

FREQUENTLY ASKED QUESTIONS (FAQ) ON STDS & TCS
AND IT PROCEDURES UNDER THE WBVAT ACT, 2003

A. GENERAL QUESTIONS:

Q1	What is STDS in VAT?
A1	STDS stands for “ Sales Tax deducted at source ”. The relevant provision is given in section 40 of the W.B.V.A.T. Act, 2003. It applies to works contract executed within the State wherein transfer of property of goods is involved in the execution of such contract.
Q2	Is STDS to be deducted in respect of <u>all sales</u> under the VAT Act?
A2	The provision of STDS as given in Section 40 of the W.B.V.A.T. Act, 2003 applies only to sales arising from transfer of property in goods involved in the execution of works contract within West Bengal.
Q3	Who has to deduct STDS?
A3	The person responsible for making payment to the contractor on behalf of the Contractee as defined u/s 40 of the WBVAT Act, 2003, for execution of any works contract within West Bengal is compulsorily required to make such deduction.
Q4	When is STDS deductible?
A4	STDS is to be deducted while making any payment to the contractor for execution of any works contract within West Bengal involving transfer of property in goods. However, NO deduction is required to be made where any advance payment is made to the contractor prior to the commencement of the works contract.
Q5	What happens if the DDO or the person responsible for making the deduction fails to deduct STDS?
A5	The DDO shall become personally liable , and may have to pay penalty to the extent of TWICE the amount that was required to be deducted and deposited to the Govt. exchequer.
Q6	How the deducted amount is to be deposited?
A6	The deducted amount needs to be deposited : (a) through GRIPS only, w.e.f. 01.10.2014 either- [i] Through net-banking (i.e. online); or [ii] Over the counter (i.e. OTC) through GRIPS generated challan at the scheduled banks accepting sales tax payments; [Link for making such payment: http://wbcomtax.nic.in/e-Services/e_payment.htm] or, (b) By Book Transfer.
Q7	By what time such deducted amount has to be deposited?
A7	STDS has to be deposited within 10 days from the end of the month of deduction . [e.g. tax deducted for October has to be deposited by 10 th November].
Q8	What is GRIPS?
A8	GRIPS is the Government Receipt Portal System. W.e.f. 01.10.2014, all types of tax payments administered by the Directorate of Commercial

	Taxes, West Bengal have been made mandatory through GRIPS only.
Q9	How to make payment through GRIPS PORTAL.
A9	<p>Please go to the link http://wbcomtax.nic.in/e-Services/e_payment.htm and click on the GRIPS icon and then follow the following steps:</p> <ol style="list-style-type: none"> 1. From the list select–PAYMENT OF TAX & NON-TAX REVENUE 2. Select The Deptt.- DIRECTORATE OF COMMERCIAL TAXES from the drop down list 3. Then select Service- Sales Tax Deducted at Source(STDS)from the drop down list 4. Then fill up Depositor’s details & Select Mode of Payment – ON LINE / COUNTER Payment as per your payment mode & Select PROCEED. 5. Then fill up the Amount, Period (of Deduction) & select Bank & SUBMIT it <p><u>The system will provide you with a Bank Challan with a GRN (Government Reference No.) of 19 digits. It is your Challan No.- Note it for your further reference.</u></p> <p><i>(If you have Net-Banking facility, then select On-line and make payment On-line from your home/office You can also make debit card payment selecting the said option. In case you want to make payment through your Bank Counter—then select Counter Payment).</i></p>
Q10	What is ‘Book Transfer’ in case of Sales Tax deducted at source?
A10	‘Book Transfer’ refers to transfer of the amount deducted by a Contractee [who is a Govt. Agency], following a ‘Public Works Accounting’ system, to the appropriate head of account through account statement which is required to be sent monthly to the Accountant General, West Bengal, and such transfer shall be deemed to be a deposit of the amount so deducted on the basis of such statement submitted at STDS Cell along with a hard copy of the Form 19A for that month.
Q11	Who has to obtain an Enrolment No.?
A11	<p>The following Contractees’ who enter into a works contract with a contractor that involves transfer of property of goods in the execution of such contract within West Bengal shall have to obtain an Enrolment No. –</p> <ol style="list-style-type: none"> (i) Government (both Central & State); (ii) Local Authority (e.g. any Municipal Corporation, Zilla Parishad, Gram Panchayat, etc); (iii) Companies (both Public Limited & Private Limited); (iv) Government Undertaking (both Central & State); (v) Banks (that includes Pvt. Banks & Gramin Banks); (vi) Hospitals (both Govt. and Private); (vii) Nursing Homes (of any type, ALL are included); (viii) Diagnostic Centres (of any type, ALL are included); (ix) Educational Institution (e.g. school, College, University or any institution where education is provided); (x) Promoter; (xi) Partnership firm; (xii) Limited Liability Partnership; (xiii) Joint Venture Company.
Q12	Is it mandatory for all dealers under the WBVAT Act, 2003 to obtain the Enrolment No.?

