looking to raise equity capital through capital markets said Union MSME Minister Nitin Gadkari.

"The government will contribute 10 per cent to the companies who enrol themselves in the capital market and stock exchange to raise equity," Gadkari said at 16th Global SME Summit in Delhi.

The Minister said his Government's target is to increase MSME's present share of 29 per cent of GDP to 50 per cent in next five years and raise its export contribution from 49 per cent to 60 per cent . To achieve these targets logistics, power and capital cost will need to be reduced.

For cheaper capital, the Ministry is in talks with ADB, KfW and World Bank for their credit line. 200 SMEs are registered on the stock exchange, and the Minister is urging more companies to register.

The problem of delayed payments to MSMEs is also being looked into said Gadkari and added that the UK Sinha Committee Report will soon be implemented.

Calling for domestic and foreign investment and collaboration in the sector, Gadkari said that the MSME sector in India has tremendous potential to push growth and generate employment. He said the government's priority is for an integrated development of the rural and agro based enterprises along with the urban based

enterprises. Opportunities abound in development of honey, bamboo, textiles, bio-fuels, water transport, fisheries, dairy, food processing in the rural areas and ancillary units of defence, railways, highways, waterways and other industries in the urban areas, he said, and appealed to investors to come forward for investment and collaboration.

For lowering cost of power and logistics the Minister pointed to the necessity of energy audits and energy efficient technologies. He said roof top solar plants will be provided to MSMEs with KfW support. He also said that the use of water transport can reduce logistic cost.

Gadkari further said that our Ministry will soon launch a new E-Commerce website 'Bharat Craft' to enable MSMEs to sell their products in local as well as international markets

Meanwhile, speaking on the occasion Secretary, MSME Ministry, Arun Kumar Panda informed that the Ministry is in the process of developing a digital MSME portal which will work as a virtual meeting place for all stakeholders of the sector. For over 75 lakh MSMEs currently registered with the Ministry, this will provide a platform where they can interact globally to fulfil their requirements for funding, knowledge, technology, skilling and marketing, making them more competitive and integrated with the global value chain. He also emphasized on the need to enhance manufacturing competitiveness of entrepreneurs, and said that we are in the process of opening new 135 new Tool Rooms & Technology centres to develop the skill of the entrepreneurs.

Source: KNN (Bureau)



MSMEs need to integrate into Global Supply Chains

Since Micro Small and Medium Enterprises (MSMEs) in India continue to remain one of our highest employment-generating sectors, their performance in international markets has much scope for improvement, says a study. It says that in all other sectors, the relative competitiveness of MSME units in India in the global supply chain continues to remain in a nascent stage.

According to a study by Invest India and Confederation of Indian Industry (CII) called 'Making Indian MSMEs Globally Competitive', "There is a need to better integrate into global supply chains, either directly or through larger companies. And yet, there is great diversity, robustness and technology-centricity found in some MSME units. "

The report further talks about the factors that enhance competitiveness of a firm can be evaluated by its capacity to compete, to connect, and to change. Each of these, forms the pillars of the Competitiveness. While the Capacity to Compete centers on present operations of firms and their efficiency in terms of cost, time, quality and quantity, the Capacity to Change refers to firms' capacity to execute change in response to, or in anticipation of, dynamic market forces.

The Capacity to Connect, on the other hand, refers to the capacity to gather and exploit business relevant information and knowledge. Each pillar of competitiveness is determined at three levels -- firm capacities, business ecosystem, and national environment -- to determine whether competitiveness

weaknesses or strengths are at the firm level, within the immediate business environment or at the macro level.

While MSMEs have shown remarkable resilience by virtue of adapting to the changing face of global economy and maintaining a stable growth rate, it has continued to suffer on the competitiveness index due to significant challenges, which have remained more or less unchanging.

These challenges are Lack of access to adequate and timely credit, Limited awareness / know-how w.r.t increasing competitiveness, Lack of access to markets, Limited access or knowledge of appropriate technology, Lack of availability of suitable skilled human resources, Poor procurement, Insufficient infrastructure and Documentation.

