



## Mandatory maintenance of books of accounts EDITORS NOTE

**It is mandatory to maintain the books of accounts under Indian Companies Act, 2013 and GST Act, 2017.**

**Under GST Act, 2017, as per section 35 of the CGST Act, 2017,**

“Every registered person shall keep and maintain, at his principal place of business, as mentioned in the certificate of registration, a true and correct account of:

- production or manufacture of goods
- inward and outward supply of goods or services or both
- stock of goods
- input tax credit availed
- output tax payable and paid and
- such other particulars as may be prescribed

Accordingly, a registered person under GST is required to maintain the records as mentioned in section 35 of the CGST Act, 2017. However, a person may maintain additional records for decision making or for other useful information such as:

- Import/export of goods/services, if any
- Supplies attracting Reverse charge (from unregistered person or specified services/goods)
- Advances received/paid and adjustments made
- Records for receipt of goods and services from registered person
- Details for Import of goods including bill of entry and other related documents
- Returns, payment challans, debit note and credit notes;
- Financial statements
- Electronic records
- Bank statements and pay-in slips
- Records for manner of computation of GST liability
- Records for availment and utilisation of credit
- GST reconciliation statement

### Electronic records of:-

- tax liability
- credit
- cash
- Agreements
- Job work register
- Security Deposit Register

Dear Reader, this edition features various aspects like Maintenance of book of Accounts, E way bill, Board meetings through Video conferencing, etc., expecting your valuable suggestions.

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## TAX DUE DATES - APRIL 2018

### Monthly Compliances

Sl. No	Particulars	Due Dates
1.	GSTR-1 for Feb 2018 (Registered person with aggregate annual turnover more than 1.50 crores)	10-April-2018
2.	Issue of TDS Certificate for tax deducted under section 194-IA & 194-IB in the month of Feb 2018	14-April-2018
3.	PF Payment	15-April-2018
4.	ESIC Payment	15-April-2018
5.	GST monthly return for the month of March 2018 (GSTR-3B)	20-April-2018
6.	GSTR 5-for Non-resident taxable person	20-April-2018
7.	TDS/TCS Remittance for the month of March 2018	30-April-2018

### Quarterly Compliances

Sl. No	Particulars	Due Dates
1.	GSTR-4 (for Composition Dealer) for the months of Jan to March 2018.	18-April-2018
2.	Uploading declarations received from recipients in Form 15G/15H during quarter ending March 2018.	30-April-2018
3.	GSTR-1 for Jan-March 2018 (Registered person with aggregate annual turnover upto 1.50 crores)	30-April-2018

### Other Compliances

Sl. No	Particulars	Due Dates
1.	EPF Return	25-April-2018
2.	E-filing of a declaration in Form No. 61 containing particulars of Form No. 60 received during the period October 1, 2017 to March 31, 2018.	30-April-2018
3.	Condonation of Delay Scheme 2018 [CDS-2018]	30-April-2018



**“Our terms are net 30 days. If you don't pay after 30 days, we come after you with a net!”**



## Rules related to Board Meeting through Video Conferencing

Section 173 of Companies Act, 2013 ('Act' for short) provides the procedure for the conduct of Board meeting of a company. Section 173 (2) provides that the participation of directors in a meeting of the Board may either in person or through video conferencing or other audio visual means, as may be prescribed, which are capable of recording and recognizing the participation of the directors and of recording and storing the proceeding of such meetings along with date and time.

The Central Government may, by notification, specify such matters which shall not be dealt with in a meeting through video conferencing or other audio visual means. The Central Government, vide Notification No. GSR 240(E), dated 31.03.2014 published the rules. Rule 4 provides for the matters not to be dealt with in a meeting through video conferencing or audio visual means. According to the said rule the following matters shall not be dealt with in any meeting through video conferencing -

- the approval of the annual financial statement;
- the approval of the Board's report;
- the approval of the prospectus;
- the Audit Committee Meetings for consideration of accounts; and
- the approval of the matter relating to amalgamation, merger, demerger, acquisition and takeover.

Rule 3 prescribes the procedure for convening and conducting the Board meetings through video conferencing or other audio visual means as detailed below-

- Every company shall make necessary arrangements to avoid failure of video or audio visual means;
- The Chairperson of the meeting and the Company Secretary, if any, shall take due and reasonable care-
  - to safeguard the integrity of the meeting by ensuring sufficient security and identification procedures;
  - to ensure availability of proper video conferencing or other audio visual equipment or facilities for providing transmission of the communications for effective participation of the directors and other authorized participants at the Board meeting;
  - to record proceedings and prepare the minutes of the meetings;
  - to store for safekeeping and marking the tape recording(s) or other electronic recording mechanism as part of the records of the company at least before the time of completion of audit of that particular year;
  - to ensure that no person other than concerned director are attending or have access to the proceedings of the meeting through video conferencing mode or other audio-visual means; and
  - to ensure that participants attending the meeting through audio-visual means are able to hear and see the other participants clearly during the course of the meetings;
  - The disabled person may make request the Board to allow a person to accompany him;
- The notice of the meeting shall be sent to all the directors in accordance with the provisions of section 173(3) of the Act.
- The notice of the meeting shall inform the directors regarding the option available to them to participate through video conferencing mode or other video means and shall provide all the necessary information to enable the directors to participate through video conferencing mode or other audio-visual means.
- A director intending to participate through video conferencing or audio visual means shall communicate his intention to the Chairperson or the Company Secretary of the company.

