

Filing of ST 3 Returns

Workshop on New ST-3 Return

Demonstration of New Service Tax Return

Introduction

- The service provider is required to submit half-yearly returns in Form ST-3 or Form ST-3A (in case of provisional assessment) as the case may be with relevant copies of Form GAR 7, in triplicate by the 25th day of the month following the end of the relevant half-year.
- Subsequently, a modified version of E-format of ST-3 return has been introduced in the ACES website to file the return
- Every assessee registered under Service tax provisions should mandatorily file returns electronically (w.e.f. 1-10-2011)
- It shall be done by logging on to the website: www.aces.gov.in as from 1-10-2011, electronic filing of ST-3 return is mandatory for all classes of Service Tax assessee. Procedure for e-filing of the return as prescribed under C.B.E. & C. Circular No. 956/17/2011-CX., dated 28-9-2011 is as under :-
- Procedure for E-Filing of Return— The assessee can electronically file statutory returns of Service Tax by choosing one of the two facilities being offered by the department at present:
 - a) they can file it online, or
 - b) Download the offline return utilities which can be filled in offline and uploaded to the system through the internet.

Objective of this Session:

- a. Demonstrate the new format of Service Tax Return.
- b. To ensure all the participants of the Seminar would file their ST-3 properly without any discrepancies.
- c. To ensure proper disclosure of Joint charge Service Tax liability in the ST-3 returns.
- d. To avoid any objection / letters from the department for furnishing of details in the ST-3 return.
- e. To avoid filing of Revised ST-3
- f. To update on the due date for filing the ST-3 return for the period October 2012 to March 2013.

Common errors Noted in the ST-3 Return

- a) Non-filing of return for few categories: As per the provisions of Service Tax, assesseees are required to file the Service Tax return for all the categories of Service Tax. But some

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assesseees who are providing multiple services would not file the ST-3 return for few of the Services due to reason that there were no transactions for the return period.

- b) Return filing in wrong category: Some times, the assesseees would file the return in by selecting wrong category of services. Example, return for works contract filed under construction of complex service category.
- c) Saving instead of Submission Return: In ACES filing, first the assessee require to fill the necessary information in the ST-3 return. Later, the ACES ask for confirmation of saving the data. Next step is to submit the ST-3 return. But few assess due to ignorance, would mere save the data in the ACES and they leave ACES website on the assumption that they have filed the return. Actually, mere saving the data is not sufficient for filing the return. The return would be completed when the assessee submits the saved data.
- d) Status of Return: After submission of return in Offline mode, the return filed by the assessee may be filed or it may be rejected. The assessee is required to check the status of ST-3 return after 8 to 10 hours of filing the return. If return is rejected, the assesseeis required to re-submit the return after considering the errors made.
- e) Rejection of Return: In some of thecases the return gets rejected mainly due to challan amount mismatch or due to technical defaults. When thestatus in ACES says “the return is rejected due to the technical error and contact system administrator”, solution to the above problem would be to send a mail to aces.servicedesk@icegate.gov.inand within 2 or 3 days, the return would be accepted. Whereas if the status in ACES says anything other than the one mentioned above, the said rejection would be due to minute differences like challan amount mismatch, a rupees extra or less from the liability etc in filling the information in the return sheet. In order to solve this problem, one has to rectify the error re-upload the return all over again.
- f) Non-disclosure of exemption / abatements in the ST-3 Return: In the ST-3 return, the Assessee's require to disclose total value of service which also includes exemption / abated value of Services. Later, the exempted / abated value of Services is required to be disclosed and the same would be considered before computing the Service Tax. Some Assessee's

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would show only the net amount of Taxable Services in the ST-3 return which results in non-disclosure of exemption / abated portion in the ST-3 return. Showing the exempted value of Services in the ST-3 returns would help the assessee to prove that they have not suppressed the facts to the department.

