

NOTIFICATION

No. 49/2018 - State Tax

Dated Shillong, the 13th September, 2018.

No. ERTS(T) 65/2017/Pt I/239 — In exercise of the powers conferred by section 164 of the Meghalaya Goods and Services Tax Act, 2017 (Act 10 of 2017), the Government of Meghalaya hereby makes the following rules further to amend the Meghalaya Goods and Services Tax Rules, 2017, namely:-

- (1) These rules may be called the Meghalaya Goods and Services Tax (Tenth Amendment) Rules, 2018.
 - (2) They shall come into force on the date of their notification by the Taxation Department of Meghalaya
- 2 In the FORMS to the Meghalaya Goods and Services Tax Rules, 2017, after **FORM GSTR-9A**, the following shall be inserted, namely:-

"FORM GSTR-9C

See rule 80(3)

PART - A - Reconciliation Statement

| 4.1 | | Basic Details | | |
|------------------|--|--|--------------------------------|--|
| 1 | Financial Year | | | |
| 2 | GSTIN | | | HEADING IS NOT THE |
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| 3B | Trade Name (if any) | <auto></auto> | | akean Lag |
| 4 | Are ye | ou liable to audit under any Act? | < <ple></ple> | ase specify>> |
| | | (| Amount i | n □ in all tables) |
| 1 | Reconciliation | on of turnover declared in audited Ann turnover declared in Annual Retu | | |
| 5 | | Reconciliation of Gross Tur | nover | |
| A | for the State | nding exports) as per audited financial st UT (For multi-USTIN units uniter game If he derived from the pull ted Amuni but Statement) | AN the | |
| В | Unbilled reve | mue at the beginning of Financial Year | (±) | |
| \mathbf{C}_{-} | Unadjusted ac | ivances at the end of the Financial Year | (+) | |
| D | | med Supply under Schedule I | (+) | |
| Ε | reflected in the | | (+) | |
| F | The second section is not been all the second second sections and the second se | s accounted for in the audited Annual nent but are not permissible under GST | (+) | |
| G | | April 2017 to June 2017 | (-) | |
| H | The second name of the second na | e at the end of Financial Year | (+) | THE STORE |
| Ι | Year | ances at the beginning of the Financial | () | ALCE OF THE PARTY |
| J | Financial State | s accounted for in the audited Annual ment but are not permissible under GST | (-) | W IVSTIL |
| K | Adjustments on | account of supply of goods by SEZ unit to DTA Units | .0 | 5294 |
| L | Turnover for | the period under composition scheme | (-) | |
| М | | in turnover under section 15 and rules | (+/-) | * MEGHALAYA, SI |

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|--------------------------------------|---|--|--|--|--|----------------------|--------|--|
| N | Adjustments in turnover due to foreign exchange fluctuations | | | change | (+/-) | | | |
| О | Adjustments in turnover due to reasons not listed above | | | (+/-) | | | | |
| P | Annual turnover after adjustments as above | | | | <auto></auto> | | | |
| Q | - Justurno | ver as declared in A | nnual Retur | n (GSTR9) | TE STOP | | - | |
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| 6 | Reas | ons for Un - Recon | ciled differ | ence in Ann | ual Gross Tu | rnover | 200 | |
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| В | Reason | 2 | | <<1'e | | | | |
| C | Reason | | | < <te:< td=""><td></td><td></td><td></td></te:<> | | | | |
| 7 | | The second secon | AND DESCRIPTION OF THE PARTY. | exable Turn | Comment of the last of the las | | | |
| A | | turnover after adjus | | | | ito> | | |
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| В | | turnov | The second second | | | | - | |
| C | | o rated supplies with which tax is to be pa | | | A STATE OF THE STA | - | - | |
| D | Supplies on s | charge t | | ipieni once | 10.00 | | | |
| Е | Laxable | urnover as per adjus | STREET, SQUARE STREET, SQUARE, | C A-B-6-F |) Au | to> | | |
| 27.611 | THE RESERVE OF THE PERSON NAMED IN | nover as per liability | ON RESIDENCE AND DESIGNATION. | NAME AND ADDRESS OF TAXABLE PARTY. | Charles of the Control of the Contro | | | |
| F | | GSTB | | | | | r. | |
| G | | Unreconciled taxable | e turnover (| PET) | May 1 to | AT 2 | 0 | |
| 8 | R | easons for Un - Re | conciled di | fference in t | axable turnov | er . | | |
| A | Reason | | 1 | < <te< td=""><td>(D>)</td><td></td><td></td></te<> | (D>) | | | |
| В | Reason | 2 | | < <te< td=""><td>(t>></td><td></td><td></td></te<> | (t>> | | | |
| C | Reason | 3. 1 | | << Tex | (D>> | Water of the Control | | |
| Harrie . | | | | | SECTION AND | The same | | |
| SHIEL | Reconciliation of tax paid. | | | | | | | |
| 10 | Reconciliation of rate wise liability and amount payable thereon | | | | | | | |
| 9 | Rece | onciliation of rate v | vise liabilit | THE RESERVE OF THE PERSON NAMED IN | THE RESERVE AND PERSONS ASSESSED. | reon | WINE. | |
| 9 | Reco | onciliation of rate v | MAPIES ES | T | nt payable the ex-payable | | #### | |
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| Erroneous refund to be paid back | |
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| Outstanding demands to be settled | |
| Other (PI | |

