

पत्र सं०- / एडी० कमि० जी०एस०टी० अनु० / 2018-19 / 1819049 / 705 / वाणिज्य कर
कार्यालय कमिश्नर, वाणिज्य कर, उ० प्र०
(एडीशनल कमिश्नर जी०एस०टी०-अनुभाग)
लखनऊ :: दिनांक :: 26, सितम्बर, 2018

- (1) समस्त जोनल एडीशनल कमिश्नर ग्रेड-1,
वाणिज्य कर, उत्तर प्रदेश।
- (2) समस्त ज्वाइन्ट कमिश्नर (कार्यपालक/कारपोरेट),
वाणिज्य कर, उत्तर प्रदेश।

विषय:- उत्तर प्रदेश माल एवं सेवा कर अधिनियम की धारा-51 के अन्तर्गत स्रोत पर कर की कटौती विषयक।

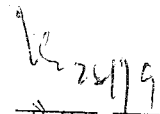
आपको विदित है कि समस्त सरकारी विभागों, सरकारी एजेंसियों एवं स्थानीय निकायों द्वारा रुपये 2.50 लाख से अधिक के क्रय आदेश के विरुद्ध किये गये भुगतान पर एक प्रतिशत की दर से एस०जी०एस०टी० एवं एक प्रतिशत की दर से सी०जी०एस०टी० की कटौती किया जाना अपेक्षित है तथा सप्लायर के प्रान्त बाहर का होने की स्थिति में 02 प्रतिशत की दर से आई०जी०एस०टी० की कटौती किया जाना अपेक्षित है। जी०एस०टी० में स्रोत पर कटौती की व्यवस्था धारा-51 के अन्तर्गत की गयी है और उक्त व्यवस्था दिनांक 01-10-2018 से प्रभावी हो रही है।

स्रोत पर कटौती करने वाले विभागों, एजेंसियों एवं स्थानीय निकायों हेतु जी०एस०टी० में TAN/PAN आधारित जी०एस०टी० नम्बर लेना अनिवार्य है दिनांक 01-10-2018 से प्रभावी हो रही धारा-51 की व्यवस्था के सम्बन्ध में आहरण एवं वितरण अधिकारी द्वारा किये जाने वाले टी०डी०एस० कटौती एवं उसके जमा करने के सम्बन्ध में विस्तृत दिशा-निर्देश राजस्व विभाग, वित्त मंत्रालय, भारत सरकार के सर्कूलर संख्या 65/39/2018-DOR दिनांक 14-09-2018 द्वारा जारी किया गया है, जो कि संलग्न है। उक्त दिशानिर्देश CBEC के आधिकारिक वेवसाइट पर भी उपलब्ध है।

अतः आपको निर्देशित किया जाता है कि दिनांक 01-10-2018 से पूर्व सभी सरकारी विभागों के आहरण वितरण अधिकारियों एवं लेखाकारों तथा सरकारी एजेंसियों व स्थानीय निकायों एवं अन्य कार्यदायी संस्थाओं के भुगतानकर्ता प्राधिकारियों व लेखाकारों को टी०डी०एस० सम्बन्धी प्रावधानों एवं TAN/PAN आधारित जी०एस०टी० नम्बर लेने की अनिवार्यता से अवगत कराने हेतु उनका एक प्रशिक्षण सत्र आयोजित कराया जाय। यह प्रशिक्षण प्रत्येक जनपद के आहरण वितरण अधिकारियों/भिन्न अधिकारियों द्वारा जिलाधिकारी की अध्यक्षता में आयोजित कराया जायेगा एवं इसकी तिथि व स्थान का निर्धारण जिलाधिकारी के सुझाव से करते हुए उनकी ओर से प्रशिक्षण में उपस्थित होने के निर्देश जनपद के समस्त आहरण वितरण अधिकारियों एवं लेखाकारों को जारी कराये जायेंगे।

उपरोक्तानुसार निर्देशों का कड़ाई से अनुपालन किया जाना सुनिश्चित किया जाय।

संलग्नक:- उपरोक्तानुसार।


(कामिनी चौहान रतन)
कमिश्नर, वाणिज्य कर,
उत्तर प्रदेश, लखनऊ।

yogesh tiwarites/CBEC Circular No. 65/39/2018-DOR

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

Government of India
Ministry of Finance
Department of Revenue

New Delhi, Dated the 14th September, 2018

To,

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

Madam/Sir,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(Ritvik Pandey)
Joint Secretary to the Government of India

Annexure A

Record to be maintained by the DDO for filing of GSTR7

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