MSMEs are repeatedly faced with challenges that impede their access into global markets. It is imperative to create an eco-system that enables them to enhance growth prospects, integrate with the global value chain either through directly engaging with the global players or being a part of the supply chain by producing for the bigger firms which are linked to the global vendors, generate more and better-quality jobs, experience improved productivity and innovation while seizing new opportunities in the digital age.

Source: KNN (Bureau)



Important FAQs On Sabka Vishwas (Legacy Dispute Resolution) Scheme, 2019

Q. 1. Who is eligible to file declaration under the SABKA VISHWAS (LEGACY DISPUTE RESOLUTION) SCHEME, 2019 ?

Ans. Any person falling under the following categories is eligible, subject to other conditions under the Scheme, to file a declaration:

- Who has a show cause notice for duty or one or more appeals arising out of such notice pending and where the final hearing has not taken place as on 30.06.2019.
- Who has been issued show cause notice for penalty and late fee only and where the final hearing has not taken place as on 30.06.2019.
- Who has recoverable arrears pending.
- Who has cases under investigation and audit where the duty involved has been quantified and communicated to party or admitted by him in a statement on or before 30th June, 2019.
- Who want to make a voluntary disclosure.

Q. 2. If an enquiry or investigation or audit has started but the tax dues have not been quantified whether the person is eligible to opt for the Scheme?

Ans. No. If an audit, enquiry or investigation has started, and the amount of duty/duty payable has not been quantified on or before 30th June, 2019, the person shall not be eligible to opt for the Scheme.

Q. 3. If a SCN covers multiple issues, whether the person can file an application under the Scheme for only few issues covered in the SCN?

Ans. No. A person cannot opt to avail benefit of the Scheme in respect of selected matters. He must file a declaration in respect of all the matters concerning duty/tax liability covered under the SCN.

Q. 4. I have filed an appeal before the appellate forum [Commissioner (Appeals) /CESTAT] and such appeal has been heard finally on or before the 30th day of June, 2019. Am I eligible for the Scheme?

Ans. No, you are not eligible in view of section 125(1)(a).

Q. 5. I have been issued a SCN for an erroneous

refund or refund. Am I eligible for the Scheme?

Ans. No, as per section 125(1)(d) you are not eligible to make a declaration under the Scheme in respect of an SCN issued for an erroneous refund or refund.

Q. 6. I have been subjected to an enquiry or investigation or audit and the amount of duty/tax involved therein has not been quantified on or before 30.06. 2019. Am I eligible for the Scheme?

Ans. No, as per section 125(1)(e) you are not eligible to file a declaration in respect of such an enquiry or investigation or audit.

Q. 7. There is an apparent contradiction between the provisions of section 125(1)(f)(ii) and section 124(1)(c)(iii). Can you elaborate?

Ans. Section 125(1)(f)(ii) is an exception to voluntary disclosure category. In other words, a person having filed a return but has not deposited the duty/tax cannot make a voluntary disclosure in respect of the same since the liability already stands disclosed to the Department. On the other hand, section 124(1)(c)(iii) is a sub-set of the 'arrears' category, meaning thereby that in respect of such return a declaration can only be filed under the arrears category. As such, there is no contradiction between the two provisions.

Q. 8. I have filed an application in the Settlement Commission for settlement of the case. Am I eligible for the Scheme?

Ans. No, you are not eligible to file a declaration for a case which is still pending with the Settlement Commission.

Q. 9. How will I apply for the said Scheme?

Ans. All eligible persons are required to file an electronic declaration at the portal <https://cbic-gst.gov.in> in Form SVLDRS 1.

Q. 10. Will I get an acknowledgement for filing a declaration electronically?

Ans. Yes, on receipt of your declaration, an auto acknowledgement bearing a unique reference number will be generated by the system and sent to you. This unique number will be useful for all future references.

The declaration will automatically be routed to the Designated Committee that will finalize your case.

Q.11. How will I come to know about the final decision taken by the designated committee on my declaration?

Ans. Within sixty days of filing of a declaration, you will be informed electronically about the final decision taken in the matter.

Q.12. What is the difference between 'Tax Dues' and 'Tax Relief'?

Ans. 'Tax Dues' is the total outstanding duty/tax demand. 'Tax Relief' is the concession the Scheme offers from the total outstanding duty demand.

