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GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE
OFFICE OF THE PRINCIPAL CHIEF COMMISSIONER OF GST & CENTRAL EXCISE
TAMILNADU & PUDUCHERRY
No.26/1, MAHATHMA GANDHI ROAD, CHENNAI – 600 034

Dated: 18/01/2022.

Sub:- GST – Grievance Redressal Committee (GRC) for the State of Tamilnadu – Second Meeting on 29.12.2021 – Minutes of the meeting – reg.

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The second meeting of the GST Grievance Redressal Committee for the State of Tamilnadu was held on 29.12.2021 under the Co-Chairs of Shri M.V.S. Choudary, Chief Commissioner of GST & Central Excise, Tamilnadu & Puducherry zone and Shri Phanindra Reddy, Commissioner, Commercial Taxes, Govt. of Tamil Nadu through Video conferencing. Senior Officers of both the Central and State Tax, Representatives of the following Trade and Tax Professional Organizations participated in the meeting.

S. No.	Name of the Trade/Tax professional Organization
1	South India Mills Association(SIMA), Coimbatore
2	Hosur Small and Tiny Industries Association
3	Tamilnadu Vanigar Sangangkalin Peramaippu
4	Erode-Namakkal District Tax Practitioners Association
5	Tamilnadu Tax consultants Association, Chennai.

2. Initiating the proceedings, the Chief Commissioner of GST & Central Excise, welcomed the Commissioner, Commercial Taxes, Tamil Nadu, the Principal Commissioner of GST & Central Excise, Chennai North Commissionerate and all the members of the Grievance Redressal Committee representing various sectors of the Trade and Industry for this second Grievance Redressal Committee Meeting and wished Advance New Year 2022. The Chief Commissioner remarked that owing to pandemic, the Committee could not be meet as frequently as it is expected and the present meeting too could be conducted in on-line mode, but nevertheless hoped and solicited active participation of the members for fruitful discussion in the meeting.

3. Before proceeding to the points raised by the members of the committee, the Chief Committee recalled that as per the mandate of Grievance Redressal Committee, the Committee will refer the issues requiring change in Act/Rules etc. to the GST Council Secretariat and refer the issues related to I.T. to the GST Network. He however assured that the procedural issues will be addressed by the respective tax administration (Centre/State). The points raised by the members were then taken for discussion.

4. The points for discussion for the meeting were sponsored by the following members of the Committee

i) The Southern India Mills' Association
ii) Erode-Namakkal Tax Practioner's Association
iii) Tamilnadu Tax Consultants' Association
iv) Tamilnadu Vanigar Sangangkalin Peramaippu
v) Hosur Small and Tiny Industries Association

5.1 First, the points sponsored by South India Mills Association were taken up. The Chief Commissioner observed that Southern India Mills Association have presented four points for discussion, of which, three points relate to Returns and Systems which require to be taken up with GSTN. The Returns/Systems related issues are

1) Order of adjustment of ITC against IGST liability to permit utilisation of CGST or SGST at the option of the taxpayer to pay IGST balance liability in accordance with the provisions of Rule 88A

2) Amendment in Annual Return to specifically mention about the RCM payments relating to a financial year but paid in the subsequent year before the filing of Annual Return
3) Matching of ITC with Return on cumulative basis rather than on month on month basis.

5.2 The Chief Commissioner assured that the above points will be taken up for consideration for referring to GSTN /GST Council, as the case may be, for appropriate consideration.

5.3 The other point sponsored relates to giving prior intimation to Exporters who are flagged as "Risky Exporters" by the DGARM so as to facilitate the Exporter to resolve the issue quickly for early IGST Refunds. As of now, once the report is received from DGARM, the jurisdictional Officers immediately informs the taxpayer to furnish the records. With regard to the request for prior intimation as soon as they are flagged under risk parameter, the Chief Commissioner remarked that it's a genuine request that has been consistently raised by most of the exporters in the various meetings conducted with the exporters in the recent past and would certainly be taken up with DGARM for consideration.

5.4 The Joint Secretary of the Southern India Mills Association, Coimbatore who participated in the meeting remarked that all the points raised have been addressed and thanked the Committee.