A12	It is mandatory only for those dealers (registered or not) who are covered under 'Contractees' by serial no. (i) to (xiii) in Question No. 11 above.
Q13	What is the procedure of getting an Enrolment No.?
A13	An Enrolment No. Can be obtained by following seven simple steps: <u>Step 1:</u> Visit our website: http://wbcomtax.nic.in . <u>Step 2:</u> Look for the link 'e-STDS'. <u>Step 3:</u> Generate your Enrolment No. by selecting the applicable option: a) From old manually allotted No. b) Apply for new No. <u>Step 4:</u> Fill in the required information. <u>Step 5:</u> Click on the 'submit' button. <u>Step 6:</u> Save your Enrolment Certificate and print it (if required). <u>Step 7:</u> Remember to generate your User ID & Password after generating your Enrolment Certificate.
Q14	Assuming a Contractee doesn't have an Enrolment No. but has deducted STDS, how to deposit it?
A14	By following the two steps given below - STEP 1: Generate the Enrolment No. immediately following the procedures as stated in Question No. 13. above and then, STEP 2: Make the payment in the manner as referred to in Question No. 9 above.
Q15	Can any change (amendment) be made in any information provided in the Enrolment Certificate of a Contractee? What are the procedures?
A15	Yes, amendments can be made to the information provided by the contractee in the Enrolment Certificate. Write or mail to STDS Cell at stds.comtax@gmail.com clearly stating the nature of amendment as required along with hard copies of the necessary documents [<i>scanned images of the Enrolment Certificate & supporting documents to be uploaded in case of an e-mail</i>] in support of such amendment. Please see to it that the person asking for amendment is the person who is recorded as DDO in our records.

B. QUESTIONS GENERALLY ASKED BY THE DDO OR THE PERSON RESPONSIBLE FOR DEDUCTING STDS (i.e. Sales Tax Deduction at Source)

Q16	Am I supposed to file any Return/Document after being Enrolled?
A16	Yes. A scroll in Form 19A is required to be uploaded online every month within 20 days from the end of the month of deduction [<i>e.g. scroll in Form 19A for tax deducted in October has to be uploaded by 20th November</i>]. Unless you upload such scroll, you will not be able to issue any certificate of such deduction (FORM-18A), to the Contractor, as the data of such scroll is automatically linked with such Certificates which are to be generated online. [<i>For relevant discussions in the matter of certificates, please refer to Question Nos. 25-27 below</i>].
Q17	How to upload such scroll in Form 19A?
A17	The scroll in Form 19A is to be uploaded online on monthly basis which can be done following eight simple steps: Step1: Visit our website: http://wbcomtax.nic.in . Step 2: Look for the link 'e-STDS'.