Verification:

I hereby solemnly affirm and declare that the information given herein above is true and correct to the best of my knowledge and belief and nothing has been concealed there from.

| **(Signature and stamp/Seal | of the Auditor) |
|-----------------------------|-----------------|
| Place: | |
| Name of the signatory | |
| Membership No | .8 |
| Date: | |
| Full address | |

Instructions: -

Terms used:

(a) GSTIN: Goods and Services Tax Identification Number

2. The details for the period between July 2017 to March 2018 are to be provided in this statement for the financial year 2017-18. The reconciliation statement is to be filed for every GSTIN separately.

3. The reference to current financial year in this statement is the financial year for which the reconciliation statement is being filed for.

4. Part II consists of reconciliation of the annual turnover declared in the audited Annual Financial Statement with the turnover as declared in the Annual Return furnished in FORM

GSTR-9 for this GSTIN. The instructions to fill this part are as follows:-Table No. Instructions The turnover as per the audited Annual Financial Statement shall be declared 5Λ here. There may be cases where multiple GSTINs (State-wise) registrations exist on the same PAN. This is common for persons / entities with presence over multiple States. Such persons / entities, will have to internally derive their GSTIN wise turnover and declare the same here. This shall include export turnover (if any). It may be noted that reference to audited Annual Financial Statement includes reference to books of accounts in case of persons / entities having presence over multiple States. Unbilled revenue which was recorded in the books of accounts on the basis of 5B accrual system of accounting in the last financial year and was carried forward to the current financial year shall be declared here. In other words, when GST is payable during the financial year on such revenue (which was recognized earlier), the value of such revenue shall be declared here. (For example, if rupees Ten Crores of unbilled revenue existed for the financial year 2016-17, and during the current financial year, GST was paid on rupees Four Crores of such revenue, then value of rupees Four Crores rupees shall be declared here)

| 5C | Value of all advances for which GST has been paid but the same has not been |
|----|--|
| Ç. | recognized as revenue in the audited Annual Financial Statement shall be declared here. |
| 5D | Aggregate value of deemed supplies under Schedule I of the Meghalaya GST Act, 2017 shall be declared here. Any deemed supply which is already part of the turnover in the audited Annual Financial Statement is not required to be included here. |
| 5E | Aggregate value of credit notes which were issued after 31st of March for any supply accounted in the current financial year but such credit notes were reflected in the annual return (GSTR-9) shall be declared here. |
| 5F | Trade discounts which are accounted for in the audited Annual Financial Statement but on which GST was leviable (being not permissible) shall be declared here. |
| 5G | Turnover included in the audited Annual Financial Statement for April 2017 to June 2017 shall be declared here. |
| 5H | Unbilled revenue which was recorded in the books of accounts on the basis of accrual system of accounting during the current financial year but GST was not payable on such revenue in the same financial year shall be declared here. |
| 51 | Value of all advances for which GST has not been paid but the same has been recognized as revenue in the audited Annual Financial Statement shall be declared here. |
| 5J | Aggregate value of credit notes which have been accounted for in the audited Annual Financial Statement but were not admissible under Section 34 of the Meghalaya GST Act shall be declared here. |
| 5K | Aggregate value of all goods supplied by SEZs to DTA units for which the DTA units have filed bill of entry shall be declared here. |
| 5L | There may be cases where registered persons might have opted out of the composition scheme during the current financial year. Their turnover as per the audited Annual Financial Statement would include turnover both as composition taxpayer as well as normal taxpayer. Therefore, the turnover for which GST was paid under the composition scheme shall be declared here. |
| 5M | There may be cases where the taxable value and the invoice value differ due to valuation principles under section 15 of the Meghalaya GST Act, 2017 and rules thereunder. Therefore, any difference between the turnover reported in the Annual Return (GSTR 9) and turnover reported in the audited Annual Financial Statement due to difference in valuation of supplies shall be declared here. |
| 5N | Any difference between the turnover reported in the Annual Return (GSTR9) and turnover reported in the audited Annual Financial Statement due to foreign exchange fluctuations shall be declared here. |
| 50 | Any difference between the turnover reported in the Annual Return (GSTR9) and turnover reported in the audited Annual Financial Statement due to reasons not listed above shall be declared here. |
| 5Q | Annual turnover as declared in the Annual Return (GSTR 9) shall be declared here. This turnover may be derived from Sr. No. 5N, 10 and 11 of Annual Return (GSTR 9). |
| | |