6.1 The Points sponsored by Erode-Namakkal Tax Practioners' Association were then taken up discussion. The Chief Commissioner observed that The Erode Namakkal Tax Practioners' Association has raised 12 points which has been categorised into four, namely

1) Points relating to Returns filing requiring amendment (5 points)
2) Point relating to Returns to be taken up with GSTN (2 points)
3) Rationalisation of Late Fees, Time limit, payments etc. (3 points) and
4) Procedural issues (2 points)

6.2 The Chief Commissioner remarked that as started earlier the points covered by Sl. No. 1) to 3 above are policy issues or system issues and they will be taken up for consideration to the GST Council/GST Network for appropriate consideration.

6.3 As regards the other issue regarding communication of orders/notices physically rather than electronically, the Chief Commissioner remarked that the government is encouraging digital interface to avoid physical interface, but considering the request made he assured that it will be examined and further action will be initiated. Regarding the other issue relating to reporting in 26AS and its reconciliation issues with GST returns, the Association was requested to elaborate the issue and furnish a detailed write up by the taxpayer concerned.

7. At this juncture, Shri Kirshnaswami representing the Tamilnadu Vanigar sangangalin Peramaippu, Chennai observed that the GSTR 3B should have separate columns to provide information about the Income Tax Credit availed relating to Capital Goods. The Chief Commissioner remarked that since it's a system related issue the same will be referred to GSTN/GST Council for consideration. When the representative raised the general issue regarding detention of goods for some errors in E-Way Bill, the Chief Commissioner requested them to bring specific cases for examination. Shri Shanmuganathan of the Peramaippu raised the issue of interlinking of invoice portal, E-way bill portal and GST portal, the Chief Commissioner said that it's an objective for the way forward. When he raised that the difficulty of closing the GSTIN of deceased persons and the pre-requisite to pay the arrears for the closure of GSTIN, the Chief Commissioner remarked that the general applicability of the provisions of the law cannot be waived and that if there is difficulty in a particular case, the same can be brought up or taken to the Trade Facilitation Centres for redressal. The Chief Commissioner also mentioned that Revamped Trade Facilitation Centres have been opened in the Zone at the Commissionerates which would be manned by experienced officers for necessary guidance and hand holding and he welcomed Trade to utilise the same for redressal of their grievances. When he requested to conduct some outreach programmes to explain them about the new rules and regulations whenever launched, the Chief Commissioner explained that such outreach programme are being conducted throughout the State regularly where he himself participated and remarked that if any particular location or sector is required to be addressed by the Peramaippu, he would certainly arrange for the same.

8.1 The Chief Commissioner then proceeded to take up the points sponsored by TN Tax Consultants' Association. The Tamilnadu Tax Consultants' Association raised 30 points which were categorised into seven and discussed, namely

1) Points relating to Annual Returns (6 points)
2) Points relating to filing of other returns/forms (9 points)
3) Request for new schemes (3 points)
4) Awareness/Help Desk related (5 points)
5) Law related (3 points)
6) Portal related (2 points) and
7) Procedural issues (2 points)

8.2 Out of the above, the Chief Commissioner observed that the points relating to Annual Returns, other returns/forms, request for new amnesty schemes for GST Returns, introduction of new Quarterly Return Quarterly Payment instead of QRMP, permitting simultaneous applications for core amendment, rectification of genuine errors in the Returns, relaxation under Rule 36(4) and waiver of HSN for taxpayers upto Rs. 1.5 Crore are either policy/law related or systems related and hence they will be taken up further for consideration by GST Council/GST Network.

8.3 As regards the request for Samadhan Scheme for legacy issues, the Chief Commissioner informed that the SVLDRS scheme was already implemented. He assured that the points relating to Taxpayer Awareness/Help desk will be addressed appropriately.

8.4 As far as the portal related issue, regarding hardship in generating E way bill during the maintenance of GST portal, it needs further elaboration, as the portals are different and there should not be any hardship in generation of E-way bill.