- g) Difference in closing balance of CENVAT Credit of previous ST-3 return to ST-3 return for the current period.
- h) Non-disclosure of challan numbers in the ST-3 return. Due to this, there is a risk of return being rejected and the department may write a letter to the assessee for clarification.
- i) Non-disclosure of Exemption / Abatement Notification in the ST-3 returns. Due to this, there is a risk of return being rejected.
- j) Non-disclosure of details of Export of Services resulting in denying of refund under Rule 5 of Cenvat Credit rules, 2004 at the first stage.

Tips for filing the ST-3 Return

Sl.No. return	Particulars	Remarks
A1	Original Return	Assessee is required to mention whether the return is original or Revised return
A2	STC Number	Service tax registration number of the assessee, which is the registration no., allotted by the Service tax department which is present in the ST 2 registration certificate. is required to be mentioned
A3	Name of the assessee	This column would be freezed as the said information would be self-generated by the ACES itself.
A4	Financial Year	Financial year to which the return pertains needs to be mentioned in the format required. E.g. 2014-2015

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A5	Return for the period	Period for which the return belongs required to be mentioned i.e. April-September or October to March. For this time it is April 2014 to September 2014.
A6	Large Tax Payers details	If assessee is LTU then he has to select and also required to mention the LTU name from drop down list.
A7	Premises code	Initially when e-filing of ST 3 returns was introduced, there were common errors in keying in the premise code. In order to avoid such error now premise code would be self-generated and the same need not be filled.
A8	Constitution of the assessee	Constitution of the assessee needs to be selected
A9	Taxable service(s) for which is tax is being paid	Assessee is required to mention the category of service under which he is providing service is required to mention. (All services registered with the service tax department irrespective whether amount is nil)
A10	Assessee liable to pay service tax on this taxable service as	
A10.1	Service Provider under Section 68(1)	All Assessee's except those who are liable to pay service tax under reverse charge and joint charge are required select this column
A10.2	Service receiver under Section 68(2)	The assessee who is service receiver and is liable to pay service tax is required to select this column. It covers only reverse charge I.e. import of service excluding the partial reverse charge.
A10.3	Service provider under partial reverse charge under Section 68(2)	The Assessee who is liable to pay service tax under partial reverse charge basis as a service provider such as manpower, security, rent a cab and works contract is required to select this column.
A10.4	Service receiver under partial reverse charge under Section	The Assessee who is liable to pay service tax under partial reverse charge basis as a service receiver such as

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	68(2)	manpower, security, rent a cab and works contract is required to select this column.
A10.5	Percentage of service tax for A10.3 above	The assessee who is liable to pay service tax as a service provider under partial reverse charge basis is required to mention the percentage of service tax he is required to pay. (Dropdown box shall be used)
A10.6	Percentage of service tax for A10.4 above	The assessee who is liable to pay service tax as a service receiver under partial reverse charge basis is required to mention the percentage of service tax he is required to pay (Dropdown box shall be used)
A11	Exemption	In this column the assessee is required to mention whether he is opted for any exemption and also Notification number of that exemption.
A12	Abatement	If assessee is claiming any abatement under Notification 26/2012 dated 20.06.2012 then he required to select this column and also required to mention the above notification number and corresponding Sl.no. of the notification.
A13	Provisional Assessment	If assessee opted for provisional assessment for then he is required to select this column and also required to mention the order number of the provisional assessment.
B	Value of taxable service and service tax payable	
B1.1	Gross amount	In this column the assessee being a service provider is required mention the gross amount for which bills, invoice, challans, invoices or any other documents has been issued related to service provided or to be provided including export and exempted service. But, amounts received in advance and amounts taxable on receipt basis for which bills, invoice or challans have not been raised