| 6 | Reasons for non-reconciliation between the annual turnover declared in the audited Annual Financial Statement and turnover as declared in the Annual Return (GSTR 9) shall be specified here. |
|----|--|
| 7 | The table provides for reconciliation of taxable turnover from the audited annual turnover after adjustments with the taxable turnover declared in annual return (GSTR-9). |
| 7A | Annual turnover as derived in Table 5P above would be auto-populated here. |
| 7B | Value of exempted, nil rated, non-GST and no-supply turnover shall be declared here. This shall be reported net of credit notes, debit notes and amendments if any. |
| 7C | Value of zero rated supplies (including supplies to SEZs) on which tax is not paid shall be declared here. This shall be reported net of credit notes, debit notes and amendments if any. |
| 7D | Value of reverse charge supplies on which tax is to be paid by the recipient shall be declared here. This shall be reported net of credit notes, debit notes and amendments if any. |
| 7E | The taxable turnover is derived as the difference between the annual turnover after adjustments declared in Table 7A above and the sum of all supplies (exempted, non-GST, reverse charge etc.) declared in Table 7B, 7C and 7D above. |
| 7F | Taxable turnover as declared in Table 4N of the Annual Return (GSTR9) shall be declared here. |
| В | Reasons for non-reconciliation between adjusted annual taxable turnover as derived from Table 7E above and the taxable turnover declared in Table 7F shall be specified here. |
| | |

5. Part III consists of reconciliation of the tax payable as per declaration in the reconciliation statement and the actual tax paid as declared in Annual Return (GSTR9). The instructions to fill this part are as follows:-

| Table No. | Instructions |
|-----------|--|
| 9 | The table provides for reconciliation of tax paid as per reconciliation statement and amount of tax paid as declared in Annual Return (GSTR 9). Under the head labelled "RC", supplies where tax was paid on reverse charge basis by the recipient (i.e. the person for whom reconciliation statement has been prepared) shall be declared. |
| 9P | The total amount to be paid as per liability declared in Table 9A to 9O is auto populated here. |
| 9Q | The amount payable as declared in Table 9 of the Annual Return (GSTR9) shall be declared here. It should also contain any differential tax paid on Fable 10 or 11 of the Annual Return (GSTR9). |
| 10 | Reasons for non-reconciliation between payable / liability declared in Table 9P above and the amount payable in Table 9Q shall be specified here. |
| 11 | Any amount which is payable due to reasons specified under Table 6, 8 and 10 above shall be declared here. |