Q. 13. I have been issued a SCN under any of the indirect tax enactment on or before 30.06.2019, what will be the tax dues?

Ans. As per section 123(b), the tax dues will be the amount of duty/tax/cess stated to be payable in the SCN.

Q. 14. What is the coverage of SCNs under the Scheme with respect to main noticee vis-à-vis co-noticee particularly when the tax amount has already been paid by the main notices outside the Scheme?

Ans. In case of a SCN issued to an assessee demanding duty/tax and also proposing penal action against him as well as separate penal action against the co-noticee/s specified therein, if the main noticee has settled the tax dues, the co-noticee/s can opt for the Scheme for the waiver of penalty. For instance, the main noticee has settled the matter before the Settlement Commission and paid the dues and the co-noticees were not a party to the proceedings. In such a case, the co-noticees can file a declaration under the Scheme.

Q. 15. What is the scope of coverage of periodical SCNs under the Scheme?

Ans. Any SCN issued whether main or periodical, where the final hearing has not taken place on or before 30.06.2019 is eligible under the Scheme.

Q. 16. What are the benefits available under the Scheme?

Ans. The various benefits available under the Scheme are:

- Total waiver of interest and penalty

- Immunity from prosecution
- In cases pending in adjudication or appeal, a relief of 70% from the duty/tax demand if it is Rs. 50 lakhs or less and of 50%, if it is more than Rs. 50 lakhs. The same relief is available for cases under enquiry, investigation and audit where the duty involved is quantified on or before 30.06.2019.
- In case of an amount in arrears, the relief is 60% of the confirmed duty/tax amount if the same is Rs. 50 lakhs or less and it is 40% in other cases.
- In cases of voluntary disclosure, the declarant will have to pay full amount of disclosed duty/tax.

Q. 17. Shall the pre-deposit paid at any stage of appellate proceedings and deposit paid during enquiry, investigation or audit be taken into account for calculating relief under the Scheme?

Ans. Yes, any amount paid as pre-deposit at any stage of appellate proceedings under the indirect tax enactment or as deposit during enquiry, investigation or audit, shall be adjusted while issuing the statement indicating the amount payable by the declarant.

Q. 18. Whether the declarant will be given an opportunity of being heard or not?

Ans. Yes, as per section 127(2) and (3), after the issue of the estimate, the Designated Committee shall give an opportunity of being heard to the declarant, if he so desires, in case of a disagreement.

Q. 19. What will be procedure and time period of payment to be made by the declarant?

Ans. The declarant shall pay electronically within 30 days of the statement issued by the Designated Committee, the amount payable as indicated therein.

Q. 20. What procedure will be followed for withdrawal of appeals where the person has filed a declaration under the Scheme?

Ans. Where the declarant has filed an appeal or reference against any order or notice giving rise to the tax dues, before the appellate forum, other than the Supreme Court or the High Court, then, such appeal or reference or reply shall be deemed to have been withdrawn.

In case of a writ petition or appeal or reference before any High Court or the Supreme Court, the declarant shall file an application before such High Court or the Supreme Court for withdrawing the writ petition, appeal

or reference and after its withdrawal with the leave of the Court, he shall furnish proof of such withdrawal to the Designated Committee.

Q. 21. Whether any certificate will be provided to declarant as proof to payment of dues?

Ans. Yes, on payment of the amount indicated in the statement and production of proof of withdrawal of appeal, wherever applicable, the Designated Committee shall issue a discharge certificate in electronic form, within 30 days of the said payment and production of proof, whichever is later.

Q. 22. Whether a calculation error in statement may be rectified or not?

Ans. Yes, within 30 days of the date of issue of a statement indicating the amount payable by the declarant, the Designated Committee may modify its order only to correct an arithmetical error or clerical error, which is apparent on the face of record, on such error being pointed out by the declarant or suo-motu.

Q. 23. What will be the benefits of discharge certificate issued under the Scheme?

Ans. Every discharge certificate issued under section 127 with respect to the amount payable under the Scheme shall be conclusive as to the matter and time period stated therein, and:

- (a) the declarant shall not be liable to pay any further duty/tax, interest, or penalty with respect to the matter and time period covered in the declaration;
- (b) the declarant shall not be liable to be prosecuted under the indirect tax enactment with respect to the matter and time period covered in the declaration; and
- (c) no matter and time period covered by such declaration shall be reopened in any other proceeding under the indirect tax enactment.