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		have to be excluded.
B1.2	Advance received	In this column the assessee is required to mention the amount received as advance but for which bills, invoice or challans have not been raised.
B1.3	Taxable on receipt basis under third proviso to Rule 6(1)	In case of Individual and Partnership firms whose aggregate value of taxable services provided from one or more premises are fifty lakhs rupees or less in the previous financial year the service provider shall have the option to pay service tax on receipt basis up to rupees fifty lakhs in the current financial year. If the assessee comes under the above category then he is required to mention the amount in this column.
B1.4	Bills/ Invoice or challans not been raised	The amount of service provided for which bills, invoice or challans have not been raised is required to mention in this column.
B1.5	Non-monetary consideration	The amount received in non-monetary consideration for service provided is required to mention in this column. The value of such service should be equivalent of money.
B1.6	Partial reverse charge	The assessee who is liable to pay service tax under partial reverse charge is required to mention the amount of service which is liable in this column.
B1.7	Total of Gross amount	Total of all the above amounts shall be the gross amount which will be self-generated.
B1.8	Export of service	Amount which is considered as export of service as per the place of provision of service rules and also Rule 6A of service tax rules is required to be mentioned in this column.
B1.9	Exempted Service	The services which are exempted from payment of service tax by virtue of Notification no.25/2012 are to be considered in this column excluding the export of service

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		as mentioned above.
B1.10	Pure agent service	The amount of service which is considered as provided under pure agent concept as specified in the service tax (determination of value) Rules is required to be mentioned in this column.
B1.11	Abatement amount	The amount which is claimed as abatement as per Notification No.26/2012 is required to be mentioned in this column.
B1.12	Any other Deduction	Apart from above if assessee is claiming any deduction like adjustment of excess amount and all is to be mentioned in this column.
B1.13	Total of all deductions	Total of all deduction from B1.8 to B1.12 would be mentioned in this column which will be self-generated.
B1.14	Net taxable value	After deducting B1.13 from B1.7 assessee will get the Net taxable amount. The said amount will also be self-generated.
B1.15	Advolorem rate	Service tax Advolorem rate is to be mentioned in this column i.e.12%.
B1.16	Specific rate	As per the Rule 6 Service tax Rules in case of certain category of services there is specific rate is applicable if the same is applicable for assessee then he is required to mention that rate.
B1.17	Service tax payable	The amount payable as service tax after applying the Advolorem or specific rate is be mentioned which will be self-generated
B1.18	R & D cess	In case of import of certain software there is levy of Research and Development Cess. If the assessee has been levied such cess then he can take deduction of such cess while making payment of service tax on the same. The

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		same amount of R&D cess is required to be mentioned here.
B1.19	Net Service tax payable	After deducting the R&D cess from the service tax payable net service tax payable will appear.
B1.20	Education Cess	Education Cess on the net service tax payable at the rate of 2% needs to be mentioned will be self-generated.
B1.21	Secondary and Higher Education Cess	Secondary and Higher Education Cess on the net service tax payable at the rate of 1% needs to be mentioned will be self-generated.
B2	Service receiver details	This column contains the same details as mentioned in B1 but the only difference is it is applicable for service receiver.
PART C	Advance payment of service tax	This part contains the amount of service tax paid in advance details. The same needs to be mentioned with the breakup of service tax, Education and SHE cess with corresponding challans details.
PART D	Service tax paid details	
D1	Cash	If service tax is paid using cash then the assessee is required to mention the amount which is paid through cash in this column.
D2	Cenvat Credit	If Assessee is making payment by utilizing the cenvat credit then such amount is required to be mentioned here. In addition to that it is specifically mentioned that this column is not applicable for recipient of service therefore if the assessee is a service receiver then he supposed to pay through cash only.
D3	Adjustment of excess amount	As already mentioned in the PART C if any is paid as an advance then such amount can be utilized for making payment of service tax without any limit as per service tax