Part IV consists of reconciliation of Input Tax Credit (ITC). The instructions to fill Part IV
are as under:-

| Table No. | Instructions |
|-----------|--|
| 12A | ITC availed (after reversals) as per the audited Annual Financial Statement shall be declared here. There may be cases where multiple GSTINs (Statewise) registrations exist on the same PAN. This is common for persons / entities with presence over multiple States. Such persons / entities, will have to internally derive their ITC for each individual GSTIN and declare the same here. It may be noted that reference to audited Annual Financial Statement includes reference to books of accounts in case of persons / entities having presence over multiple States. |
| 12B | Any ITC which was booked in the audited Annual Financial Statement of earlier financial year(s)but availed in the ITC ledger in the financial year for which the reconciliation statement is being filed for shall be declared here. This shall include transitional credit which was booked in earlier years but availed during Financial Year 2017-18. |
| 12C | Any ITC which has been booked in the audited Annual Financial Statement of the current financial year but the same has not been credited to the ITC ledger for the said financial year shall be declared here. |
| 12D | ITC availed as per audited Annual Financial Statement or books of accounts as derived from values declared in Table 12A, 12B and 12C above will be auto-populated here. |
| 12E | Net ITC available for utilization as declared in Table 7J of Annual Return (GSTR9) shall be declared here. |
| 13 | Reasons for non-reconciliation of ITC as per audited Annual Financial Statement or books of account (Table 12D) and the net ITC (Table 12E) availed in the Annual Return (GSTR9) shall be specified here. |
| 14 | This table is for reconciliation of ITC declared in the Annual Return (GSTR9) against the expenses booked in the audited Annual Financial Statement or books of account. The various sub-heads specified under this table are general expenses in the audited Annual Financial Statement or books of account on which ITC may or may not be available. Further, this is only an indicative list of heads under which expenses are generally booked. Taxpayers may add or delete any of these heads but all heads of expenses on which GST has been paid / was payable are to be declared here. |
| 14R | Total ITC declared in Table 14A to 14Q above shall be auto populated here. |
| 148 | Net ITC availed as declared in the Annual Return (GSTR9) shall be declared here. Table 7J of the Annual Return (GSTR9) may be used for filing this Table. |
| 15 | Reasons for non-reconciliation between ITC availed on the various expenses declared in Table 14R and ITC declared in Table 14S shall be specified here. |
| 16 | Any amount which is payable due to reasons specified in Table 13 and 15 above shall be declared here. |

7. Part V consists of the auditor's recommendation on the additional liability to be discharged by the taxpayer due to non-reconciliation of turnover or non-reconciliation of input tax credit. The auditor shall also recommend if there is any other amount to be paid for supplies not included in the Annual Return. Any refund which has been erroneously taken and shall be paid back to the Government shall also be declared in this table. Lastly, any other

outstanding demands which is recommended to be settled by the auditor shall be declared in this Table.

8. Towards, the end of the reconciliation statement taxpayers shall be given an option to pay their taxes as recommended by the auditor.

PART - B- CERTIFICATION

Certification in cases where the reconciliation statement (FORM GSTR-9C) is drawn up by the person who had conducted the audit:

| * I/we have examined the— |
|--|
| (a) balance sheet as on |
| (b) the *profit and loss account/income and expenditure account for the period beginning fromto ending on, and |
| (c) the cash flow statement for the period beginning fromto ending on,—attached herewith, of M/s(Name),(Address), |
| 2. Based on our audit I/we report that the said registered person— |
| *has maintained the books of accounts, records and documents as required by the IGST/CGST/Meghalaya GST Act, 2017 and the rules/notifications made/issued thereunder |
| *has not maintained the following accounts/records/documents as required by the IGST/CGST/Meghalaya GST Act, 2017 and the rules/notifications made/issued thereunder: |
| 1. |
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| 3 |
| 3. (a) *I/we report the following observations/ comments / discrepancies / inconsistencies; if any: |
| · |
| C. 272 (172 (172 (172 (172 (172 (172 (172 |
| 3. (b) *I/we further report that, - |
| (A) *I/we have obtained all the information and explanations which, to the best of *my/our knowledge and belief, were necessary for the purpose of the audit/ information and explanations which, to the best of *my/our knowledge and belief, were necessary for the purpose of the audit were not provided/partially provided to us. |
| (B) In *my/our opinion, proper books of account *have/have not been kept by the registered person so far as appears from*my/ our examination of the books |
| (C) I/we certify that the balance sheet, the *profit and loss/income and expenditure account and the cash flow Statement are *in agreement/not in agreement with the books of account maintained at the Principal place of business at |
| 4. The documents required to be furnished under section 35 (5) of the Meghalaya GST Act and Reconciliation Statement required to be furnished under section 44(2) of the Meghalaya GST Act is annexed herewith in Form No. GSTR-9C. |
| 5. In *my/our opinion and to the best of *my/our information and according to explanations given to *me/us, the particulars given in the said Form No.GSTR-9C are true and correct subject to following observations/qualifications, if my: |