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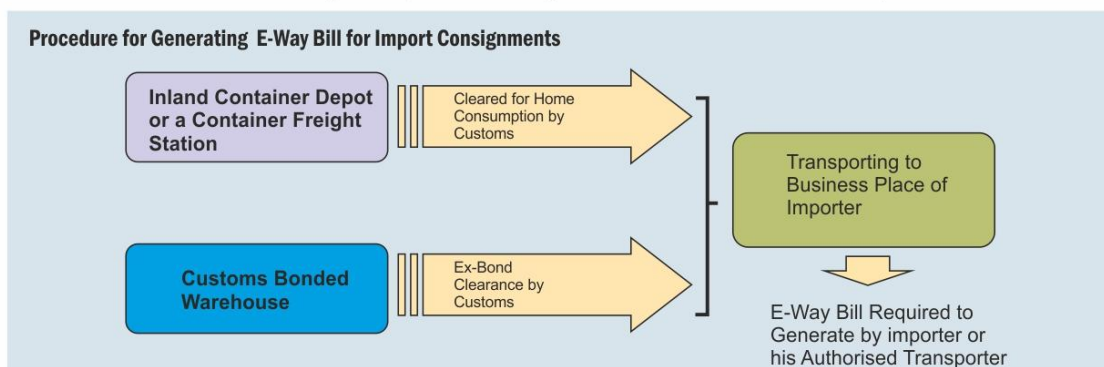


- If the director intends to participate through video conferencing or other audio-visual means, he shall give prior intimation to that effect sufficiently in advance so that the company is able to make suitable arrangements in this behalf.
- The director, who desires, to participate may intimate his intention of participation through the electronic mode at the beginning of the calendar year and such declaration shall be valid for one calendar year.
- In the absence of any intimation, it shall be assumed that the director shall attend the meeting in person.
- At the commencement of the meeting, a roll call shall be taken by the chairperson when every director participating through video conferencing or other audio-visual means, shall state, for the records, the following-
  - name
  - the location from where he is participating;
  - that he has received the agenda and all the relevant material for the meeting; and
  - that no one other than the concerned director is attending or having access to the proceedings of the meeting at the location mentioned.

## Generation of E-Way Bill in case of Import Transactions”

### Generation of W-Way bill is required n the following cases:

1. When Imported Goods are Cleared by Customs from Inland Container Depot (ICD) / Container Freight Station (CFS) for Home Consumption and are being Transported to any of the Business Places of Importer.
2. Imported Goods which were earlier kept in Customs Bonded Warehouse and now are cleared from Customs on Ex-Bond Clearance and are being Transported to any of the Business Places of Importer



### Key Point to Know :

1. In the Transaction Details Column, Transaction Type : Inward and Sub-Type : Import shall be selected.
2. Since the supplies are from Overseas, in the Bill From Column, Name : Overseas Supplier Name must be mentioned; GSTIN : UR(Unregistered Person) shall be selected from scrolling and State : Other Countries shall be selected.
3. In the Dispatch From Column, Address : Overseas Suppliers Address shall be mentioned; PIN Code : 999999 and State : Other Countries shall be selected.
4. In the Item Details Column, details Import with HSN shall be provided.

Value / Taxable Value (Rs):

The value shall be as provided in Sec 5. (1) of IGST Act :

“The integrated tax on goods imported into India shall be levied and collected in accordance with the provisions of section 3 of the Customs Tariff Act, 1975 on the value as determined under the said Act at the point when duties of customs are levied on the said goods under section 12 of the Customs Act, 1962”.

That is “Assessable value plus Customs Duty levied under the Customs Tariff Act, 1975, and any other duty chargeable on the said goods under any law for the time being in force as an addition to, and in the same manner as a duty of customs”.

**Taxable Value :** As provided in Bill of Entry in INR

Assessable Value + BCD + SW Surcharge + Anti Dumping Duty / Safe Guard Duty etc if any

**GST Rate :** IGST shall be selected and values as mentioned in Bill of Entry shall be mentioned.



## REPORTING OF FINANCIAL TRANSACTIONS

Rule 114E was introduced after the introduction of section 285BA of the Act pertaining to statement of financial transactions, all the financial transactions mentioned in this Rule, if undertaken by the class of persons mentioned therein are required to be reported in Form 61A to the office of Director of Income-tax (Intelligence and Criminal Investigation) or Joint Director of Income-tax (Intelligence and Criminal Investigation). The due date for filing of this form for the FY 2017-18 is 31.05.2018. The list of financial transactions has been given below:

Sr. no.	Nature and value of transaction	Class of person (reporting person)
1.	<p>(a) Payment made in cash for purchase of bank drafts or pay orders or banker's cheque of an amount aggregating to ten lakh rupees or more in a financial year.</p> <p>(b) Payments made in cash aggregating to ten lakh rupees or more during the financial year for purchase of pre-paid instruments issued by Reserve Bank of India under section 18 of the Payment and Settlement Systems Act, 2007 (51 of 2007).</p> <p>(c) Cash deposits or cash withdrawals (including through bearer's cheque) aggregating to fifty lakh rupees or more in a financial year, in or from one or more current account of a person.</p>	A banking company or a co-operative bank to which the Banking Regulation Act, 1949 (10 of 1949) applies (including any bank or banking institution referred to in section 51 of that Act).
2.	Cash deposits aggregating to ten lakh rupees or more in a financial year, in one or more accounts (other than a current account and time deposit) of a person.	<p>i) A banking company or a co-operative bank to which the Banking Regulation Act, 1949 (10 of 1949) applies (including any bank or banking institution referred to in section 51 of that Act);</p> <p>(ii) Post Master General<sup>10</sup> as referred to in clause (j) of section 2 of the Indian Post Office Act, 1898 (6 of 1898).</p>
3.	One or more time deposits (other than a time deposit made through renewal of another time deposit) of a person aggregating to ten lakh rupees or more in a financial year of a person.	<p>(i) A banking company or a co-operative bank to which the Banking Regulation Act, 1949 (10 of 1949) applies (including any bank or banking institution referred to in section 51 of that Act);</p> <p>(ii) Post Master General as referred to in clause (j) of section 2 of the Indian Post Office Act, 1898 (6 of 1898);</p> <p>(iii) Nidhi<sup>10</sup> referred to in section 406 of the Companies Act, 2013 (18 of 2013);</p> <p>(iv) Non-banking financial company which holds a certificate of registration under section 45-IA of the Reserve Bank of India Act, 1934 (6 of 1934), to hold or accept deposit from public.</p>
4.	<p>Payments made by any person of an amount aggregating to—</p> <p>(i) one lakh rupees or more in cash; or</p> <p>(ii) ten lakh rupees or more by any other mode, against bills raised in respect of one or more credit cards issued to that person, in a financial year.</p>	A banking company or a co-operative bank to which the Banking Regulation Act, 1949 (10 of 1949) applies (including any bank or banking institution referred to in section 51 of that Act) or any other company or institution issuing credit card.

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5.	<i>Receipt from any person of an amount aggregating to ten lakh rupees or more in a financial year for acquiring bonds or debentures issued by the company or institution (other than the amount received on account of renewal of the bond or debenture issued by that company).</i>	<i>A company or institution issuing bonds or debentures.</i>
6.	<i>Receipt from any person of an amount aggregating to ten lakh rupees or more in a financial year for acquiring shares (including share application money) issued by the company.</i>	<i>A company issuing shares.</i>
7.	<i>Buy back of shares from any person (other than the shares bought in the open market) for an amount or value aggregating to ten lakh rupees or more in a financial year.</i>	<i>A company listed on a recognised stock exchange purchasing its own securities under section 68 of the Companies Act, 2013 (18 of 2013).</i>
8.	<i>Receipt from any person of an amount aggregating to ten lakh rupees or more in a financial year for acquiring units of one or more schemes of a Mutual Fund (other than the amount received on account of transfer from one scheme to another scheme of that Mutual Fund).</i>	<i>A trustee of a Mutual Fund or such other person managing the affairs of the Mutual Fund as may be duly authorised by the trustee in this behalf.</i>
9.	<i>Receipt from any person for sale of foreign currency including any credit of such currency to foreign exchange card or expense in such currency through a debit or credit card or through issue of travellers cheque or draft or any other instrument of an amount aggregating to ten lakh rupees or more during a financial year.</i>	<i>Authorised person as referred to in clause (c) of section 2 of the Foreign Exchange Management Act, 1999 (42 of 1999).</i>
10.	<i>Purchase or sale by any person of immovable property for an amount of thirty lakh rupees or more or valued by the stamp valuation authority referred to in section 50C of the Act at thirty lakh rupees or more.</i>	<i>Inspector-General appointed under section 3 of the Registration Act, 1908 or Registrar or Sub-Registrar appointed under section 6 of that Act.</i>
11.	<i>Receipt of cash payment exceeding two lakh rupees for sale, by any person, of goods or services of any nature (other than those specified at Sl. Nos. 1 to 10 of this rule, if any.)</i>	<i>Any person who is liable for audit under section 44AB of the Act.</i>

### IMPORTANT ANNOUNCEMENT FROM IT

#### APPLICABILITY OF SECTION 234F FEE FOR DEFAULT IN FURNISHING OF INCOME TAX RETURN WITHIN DUE DATES SPECIFIED U/S. 139(1)

- Total income Not Exceeds 5,00,000 - Return filed during 1st August,2018 to 31st March,2019 late filing fees is Rs. 1,000.
- Total income Exceeds 5,00,000 -
- Return filed during 1st August,2018 to 31st December,2018 late filing fees is Rs. 5,000.
- Return filed during 1st January,2019 to 31st March,2019 late filing fees is Rs. 10,000.

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