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		rules.
D4	Adjustment as per Rule 6(3)	As per Rule 6(3), Service Tax paid on accrual basis but credit note raised subsequently can be adjusted against future payment of Service Tax. Payment made through such adjustments required to be mentioned here.
D5	Adjustment as per Rule 6(4A)	As per rule 6(4A), if the assessee pays the excess amount of Service Tax in the previous month, the same can be adjusted for the current period. Such adjustments required to be mentioned here.
D6	Adjustment as per Rule 6(4C)	As per rule 6(4C), if the assessee pays the Service Tax on Renting of Immovable property without considering the property tax paid, such excess payment can be adjusted for future payments. Such adjustments required to be mentioned here.
D7	Book adjustments by government departments	It is applicable only for governmental departments where there would be option to pay Service tax by book adjustments. Eg: for Indian post dept.
D8	Total tax paid	It is sum total of D1 to D7 which will be self-generated. This amount should match with the total service tax liability of the assessee.
PART E – Education Cess Paid in Cash and Through CENVAT Credit		
E 1	In Cash	Details of Education Paid in Cash for the relevant month to be provided here
E2	By CENVAT Credit (not applicable where the service tax is liable to be paid by the recipient of Service)	Details of Education paid by utilization of CENVAT Credit to be provided here. Further, it says (not applicable where the service tax is liable to be paid by the recipient of Service). This is because, the under Joint & reverse charge mechanism, the Service receiver should require to pay service tax by cash only. Hence, payment by way of

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		CENVAT Credit is not allowed here
E3	By adjustment of amount paid as service tax in advance under Rule 6(1A) of the ST Rules	If the Education Cess requires to be adjusted against the payment made in the previous month, the same requires to be mentioned here.
E4	By adjustment of excess amount paid earlier as service tax and adjusted, by taking credit of such excess service tax paid, in this period under Rule 6(3) of the ST Rules	If the Service Tax has paid in earlier period and credit note has been issued for the same, the same can be adjusted for the current period. These details required to be furnished here.
E5	By adjustment of excess amount paid earlier as service tax and adjusted in this period under Rule 6(4A) of the ST Rules	If any Service Tax has been paid excess under Rule 6(4A) i.e. paying the tax in cash which is more than the liability in the previous period, the same can be adjusted in the current period. Such adjustments required to be furnished here.
E6	By adjustment of excess amount paid earlier as service tax in respect of service of Renting of Immovable Property, on account of non-availment of deduction of property tax paid and adjusted in this period under Rule 6(4C) of the ST Rules	As per Rule 6(4C) excess payment against Renting of Immovable property Service by not considering exemption available for property tax can be adjusted against future payments. Such adjustments required to be disclosed here.
E7	By book adjustment in the case of specified Government departments	This is applicable only for specified government departments for which they can pay the liability through book adjustments
E8	Total Education Cess paid	It is the summary from E1 to E7 which will be self-generated. The said amount should match with education cess liability

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PART F – Secondary & Higher Education Cess Paid in Cash and Through CENVAT Credit		
F1	In Cash	Details of SHE Cess Paid in Cash for the relevant month to be provided here
F2	By CENVAT Credit (not applicable where the service tax is liable to be paid by the recipient of Service)	Details of SHE Cess paid by utilization of CENVAT Credit to be provided here. Further, it says (not applicable where the service tax is liable to be paid by the recipient of Service). This is because, the under Joint & reverse charge mechanism, the Service receiver should require to pay service tax by cash only. Hence, payment by way of CENVAT Credit is not allowed here
F3	By adjustment of amount paid as service tax in advance under Rule 6(1A) of the ST Rules	If the SHE Cess requires to be adjusted against the payment made in the previous month, the same requires to be mentioned here.
F4	By adjustment of excess amount paid earlier as service tax and adjusted, by taking credit of such excess service tax paid, in this period under Rule 6(3) of the ST Rules	If the Service Tax has paid in earlier period and credit note has been issued for the same, the same can be adjusted for the current period. These details required to be furnished here.
F5	By adjustment of excess amount paid earlier as service tax and adjusted in this period under Rule 6(4A) of the ST Rules	If any Service Tax has been paid excess under Rule 6(4A) i.e. paying the tax in cash which is more than the liability in the previous period, the same can be adjusted in the current period. Such adjustments required to be furnished here.
F6	By adjustment of excess amount paid earlier as service tax in respect of service of Renting of Immovable Property, on account of non-availment of deduction of property tax paid and adjusted in this period	As per Rule 6(4C) excess payment against Renting of Immovable property Service by not considering exemption available for property tax can be adjusted against future payments. Such adjustments required to be disclosed here.