	<p>Step 3: Log in with the User ID & Password generated by you. [Please refer to Question 14]</p> <p>Step 4: Look for the link 'Click here to submit Form 19A'</p> <p>Step 5: Download the ZIP folder</p> <p>Step 6: Fill in the data in the Excel sheet correctly or directly fill in such data online.</p> <p>Step 7: Please check the correctness of all the data before uploading.</p> <p>Step 7: Follow the instructions and upload your Form 19A.</p> <p>Step 8: Click the option 'Print Acknowledgement Slip' and take a print of the same (if required).</p> <p>For further clarifications please refer to the 'User Manual for e-STDS'.</p>
Q18	Is it compulsory to upload the scroll even if I have not deducted any tax in a certain month?
A18	Yes, you are required to upload the Scroll (i.e. Form 19A) online even if you have not deducted any tax for a certain month. In such case, select the option 'NIL' while uploading Form 19A for the relevant month.
Q20	I furnished the monthly Scroll electronically but did not send the hard copy of it to the STDS Cell at Beliaghata within the stipulated time. What to do now? [Applicable only for Contractees making payment of STDS through Book Transfer].
A20	Send it immediately without further delay. Unless the hardcopy of scroll in Form 19A duly signed in by the DDO is furnished, the Scroll will not be treated a valid one in the eye of law.
Q21	Is there any late fee payable for late submission of the Scroll?
A21	Till date, there is no provision of late fee in respect of STDS.
Q22	Can a scroll be rectified? If yes, within what time?
A22	<p>There are two options for such rectifications:</p> <ol style="list-style-type: none"> 1. Edit: If the related Certificate of deduction in Form 18A has not been generated, you can go to the 'Edit' Option of the executable JAR file of the Form 19A and Edit the same. 2. Revise: If the related Certificate of deduction in Form 18A has already been generated, you can go to the 'Revise' Option of the executable JAR file of the Form 19A and Edit the same. <p>Such revision has to be made within 40 days from the end of the month of deduction. You need to remember that a scroll for a certain month can be revised only ONCE.</p>
Q23	I have uploaded the Scroll in Form 19A but have failed to print the Acknowledgement page. Can I obtain it now?
A23	<p>Yes. Simply follow these steps:</p> <p>Step1: Visit our website: http://wbcomtax.nic.in.</p> <p>Step 2: Look for the link 'e-STDS'.</p> <p>Step 3: Log in with the User ID & Password generated by you.</p> <p>Step 4: Click on the link 'Upload Form 19A'</p> <p>Step 5: Click on the Link 'Print Acknowledgement Slip' at the bottom.</p> <p>Step 6: Provide the applicable Month of Deduction.</p> <p>Step 7: The Acknowledgment Page will be generated. Take a print out.</p>
Q24	I have forgotten/lost my user id/password. What to do now?

A24	The DDO will have to apply for a duplicate user id/password either online or by sending a hard copy of an application.
Q25	How to generate/issue a certificate of deduction to the contractor?
A25	<p>First upload the Scroll (i.e. Form 19A) online following the procedures as referred to in Question No. 18. Then take a print out and check for any error therein. Make sure that the information as uploaded is all correct. <u>Then generate Certificate of Deduction in Form 18A through our online system.</u></p> <p style="text-align: center;">For further clarifications please refer to the 'User Manual for e-STDS'.</p> <p>Please remember, unless you upload such scroll correctly, you will not be able to generate and issue any certificate of such deduction to the contractor, as the data of such scroll is automatically linked online with the generation of such Certificates.</p>
Q26	When such Certificates in Form 18A are to be generated and when those have to be issued to the Contractors?
A26	Since the data of a scroll in Form 19A is automatically linked online with the generation of Certificates in Form 18A, you can generate such Certificates after you have successfully uploaded your Form 19A for a particular month. Such Certificates have to be generated and handed over to the respective Contractors within twenty five (25) days from the end of month of deduction.
Q27	How to rectify any typographical error detected in the Certificate generated/issued in Form 18A?
A27	<p>Any mistake in the Certificate generated in Form 18A indicates that such data was wrongly entered in the uploaded scroll in Form 19A itself, which thus has to be rectified. In our system, Form 19A (i.e. Scroll) <u>can be revised electronically</u> using the procedure as stated for submission of original Scroll, where you are provided with 02 (two) options:</p> <p>(i) Revise: If the Certificates of deduction in Form 18A have already been generated Such revision has to be made within 40 days. [refer to Question No. 22]</p> <p>(ii) Edit: If the Certificates of deduction in Form 18A have not been generated.</p> <p>Please remember, since a Scroll can be revised only ONCE, one needs to check all the data of the original Scroll thoroughly before proceeding for submission of the revised Scroll.</p>
Q28	I rectified the mistake manually in the certificate issued to the contractor and put my signature thereon with the official stamp, but the contractor is not willing to accept it. What I need to do?
A28	Form 18A can be generated online only after submission of the Scroll i.e. Form 19A. If any mistake is detected in Form 19A, the same need to be revised and the revised Form 18A generated has to be handed over to the contractor. <u>Under no circumstances any manual correction should be done as the same shall not be acceptable by the appropriate authority under the W.B.V.A.T. Act, 2003.</u>
Q29	Can I make the STDS payment online?
A29	Yes, it can be made online through GRIPS. Refer to Question No. 6 in this matter. For further details please refer to Trade Circular No. 12/2014 dated 11.08.2014 available at http://wbcomtax.nic.in/Circulars/t_circular.htm .
Q30	I went to deposit the amount of STDS deducted in pink coloured Challan but the bank refused to accept it and told me to generate OTC Challan through GRIPS. I heard that w.e.f. 01.10.2014 STDS cannot be paid through the pink coloured manual Challan. If yes, then what procedure I have to adopt assuming I don't have any electronic banking facility to the