Q. 24. What action would be taken against a declarant who makes false voluntary disclosure under the Scheme?

Ans. As per section 129(2)©, in cases of voluntary disclosure, where any material particular furnished in the declaration is subsequently found to be false, within a period of one year of issue of the discharge certificate, it shall be presumed as if the declaration was never made and proceedings under the applicable indirect tax enactment shall be instituted.

Q. 25 Does intimation for audit received by the taxpayer prior to 30.06.2019 seeking details qualify for the Scheme?

Ans. No, if the duty/tax payable has not been quantified as on 30.06.2019 the taxpayer is not eligible to make a declaration regarding this audit under the Scheme.

Q. 26. If the main noticee avails benefit of the Scheme whether Directors whose appeals are pending in respect of penalty only get a waiver of the penalty?

Ans. Yes. Co-noticees cannot avail the benefits of the Scheme only till such time that the duty/tax demand has not been settled. Once the main noticee discharges the duty/tax demand, the co-noticees can apply under the Scheme.

Q. 27. If I file a declaration under the Scheme, will it be assumed that I have admitted to the position and agree with the allegations made in the show cause notice?

Ans. No. A declaration under the Scheme will not be a basis for assuming that the declarant has admitted the position and no fresh show cause notice will be issued merely on that basis.

Q. 28. With respect to penalty/late fee matters, whether only SCNs for late fee or penalty are covered under this Scheme or also such cases under appellate proceedings?

Ans. The Scheme is applicable to any SCN for penalty/late fee, irrespective of whether it is under adjudication or appeal.

Q. 29. I have filed a writ petition challenging the order of the Settlement Commission. Can I make a declaration under the Scheme with respect to this case?

Ans. Yes. A declaration can be filed under the Scheme if no application is pending before the Settlement Commission and the Writ Petition has not been heard finally on or before 30.06.2019.

Q. 30. I have already paid duty/tax by utilising the input credit, and the matter is under dispute. Will this duty/tax already paid through input credit be adjusted against my duty/tax liability calculated under the Scheme?

Ans. Yes. In such cases, duty/tax already paid through input credit shall be adjusted by the Designated

Committee at the time of determination of final amount payable under the Scheme.

Q. 31. Which is the Form through which I can make a declaration under the Scheme?

Ans. Form SVLDRS1 is the form that has to be filled for making a declaration. The form is required to be filled and submitted electronically and shall be available at the portal <https://cbic-gst.gov.in>

Q. 32. I do not agree with the estimate of the Designated Committee. Will I be given a personal hearing?

Ans. Yes. Date of personal hearing is intimated along with the estimate issued by the Designated Committee in Form SVLDRS2. Written submissions can be made, personal hearing can be waived, and one adjournment of the personal hearing can also be sought through Form SVLDRS 2A. These forms are available at the portal <https://cbic-gst.gov.in> and are submitted electronically.

Q. 33. I have received a communication of the amount payable in Form SVLDRS3. How do I make the duty/tax payment?

Ans. A challan can be generated by a link provided in the Form SVLDRS3 issued by the department. Once the challan is generated, payment against the same can be

made by the taxpayer.

Q. 34. How do I intimate the department about withdrawal of appeal by me?

Ans. Form SVLDRS3 provides a document upload facility for furnishing proof of withdrawal.

Q. 35. Are disputes pertaining to Cenvat credit covered under the Scheme?

Ans. Yes, they are included unless covered by a specific exclusion.

Q. 36. What happens if I do not make the payment of the amount specified in the statement within 30 days of its issue?

Ans. The declaration shall be treated as lapsed and benefits of the Scheme will no longer be available.

Q. 37. The duty demand in an SCN issued to me was dropped by the adjudicating authority. However, the department has filed an appeal. I have not filed any appeal in the matter. Will this case be eligible under the Scheme.

Ans. Yes.

[Note: The 'sections' referred above are those of the Finance (No.2) Act, 2019.]

Source- CBIC

