

**ALL INDIA ASSOCIATION OF
CENTRAL EXCISE GAZETTED EXECUTIVE OFFICERS, KERALA UNIT
CENTRAL REVENUE BUILDING: I.S. PRESS ROAD, COCHIN – 682 018
(RECOGNISED BY THE GOVERNMENT OF INDIA ORDER F. No. B 12017/10/2006-Ad IV A DATED 21.01.2008)
(www.cengokerala.org)**

President: Ajithkumar.P.C.	General Secretary: J.Somasekharan Pillai
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Ref: CC/3/2017

Date: 11.04.2017

To

Shri. Pullela Nageswara Rao, I.R.S.
Chief Commissioner of Central Excise, Customs & Service Tax
Kerala Zone.

Sir,

Sub- GST migration – letters to assesses containing log-in Ids and password -
delivery -regarding

Kind attention is invited to the fact that certain members of this Association, namely the Range Officers of Service tax formations have been handed over letters addressed to all the assesses in their jurisdiction which contains the password and log in ID required for the assesses to migrate to the GST regime.

Before pointing out the problems arising out of the method proposed for delivery of these letters, which quite unexpectedly requires the Range Officers or the Sector Officers to personally hand over these letters to the assesses and record their acknowledgment, we once again reaffirm our commitment to the smooth roll out of GST well within the timelines prescribed.

But, it is regretted that the decision for the above said delivery of letters have been taken without taking in to account the ground realities that determine the GST transition. The Range Officers and Sector Officers in charge of Service tax formations have been deeply involved for more than a month now, in the transition to the GST regime. It has been revealed during the verification process that more than 60% of the registered assesses are either below 15 lakh revenue category or have been inactive for more than 4 years. The officers concerned had established contact with almost all the active assesees and they have either migrated or are in the process of migrating to GST. Thus the letters handed over for delivery, mostly containing names of assesseees who have no necessity or intention to migrate to GST, would be of little use for ensuring a robust GST regime.

Due to experience gathered from the field, we are quite aware that the real problems besetting the GST migration is the delay in obtaining digital signature by the assesees as the option of e-signature is not practical due to the issue of surname

mismatch with Aadhar Database and PAN Database and a lingering doubt on the part of the fringe assesses whether they actually need to migrate to GST as they don't expect to break through the threshold ceiling. Unless these issues are solved, handing over a letter as above has nothing more than a perfunctory effect.

From recent experiences, it is also seen that the assesees tend to entrust their taxation obligations to their Chartered Accountant and a visit to the place of the assesses would be end up as a pointless exercise. The assesees may not be present too at their business places and the letters would end up with their office staff which would not serve its intended purposes. As it could never be guaranteed that the assesee would put to use the ID and password dutifully handed over by us, no attendant or appreciable benefit may come out of such an elaborate exercise.

Further, we also submit that due to our relentless efforts, the awareness of GST has percolated to the lowest level of the assesee base and the ones who have not yet migrated could well be in the process of doing so. The intervention of officers at this point of time is not only needless but could also be taken by the certain assesees as an intrusion in to their domain and freedom of choice, which would not augur well for a responsible tax administration, expected to be held in high regard.

Also, the impossible nature of this exercise is well exemplified by the 1000 or so letters give to each formation and that too without any address. By the time the Officers collect the addresses and cover the lot, the GST regime would well and truly be on its course and the untimely actions of our Department may evoke more mirth than any worth.

Thus, as it seems that the method of delivering of such letters would indeed serve no purpose to the GST cause and would end up as a waste of precious resources and useful time, more so, at a time when the periodical demands have to be finalised before the third week of April, this Association submits before your goodself that we are not in a position to deliver these letters in person and also request the Administration to evolve a better method to ensure assesee compliance and participation in the GST regime.

Thanking you and extending all co-operation,

Yours faithfully,

J. SOMASEKHARAN PILLAI
GENERAL SECRETARY