8.5 Coming to the procedural issues, the Chief Commissioner remarked that as regard the DRC 04 (i.e. acknowledgement of DRC 03), there should not be any issue as the acknowledgement is given online.

8.6 Elaborating the points, the representative suggested that there should be a sort of summary provided in the Portal with regard to Inward Supplies, Outward Supplies, RCM, ITC etc for each reconciliation with

Annual Return and he also expressed difficulty in filing appeal due to non-availability of Tribunal. He also highlighted the need for provisions to rectify the E-way bill as well as the Annual Returns. The Chief Commissioner assured that the points would be considered for referring to appropriate authorities for consideration.

9. The Points sponsored by Tamilnadu Vanigar Sangangkalin Peramaippu were then taken up. Tamilnadu Vanigar Sangangkalin Peramaippu raised 13 points for discussion. Of the 13 points, first 12 points relate to GST Network and GST Policy issues which will be taken up with GSTN and GST Council. The other point relates to introduction of Samadhan scheme in State VAT. Highlighting the points raised, the representative of the peravai Shri Krishnaswamy requested for speedy disposal of refunds whenever tax payments were wrongly made.

10. The Committee then proceeded to take up the points sponsored by Hosur Small and Tiny Industries Association. Hosur Small and Tiny Industries Association has raised 6 points. All pertain to policy issues which be flagged with GST Council. Apart from the points sponsored, the representative of the Hosur Small and Tiny Industries Association requested for separate Samadhan Scheme for demand of interest on delayed payment of tax, especially with regard to the demands relating to the initial period of GST. He also requested for the honourable exit scheme for the taxpayers who are not in a position to continue the business. The Chief Commissioner assured that the points raised would be examined and taken up appropriately.

11. The Chief Commissioner then opened the forum for other points, if any. Shri Ravishankar, Managing Director of Kavery Super Market, Trichy and state Vice-President of Vanigar Sangankalin Peramaippu highlighting non applicability of GST for packed products like Dal when a declaration is made foregoing the actionable claim or enforceable right on the brand name and filing of affidavit in this regard. He further remarked that owing to lack of proper awareness, many traders could not comply this requirements and there are huge tax amounts for the same and he personally faced tax raids by enforcement agencies when the demand could just have been made on the basis of records. The Chief Commissioner remarked that the matter relates to a separate agency looking after Investigation where the issue of avoiding raids when the

information could be obtained by other simple measures may be taken up. He assured that he would also pass on the grievances expressed.

12. Before conclusion, when Shri Velmurugan, the representative of the Hosur Small and Tiny Industries Association remarked that in respect of a few taxpayers, the tax authorities of both Centre and State are dealing with GST issues of the taxpayer, the Chief Commissioner clarified that division of taxpayers between Centre and State are clearly demarcated and both the authorities know each other's' jurisdiction and division of taxpayer and unless it is an enforcement issue, there would not be such cross investigations. He requested the Association to bring forward specific cases for examination. The Commissioner, Commercial Taxes, Tamil Nadu also remarked that if any specific case is brought to the notice the same would be resolved and ensured that such things are avoided.

13. The Commissioner, Commercial Taxes, Tamilnadu concluded the meeting and thanked the Trade and Industry Association for their active participation and promised that the points expressed by them have been taken note of and would be taken up with GST Council or GST Network and assured that the procedural issues will be addressed certainly. He also assured that the enforcement activities would be undertaken in an objective and unobtrusive way. He concluded the meeting thanking the Chief Commissioner of GST & Central Excise, Chennai and his team for the conduct of the Grievance Redressal Meeting and hoped to continue to have such meeting regularly.

14. This is issued with the approval of Chief Commissioner of GST & Central Excise, Tamilnadu & Puducherry and the Commisisoner of Commercial Taxes, Tamilnadu, the Co-Chairs of the Grievance Redressal Committee for the state of Tamilnadu.

18.1.2022

(T.G. VENKATESH)
Additional Commissioner

To

All members of GRC(as per mail list).
The Principal Commissioner, GST Policy Wing, CBIC, New Delhi.

Copy to

The Commissioner of Commercial Taxes, Govt. of Tamilnadu.