

केन्द्रीय रेशम बोर्ड, बंगलूरु
CENTRAL SILK BOARD, BENGALURU

सं No.CSB-22(1)/TDS/2020-21/Accts

दिनांक Date: 14-09-2020

परिपत्र CIRCULAR

Sub: Guidelines for Deductions and Deposits of TDS by the DDO under GST – reg.

विषय: जीएसटी के तहत डीडीओ द्वारा टीडीएस की कटौती और जमा के लिए दिशानिर्देश के संबंध में।

With reference to the subject cited above, please find enclosed herewith a circular No.65/39/2018-DOR dated 14th Sept. 2018 issued by Dept. of Revenue, Ministry of Finance wherein the Ministry has advised to deduct GST TDS of 2% from the payment made to the supplier of goods & services or both and deposit the amount so deducted with Government Account through NEFT / cheque using challan on the gst.gov.in portal. After the payment is made, the deductors are also responsible for filing the return in Form GSTR-7 for every month on or before 10th of the following month or as may be specified by CBIC from time to time.

2. In this regard, all the CSB units are advised to ensure strict compliance to this circular with immediate effect from the financial year 2020-21 onwards. The TDS so deducted may be paid and return filed in Form GSTR-7 by following the instructions given in Option-I of the above referred circular. However, as per the provision of Sec-51(1) GST-TDS is not required to be deducted in the following cases:

- (i) TDS is not required to be deducted when the location of the recipient is different from the location of supplier and the place of supply for e.g. if the location of supplier is Haryana & location of receiver is Delhi and place of Supply is Haryana then TDS is not to be deducted whereas in case location of supplier is Karanataka, location of recipient is Maharashtra and place of supply is Maharashtra then TDS is to be deducted.
- (ii) Provision does not apply for supply of goods & services made by one PSU to another PSU and any transaction in between Local Authority and Government Agencies.
- (iii) Specified Authorities under Ministry of Defence.

3. Further, as per para-4 of the Standard Operating Procedure (SOP) issued by GST Council GST TDS is required to be deducted with the below exceptions:


- a. GST TDS is not required to be deducted in case taxable supply of goods and services is \leq Rs.2.50 lakhs.
- b. Goods on which GST is not leviable. For e.g., petrol, diesel, natural gases etc.
- c. Goods & services which are exempted from GST by GST council from time to time.
- d. In certain cases where GST is required to be paid on reverse charge basis.
- e. Payment for supply made by an un-registered supplier.

4. The above TDS deduction of 2% shall be in addition to the TDS deducted under Income tax Act, 1961 and unlike the provisions of income tax; the GST TDS of 2% is to be deducted from both the supply of goods and services. The value for deduction of GST TDS shall be the value of the invoice excluding CGST, SGST, IGST.

5. In view of the above, all In-charge Officers of Main Institutes, delegated units and sections at Central Office are hereby advised to ensure strict compliance of the said circular and ensure deduction of TDS / filing of return in GSTR-7, so as to avoid any penalty, since Central Silk Board is a Statutory (Autonomous) Body controlled by Ministry of Textiles, Government of India. The failure to comply with the same shall attract penal interest and Rs.200 penal charges for every day of default subject to a maximum of Rs.10,000.00.

6. After filling of the GSTR-7 return DDos have to download and give the TDS certificate in GSTR-7A within 5 days of filling of return.

संलग्न: यथोपरि Encl: As above


(ड. नरेंदर रिबेली) [Dr.Narendar Rebely, IRS]
निदेशक (वित्त) Director (Finance)

सेवा में To

1. Directors of CSB Main Institutes I/c of all delegated units/ ROs
2. Bills Section
3. Computer Section
4. Maintenance Section
5. Protocol Section
6. Stores Section

परिपत्र

विषय: जीएसटी के तहत आहरण व संवितरण अधिकारी द्वारा टीडीएस की कटौती और जमा के लिए दिशानिर्देश के संबंध में।

उपर्युक्त विषय के संदर्भ में, कृपया परिपत्र सं. 65/39/2018-डीओआर दिनांक 14 सितंबर 2018 संलग्न पाएं जो राजस्व विभाग, वित्त मंत्रालय द्वारा जारी किया गया है, जिसमें मंत्रालय ने माल और सेवाओं के आपूर्तिकर्ता या दोनों को किए गए भुगतान से जीएसटी टीडीएस 2% की कटौती करने और कटौती की गई राशि को gst.gov.in पोर्टल पर चालान का उपयोग कर एनईएफटी / चेक के माध्यम से सरकारी खाते में जमा करने की सलाह दी गई है। भुगतान करने के बाद, कटौतिकर्ता प्रत्येक मशीन के लिए अगले महीने की 10 तारीख या उससे पहले या समय-समय पर सीबीआईसी द्वारा निर्दिष्ट किए गए अनुसार फॉर्म जीएसटीआर-7 में रिटर्न फाइल करने के लिए भी जिम्मेदार होते हैं।