| (b) |
|---|
| (c) |
| |
| *************************************** |
| **(Signature and stamp/Seal of the Auditor) |
| Place: |
| Name of the signatory |
| Membership No |
| Date: |
| Full address |
| II. Certification in cases where the reconciliation statement (FORM GSTR-9C) is drawn up by a person other than the person who had conducted the audit of the accounts: |
| *I/we report that the audit of the books of accounts and the financial statements of M/s. (Name and address of the assessee with GSTIN) was conducted by M/s. (full name and address of auditor along with status), bearing membership number in pursuance of the provisions of the Act, and *I/we annex hereto a copy of their audit report dated along with a copy of each of:- |
| (a) balance sheet as on |
| (b) the *profit and loss account/income and expenditure account for the period beginning from to ending on, |
| (c) the cash flow statement for the period beginning fromto ending on, and |
| (d) documents declared by the said Act to be part of, or annexed to, the *profit and loss account/income and expenditure account and balance sheet. |
| 2 I/we report that the said registered person— |
| *has maintained the books of accounts, records and documents as required by the IGST/CGST/ Meghalaya GST Act, 2017 and the rules/notifications made/issued thereunder |
| *has not maintained the following accounts/records/documents as required by the IGST/CGST/Meghalaya GST Act, 2017 and the rules/notifications made/issued thereunder: |
| 1, |
| 2, |
| 3. |
| 3. The documents required to be furnished under section 35 (5) of the Meghalaya GST Act and Reconciliation Statement required to be furnished under section 44(2) of the Meghalaya GST Act is annexed herewith in Form No GSTR-9C. |
| 4. In *my/our opinion and to the best of *my/our information and according to examination of books of account including other relevant documents and explanations given to *me/us, the particulars given in the said Form No.9C are true and correct subject to the following observations/qualifications, if any: |
| (a) |
| (b) |
| (c) |

| (| - | | |
|------------|---------------|-----|-----|
| Place: | | | |
| Name of | the signatory | | 10 |
| Members | hip No | 1/4 | |
| Date: | | | 140 |
| Full addre | ess | | |

**(Signature and stamp/Seal of the Auditor)

Sd/-

H. Marwein

Additional Chief Secretary to the Government of Meghalaya & Excise, Registration, Taxation & Stamps Department.

Memo No. ERTS (T) 65/2017/Pt I/239-A Dated Shillong, the 13th September, 2018.

- 1 P. S. to Chief Minister for favour of information of the Chief Minister
- 2 P. S. to Chief Secretary for favour of information of the Chief Secretary.
- 3. P. S. to the Additional Chief Secretary i/c ERTS Department for favour of information of the Additional Chief Secretary.
- 4. The Secretary to the Govt. of India and ex-officio Secretary to the GST Council, New Delhi-110001
- 5. The Secretary to the Govt. of Meghalaya, Finance Department/ERTS Department.
- 6 The Commissioner of Taxes, Meghalaya, Shillong for favour of information and necessary action.
 - 7. All Administrative Departments.
 - 8 All Heads of Department.
 - The Director, Printing and Stationery, Meghalaya, Shillong with a request to cause publication of the above Notification in the Gazette of Meghalaya Extra Ordinary issue and furnish this Department with 50 spare copies.
 - Principal Accountant General (Audit), Meghalaya (Attention: CASS Section), Shillong-793001.
 - 11. Accountant General (A & E), Meghalaya, Shillong-793001
 - 12 Assembly Secretariat.
 - 13 The Joint Commissioner of Taxes, Meghalaya, Shillong
 - 14 The Deputy Commissioner of Taxes, Meghalaya, Shillong.
 - 15. The Assistant Commissioner of Taxes, Meghalaya, Shillong
 - 16 NIC, Shillong for uploading in the Meghalaya Website

By order etc.

Que Under Secretary to the Government of Meghalaya,

(Excise, Registration, Taxation & Stamps Department

Note:- The principal rules were published in the Gazette of Meghalaya, Extraordinary, Part II A, vide notification No ERTS(T) 79/2017/468, dated the 29th December, 2017, published vide number 295, dated the 29th December, 2017 and last amended vide notification No ERTS(T) (48/2018) State Tax, dated the 10th September, 2018