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	under Rule 6(4C) of the ST Rules	
F7	By book adjustment in the case of specified Government departments	This is applicable only for specified government departments for which they can pay the liability through book adjustments
F8	Total Secondary & Higher Education Cess paid	It is the summary from E1 to E7 which will be self-generated. The said amount should match with the secondary and higher education cess liability
Part G- Arrears, Interest, Penalty, Any Other Amount etc paid		
G1	Arrears of revenue (Tax amount) paid in cash	The details of Service Tax paid in cash in the current period for the previous periods required to be disclosed here
G2	Arrears of revenue (Tax amount) paid by utilising CENVAT credit	The details of Service Tax paid by way of CENVAT Credit in the current period for the previous periods required to be show here
G3	Arrears of Education Cess paid in cash	The details of Education Cess paid in cash in the current period for the previous periods required to be disclosed here
G4	Arrears of Education Cess paid by utilising CENVAT credit	The details of Education Cess paid by way of CENVAT Credit in the current period for the previous periods required to be show here
G5	Arrears of Secondary & Higher Education Cess paid in cash	The details of SHE Cess paid in cash in the current period for the previous periods required to be disclosed here
G6	Arrears of Secondary & Higher Education Cess paid by utilising CENVAT credit	The details of SHE Cess paid by way of CENVAT Credit in the current period for the previous periods required to be show here
G7	Amount paid in terms of	Payment Service Tax which collected excess than required

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	section 73A of Finance Act, 1994	to be disclosed here
G8	Interest paid (in cash only)	Interest paid in cash to be disclosed here
G9	Penalty paid (in cash only)	Penalty paid in cash to be disclosed here
G10	Amount of Late fee paid, if any.	Penalty paid for delay in filing of return to be disclosed here
G11	Any other amount paid (please specify)	Any other amount other than this requires to be disclosed here
G12	Total payment of arrears, interest, penalty and any other amount, etc. made	It is summary of G1 to G11 which will be self-generated
Part H		
H1	Details of Challan	In this details of challan like Challan number, challan date, and challan amount pertaining to the respective month to be disclosed in that month. Challan numbers will first Bank BSR code, then date of payment in Date/MM/Year form and sl.no.
H2	Source documents details for payments made in advance / adjustment,	In this filed the details of source document number required to be disclosed for making adjustments, advance payments, payment of arrears etc. Source document number is previous ST – 3 return acknowledgement number
Part I – Details of CENVAT Credit		
I1.1	Whether providing any exempted service or non-taxable service ('Y'/'N')	Select Yes/No. Yes if providing any exempted service or non-taxable service
I1.2	Whether manufacturing any exempted excisable goods	Select Yes/No. Yes if manufacturing exempted goods.