	bank account?
A30	With reference to Question Nos. 6 & 29 above, all payments of tax including STDS under WBVAT, etc has to be mandatorily made through GRIPS w.e.f. 01.10.2014. In case you do not have any net-banking facility, generate the OTC Challan through GRIPS and then you can deposit such STDS at the scheduled banks following the procedure mentioned in Question No. 9.
Q31	I have been transferred and in my place now Mr. X will function as DDO. What do I have to do?
A31	Write or mail to STDS Cell at stds.comtax@gmail.com informing about the change as stated with the necessary proof(s) for necessary amendments as referred to in Question No. 15.
Q32	Is STDS to be deducted when making any advance payment to the Contractor?
A32	STDS is not to be deducted when any advance payment is made to the contractor <u>prior to the commencement of the works contract</u> as per Section 40 of the WBVAT Act, 2003.
Q33	I deducted STDS of some contractors last year, but have not deposited the same yet. Can I deposit it now? Will there be any penal proceedings for such delay?
A33	You need to deposit it immediately. Please follow the steps stated below: <ol style="list-style-type: none"> 1. Get yourself enrolled [if not already]. Refer to procedure stated in Question 13. 2. Deposit the tax without further delay. Refer to procedure stated in Question 9. <i>For failure to deposit the STDS, the DDO shall become personally responsible, and may be liable to face further proceedings.</i> 3. Upload Form 19A immediately. Refer to procedure stated in Question 17. 4. Write to STDS Cell at stds.comtax@gmail.com clarifying the reasons of the delay. <p><u>Please do remember:</u></p> <ol style="list-style-type: none"> 1. Mention the month of deduction of such STDS clearly in the Form 19A. 2. The month of deduction mentioned in the Challan of tax payment should match with that mentioned in Form 19A. 3. If there is any error, you will not be able to revise your data uploaded in the Form 19A in this case, due to expiry of the prescribed time (i.e. Within 40 days from the end of the month of deduction) for such rectification. So please check the details of the data before uploading.

C. QUESTIONS RELATING TO COLLECTION OF TAX AT SOURCE (in short TCS)

Q1	What is TCS?
A1	The full form of TCS being "TAX COLLECTION AT SOURCE". The important features of it in brief are as follows:-

