



SALES TAX BAR ASSOCIATION (REGD.)

Compilation of FAQ of STBA Whatsapp Study Groups

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S.No.	Dated	Query	Answers	Expert Name	Query Raised By
1	22.03.2019	<p>Sir, have a small question-</p> <p>- Turnover in GST REGIME in 2017-2018 July to March is Rs 1,73,54,863 and turnover in VAT REGIME Rs 40,85,596, making total of Rs 2,14,40,459.</p> <p>Is the GST AUDIT mandatory ?</p>	No	Query Answered by '9810837615	Mukul Gupta
2	04.02.2019	<p>We registered in Delhi but recd event services in gurgaon with bill CGST & HGST can I claim part of CGST</p>	<p>Sec 12 of IGST ACT...</p> <p>If business event, then place of supply is Delhi and hence IGST should have been levied</p> <p>U cannot take ITC of CGST charged by Haryana in Delhi</p>	CA Raman Khatuwala	Rohit Jain (9717052669)
3	07.02.2019	<p>Where to file Appeal against cancellation order of NBFC by RBI ?</p>	<p>U can contact CA Vipin Kharbanda 8376803402</p>	Vipin Khatri	CA Vijay Kapoor
4	15.02.2019	<p>One of my client is a composition dealer. Department has created demand by issuing form DVAT 24 against mismatch report asking that more ITC has been claimed. Being a composition dealer no ITC was claimed, tax was paid as per the rate of tax of the scheme. VATO is saying that although no ITC was claimed, the selling dealer sale is not matching with your purchases. Can I file objection against the demand please help</p>	<p>U can contact CA Vipin Kharbanda 8376803402</p>	Sunil Minocha	Gaurav Mendiratta
5	01.03.2019	<p>Have you any remedy to save our clients who made part cash to buy property after 01-06-15 u/s 271(d) dear Manoj ji please reply</p>	<p>Can we discuss offline</p>	Manoj Kumar	Ravinder Kumar Kapoor
6	15.03.2019	<p>if demand of 2A/2B is less than Rs10000/-for penalty objections are to filed or not .AA has power to waive off penalty</p>	<p>if tax amuount is upto 5000 then only AA can waive the penalty</p>	Rajat Jain	Amarjit (9910066161)

7	24.03.2019	A transporter is paying 5% gst without claiming ITC. W.e.f. 1st April it proposes to pay 12% gst after claiming ITC.whether any form / declaration to be filed with GST Deptt ?	No	CA Raman Khatuwala	Query Raised By 9810557987
8	28.01.2019	has anybody have contact who can register the logo of a photographer..	You can contact mr Gyan Prakash Bansal, advocate , 9871276560, he is trademark and patent attorney	Hemant Gupta	Ela Gupta Garg
9	29.01.2019	Sir, we purchased fixed assets at the time of VAT. Now we want to sale it in GST. Are we liable to charge GST on it.? And at whate rate	If value nagetive then no tax. Tax will be charged at the rate applicable to that assets on the difference amount of wdv and sale value	CA Jinender Jain	Adv Sachin Jain
10	29.01.2019	Can we claim refund on both type of refund i.e. Export with payment of GST and Export without payment of GST Please advise asap	Yesrefund with payment with igst auto credited sub to some online req...but under lut ..have to apply	Query Answered by '9811560625	Adv Neeraj Jain
11	02.02.2019	Is there any procedure for claiming refund of tax at the airport by foreign nationals.	They have to show tax invoice at the departure point .Refund will be released	Query Answered by '9811560625	CA Satish Gupta
12	04.02.2019	One of my client want to make sales to the sez dealer should he charged igst or against lut without charging igst	It is your wish. You can do either	Adv Rakesh Aggarwal	Query Raised By 9899593593
13	08.02.2019	Sir pls clarified my queries that if we are supplier of goods and we also deduct TCS under income tax rules now can we determined taxable value of supply of goods under gst including TCS?	Yes	Sunil Gupta (9810403269)	Adv Pawan Kumar
14	18.02.2019	Eway bill generated on 15 Feb can be cancelled today goods dispatched From Patiala to Delhi by the consignee'	With in 24 hours	Sanjay Gupta (9311025900)	Query Raised By 9899593593
15	21.02.2019	What gst rate if Bill to domestic and ship to export	Normal domestic rate will apply	Replied by '9810599923	Query Raised By 9811560625
16	21.02.2019	Inrelation to above query - Is any provision of charging 0.1%	Possible, subject to fulfillment of procedure.	Query Answered by '9810599923	Query Raised By 9811560625
17	21.02.2019	Inrelation to above query - What is the Process	Notification 40 cgst and 41 igst	Query Answered by '9810599923	Query Raised By 9811560625
18	21.02.2019	Can we change of proprietorship firm's name in GST	Yes there is no restriction.	Query Answered by '9810599923	Ca Jinender Jain
19	22.02.2019	Sir, Refund Against Lut For Export Without Payment Of Igt Applied Manually Alongwith Rfd-1A And All Document, Copies Of Tax Invoices For ITC Etc With Jurisdictional State Authorities. Time Passed More Than Two To Months From Filing Manual Application. Neither Rfd02 Nor Rfd-03 Or Any Letter Received From Proper Officer So Far Today. And As Such Refund Could Not Be Received By Regd Person. Pl Advise Me Remedy. And Even Reminder Have Been Filed With Proper Officer As Well As With Special Commissioner Of Gst.	Please contact jurisdiction officer and forced him to issue RFD-02	Adv .Suresh Aggarwal	Bishnu Gupta

20	05.03.2019	<p>Sir, If landlord registered in different state as compared to the location of the property IGST would be levied, for example Mr. Agarwal registered in Delhi has given a property on rent in Hapur and tenant also registered in U.P., IGST would be levied @18% but if Mr. Agarwal registered in Delhi and tenant also registered in Delhi but property in question is in UP, what tax would be levied?</p>	<p>the tenant being registered in Delhi immediately needs to obtain registration in UP after taking premises on rent in UP. However, Owner doesn't need to get registered in UP if he doesn't have any place of business in UP but for immovable property which is let out. He needs to charge IGST on the monthly rental bill.</p>	Adv. Suresh Aggarwal	Ajay Jain Adv
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Disclaimer - Please note that this reply would be purely academic in nature and replied by the experts is to the best of his knowledge with No legal Binding whatsoever