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	('Y'/'N')	
I1.3	If reply to any one of the above is 'Y', whether maintaining separate account for receipt or consumption of input service and input goods [refer to Rule 6 (2) of CENVAT Credit Rules, 2004]('Y'/'N')	Select Yes if separate accounts is being maintained
I1.4	If reply to any one of the columns I1.1&I1.2 above is 'Y' and I1.3 is 'N', which option, from the below mentioned options, is being availed under Rule 6(3) of the CENVAT Credit Rules, 2004	Option under Rule 6(3) of the Cenvat Credit Rules, 2004 should be selected here
I1.4.1	Whether paying an amount equal to 6% of the value of the exempted goods and exempted services [refer to Rule 6(3)(i) of CENVAT Credit Rules, 2004]('Y'/'N'); or	Click Yes if opted for this scheme
I1.4.2	Whether paying an amount equivalent to CENVAT Credit attributable to inputs and input services used in or in relation to manufacture of exempted goods or provision of exempted services [refer to Rule 6(3)(ii) of CENVAT Credit Rules, 2004]('Y'/'N');or	Click Yes if opted for this scheme
I1.4.3	Whether maintaining separate	Click Yes if opted for this scheme

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	account for receipt or consumption of input goods, taking CENVAT credit only on inputs (used in or in relation to the manufacture of dutiable final products excluding exempted goods and for the provision of output services excluding exempted services) and paying an amount equivalent to CENVAT Credit attributable to input services used in or in relation to manufacture of exempted goods or provision of exempted services [refer to Rule 6(3)(iii) of CENVAT Credit Rules, 2004]('Y/'N')	
12. Amount payable under rule 6(3) of the CENVAT Credit Rules, 2004.		
12.1	Value of exempted goods cleared	Mention value of exempted goods
12.2	Value of exempted services provided	Mention value of Exemption Service
12.3	Amount paid under Rule 6(3) of CENVAT Credit Rules, 2004, by debiting CENVAT Credit account	Mention amount paid under rule 6(3) by CENVAT Credit
12.4	Amount paid under Rule 6(3) of CENVAT Credit Rules, 2004, by cash	Mention amount paid under rule 6(3) by cash
12.5	Total amount paid under Rule 6(3) of CENVAT Credit Rules,	Mention total amount paid under Rule 6(3) of CENVAT

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	2004	Credit Rules, 2004
I3.1 DETAILS OF CENVAT CREDIT OF SERVICE TAX AND CENTRAL EXCISE DUTY TAKEN AND UTILISATION THEREOF –		
I3.1.1	Opening Balance	Opening balance of CENVAT credit to be mentioned here
I3.1.2	Credit taken	
I3.1.2.1	on inputs	Cenvat Credit availed on Inputs required to be mentioned here
I3.1.2.2	On Capital goods	Cenvat credit availed on Capital goods required to be mentioned here
I3.1.2.3	On Input Services received directly	Cenvat credit availed on Input services required to be mentioned here
I3.1.2.4	As received from Input Service distributor	Cenvat Credit received as a distribution from Input Service distributor require to be mentioned here
I3.1.2.5	From inter unit transfer by a LTU	Cenvat credit received from LTU unit (only applicable for LTU) to be shown here
I3.1.2.6	Any other credit taken (please specify)	Credit taken in any other way required to be taken like missed out credits will be allowed to be taken within a period of six months by writing a letter to the department or availment of excess reversal of credit under Rule 6 of CCR, 2004
I3.1.2.7	Total Credit Taken	Sum of Credit taken which will be self-generated
I3.1.3	Credit utilized	
I3.1.3.1	For payment of Service Tax	Credit utilized for payment of Service Tax required to be mentioned here
I3.1.3.2	For payment of education Cess on a taxable service	Credit utilized for payment of Education cess on service tax required to be mentioned here