	<ul style="list-style-type: none"> ❖ This provision applies to ALL Govt. departments and local authorities in the State of West Bengal. ❖ At the time of payment to any supplier of taxable goods (<i>all goods excepting Schedule A goods - list attached as per Annexure A</i>) <u>on or after 01.10.2014</u>, the person responsible for such payment shall collect tax by way of deduction from his payment and deposit it at the Govt. ex-chequer. ❖ For such purpose he will have to enrol himself online, if not already enrolled for STDS. ❖ The rate of deduction of TCS will be the same as that for STDS (as provided in the table below). ❖ The procedure to be followed in respect of such collection and deposit shall be the same as in the case of STDS and as discussed in questions under A and B. ❖ Scroll in Form 19A as being furnished online for STDS shall apply to TCS also. <p>If any Govt. department or local authority is not yet enrolled then it must immediately get itself enrolled through electronic process as given in our website: http://wbcomtax.nic.in.</p> <p style="text-align: center;">For details refer to section 40A of the WBVAT Act, 2003.</p>
Q2	Who is required to deduct TCS and from whom?
A2	This provision applies to ALL Govt. departments and local authorities in the State of West Bengal. Therefore DDO of such Govt. departments / local authorities while making any payment to any <u>SUPPLIER</u> in connection with the purchase of taxable goods from within the State of West Bengal shall have to make deduction of TCS.
Q3	How the TCS amount is to be deposited?
A3	The manner of depositing TCS is the same as that of STDS. Again the manner of uploading Scroll (Form-19A) and issuing certificate of deduction(Form-18A) to the supplier from whom TCS has been deducted and deposited is exactly the same as followed for STDS.
Q4	Will the Govt. Department/Local Authority for the purpose of TCS have to apply for separate enrolment?
A4	NO , separate enrolment is NOT required to be taken for TCS. The enrolment no. issued to a Govt. Department/local Authority for STDS will suffice for TCS also. In short, enrolled for STDS means enrolled for TCS and vice versa.
Q5	What is 'CERTIFICATE OF FILING OF RETURN' and what is the role of the DDO in this regard?
A5	With effect from 01/10/2014 a provision of generation and issue of online <u>Certificate of Filing of Return</u> has been introduced. A registered dealer upon online transmission of his return for a quarter shall be able to generate such Certificate from the Directorate's website following the electronic process explained therein. The person responsible for making the payment shall have to call for the said certificate as stated above otherwise the amount of deduction shall have to be made at the rate as applicable to an Un-registered dealer. Remember to call for <u>Certificate of Filing of Return</u> after making the payment of tax on or after <u>01/10/2014</u>
Q6	Will the rate of STDS change w.e.f. 01/10/2014?
A6	The change is with regard to deduction of STDS of a registered dealer who is a VAT

	complier (i.e. return filer) or a VAT non-complier (i.e. return non-filer). Thus, w.e.f. 01/10/2014 the DDO of the Contractee shall have to call for Certificate of Return Filing from the contractor or supplier, as the case may be, and deduct by way of tax, amount of STDS/TCS as explained in the TABLE below -
--	--

TABLE		
Deduction to be made for STDS/TCS w.e.f. 01/10/2014		
(a)	While making payment to registered dealer (contractor/supplier) who furnishes a CERTIFICATE OF FILING OF RETURN [including a registered	3%
(b)	While making payment to registered dealer (contractor/supplier) who does not furnish a CERTIFICATE OF FILING OF RETURN [including a	5%
(c)	Any un-registered dealer or dealer other than those stated in (a) or (b) above	5%

Q7	Will the certificate in Form 18A apply for STDS as well as TCS?
A7	In case where form 18A has been issued by any Govt. Department or local Authority, YES, it shall cover both.
Q8	Will Form 19A have to be furnished for a period during which NO payment for purchase or works contract has been made?
A8	Yes it will have to be furnished. Simply click on the “NIL” button in Form 19A and upload. Take a print copy of it, sign it and send it to STDS Cell.
Q9	Say, in a Govt. Department during a period only works contract was executed but no purchase of taxable goods from any dealer of W.B. made or vice versa, will the concerned
A9	Yes , the Scroll i.e. form 19A covers both works contract on which STDS is applicable and local purchases made from dealers of W.B. on which TCS is applicable. If there is any TDS
Q10	If the DDO is on leave, who else can sign and issue a certificate in Form 18A to a contractor or supplier?
A10	The person who is now responsible for doing his job can sign it provided information about the leave of the DDO has been furnished to STDS Cell with proper order in respect