2. इस संबंध में, सभी केरेबो की इकाइयों को सलाह दी जाती है कि वे वित्तीय वर्ष 2020-21 से तत्काल प्रभाव से इस परिपत्र का सख्ती से अनुपालन सुनिश्चित करें। उपर्युक्त परिपत्र के विकल्प I में दिए गए निर्देशों का पालन करके कटौती की गई टीडीएस का भुगतान करें और फॉर्म जीएसटीआर-7 में रिटर्न फाइल करें। हालांकि, धारा 51 (1) के प्रावधान के अनुसार, जीएसटी-टीडीएस को निम्नलिखित मामलों में कटौती करने की आवश्यकता नहीं है:

- (i) जब प्राप्तकर्ता का स्थान आपूर्तिकर्ता के स्थान से भिन्न होता है और आपूर्ति का स्थान अलग होता है, उदाहरण के लिए यदि आपूर्तिकर्ता का स्थान हरियाणा है और प्राप्तकर्ता का स्थान दिल्ली है और आपूर्ति का स्थान हरियाणा है, तो टीडीएस नहीं काटा जाएगा, जबकि यदि आपूर्तिकर्ता का स्थान कर्नाटक है, प्राप्तकर्ता का स्थान महाराष्ट्र है और आपूर्ति का स्थान महाराष्ट्र है, तो टीडीएस काटना चाहिए।
- (ii) प्रावधान एक पीएसयू द्वारा किसी अन्य पीएसयू को किए गए माल और सेवाओं की आपूर्ति और स्थानीय प्राधिकरण और सरकारी एजेंसियों के बीच किसी भी लेनदेन के लिए लागू नहीं होता है।
- (iii) रक्षा मंत्रालय के तहत निर्दिष्ट प्राधिकारी।

3. इसके अलावा, जीएसटी परिषद द्वारा जारी मानक संचालन प्रक्रिया (एसओपी) के पैरा-4 के अनुसार नीचे दिए गए अपवादों के साथ जीएसटी टीडीएस की कटौती करने की आवश्यकता है:

- क. वस्तुओं और सेवाओं की कर योग्य आपूर्ति ₹. 2.50 लाख होने की स्थिति में जीएसटी टीडीएस नहीं काटा जाना आवश्यक है।
- ख. जिन वस्तुओं पर जीएसटी लगाया नहीं गया है, जैसे, पेट्रोल, डीजल, प्राकृतिक गैसों आदि।
- ग. माल और सेवाएँ जिन्हें समय-समय पर जीएसटी परिषद द्वारा जीएसटी से छूट दी जाती है।
- घ. कुछ मामलों में जहां रिवर्स चार्ज के आधार पर जीएसटी का भुगतान करना होता है।
- ङ. एक गैर-पंजीकृत आपूर्तिकर्ता द्वारा की गई आपूर्ति के लिए भुगतान।

4. उपरोक्त 2% की टीडीएस कटौती आयकर अधिनियम, 1961 के तहत कटौती किए गए टीडीएस के अलावा होगी और आयकर के प्रावधानों के विपरीत वस्तुओं और सेवाओं दोनों की आपूर्ति से 2% की जीएसटी टीडीएस की कटौती की जानी है। जीएसटी टीडीएस की कटौती का मूल्य सीजीएसटी, एसजीएसटी, आईजीएसटी को छोड़कर बीजक का मूल्य होगा।

5. उपरोक्त की दृष्टि में, मुख्य संस्थानों, प्रत्यायोजित इकाइयों के सभी प्रभारी अधिकारियों और केंद्रीय कार्यालय के अनुभागों को सलाह दी जाती है कि वे उक्त परिपत्र की सख्ती से अनुपालन सुनिश्चित करें और जीएसटीआर-7 में टीडीएस की कटौती/ रिटर्न फाइल करना सुनिश्चित करें, ताकि किसी भी अर्थ दंड से बचा जा सके, क्योंकि केंद्रीय रेशम बोर्ड भारत सरकार के वस्त्र मंत्रालय द्वारा नियंत्रित एक सांविधिक (स्वायत्त) निकाय है। इसका अनुपालन नहीं करने से दंडात्मक ब्याज और ₹. 200 का दंड शुल्क लगेगा, जो डिफॉल्ट विषय के प्रत्येक दिन के लिए अधिकतम ₹. 10,000.00 है।

6. जीएसटीआर-7 फाइल करने के बाद आहरण व वितरण अधिकारी को रिटर्न फाइल करने के 5 दिनों के भीतर जीएसटीआर-7 में टीडीएस प्रमाण-पत्र डाउनलोड करना है।

संलग्न: यथोपरि

सेवा में

(डॉ. नरेंद्र रेबेल्ली, आईआरएस)

निदेशक (वित्त)

1. केरेबो के सभी मुख्य संस्थानों के निदेशक /प्रत्यायोजित इकाइयों / क्षेत्र के प्रभारी
2. बिल अनुभाग
3. कंप्यूटर अनुभाग
4. रखरखाव अनुभाग
5. नयाचार अनुभाग
6. भंडार अनुभाग

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