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13.1.3.3	for payment of Secondary and Higher Education Cess on taxable services	Credit utilized for payment of SHE Cess of Service Tax required to be mentioned here
13.1.3.4	for payment of excise duty or any other duty	Credit utilized for payment of Excise duty required to be mentioned here
13.1.3.5	towards clearance of input goods and capital goods removed as such or after use	Credit utilized for payment of Cenvat reversal as such as per rule 3 of Cenvat Credit Rules, required to be mentioned here
13.1.3.6	towards inter unit transfer to LTU	Cenvat Credit transferred to inter unit transfer to be mentioned (applicable only for LTU unit)
13.1.3.7	for payment of an amount under rule 6(3) of CENVAT Credit Rules, 2004	Cenvat Credit utilized for payment made under rule 6(3) of CENVAT Credit Rules to be mentioned here.
13.1.3.8	for any other payments/adjustments/reversal (Please specify)	Payment made for any other reasons apart from above required to be mentioned. Eg: Cenvat reversed for wrong availment of Cenvat Credit etc
13.1.3.9	TOTAL CREDIT UTILISED	Total Cenvat Credit utilized which will be self-generated
13.1.4	Closing Balance of CENVAT credit	Closing balance to be mentioned which will be self-generated
13.2 DETAILS OF CENVAT CREDIT OF EDUCATION CESS TAKEN & UTILISATION THEREOF –		
13.2.1	Opening Balance of Education Cess	Closing balance of previous return to be mentioned here
13.2.2	Credit of Education Cess taken	
13.2.2.1	on inputs	E. Cess credit availed on inputs for the current month required to be mentioned here
13.2.2.2	on capital goods	E. Cess credit availed on Capital goods for the current month required to be mentioned here
13.2.2.3	on input services received	E. Cess credit availed on input services for the current

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	directly	month required to be mentioned here
13.2.2.4	as received from Input Service Distributor	E.Cess credit received from Input Service Distributor required to be mentioned here
13.2.2.5	from inter unit transfer by a LTU	E.Cess credit availed from Inter transfer unit required to be mentioned here (It is applicable only for LTU Units)
13.2.2.6	Any other credit taken (please specify)	Any other credit availed required to be mentioned here
13.2.2.7	Total credit of Education Cess taken	Total of the above which will be self-generated
13.2.3	Credit of Education Cess utilised	
13.2.3.1	for payment of Education Cess on goods & services	Credit used for payment of Education Cess on goods and services required to be mentioned here
13.2.3.2	towards payment of Education Cess on clearance of input goods and capital goods removed as such or after use	Credit used for payment of Education Cess on clearance of Input goods and capital goods removed as such should be mentioned here
13.2.3.3	towards inter unit transfer to LTU	Credit transferred to inter unit to be mentioned here(this is applicable only for LTU units)
13.2.3.4	for any other payment/adjustments/ reversal (please specify)	Credit reversed for any other reasons required to be mentioned here
13.2.3.5	Total credit of Education Cess utilised	Total reversal / payment of Education Cess
13.2.4	Closing Balance of Education Cess	Closing balance of Education Cess
13.3 DETAILS OF CENVAT CREDIT OF SECONDARY AND HIGHER EDUCATION CESS TAKEN & UTILISATION THEREOF –		
13.3.1	Opening Balance of SHEC	Closing balance of previous return to be mentioned here

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13.3.2	Credit of SHEC taken	
13.3.2.1	on inputs	She Cess credit availed on inputs for the current month required to be mentioned here
13.3.2.2	on capital goods	She Cess credit availed on Capital goods for the current month required to be mentioned here
13.3.2.3	on input services received directly	She Cess credit availed on input services for the current month required to be mentioned here
13.3.2.4	as received from Input Service Distributor	She Cess credit received from Input Service Distributor required to be mentioned here
13.3.2.5	from inter unit transfer by a LTU	She Cess credit availed from Inter transfer unit required to be mentioned here (It is applicable only for LTU Units)
13.3.2.6	Any other credit taken (please specify)	Any other credit availed required to be mentioned here
13.3.2.7	Total credit of SHEC taken	Total of the above
13.3.3	Credit of SHEC utilised	
13.3.3.1	for payment of SHEC on goods & services	Credit used for payment of She Cess on goods and services required to be mentioned here
13.3.3.2	towards payment of SHEC on clearance of input goods and capital goods removed as such or after use	Credit used for payment of She cess on clearance of Input goods and capital goods removed as such should be mentioned here
13.3.3.3	towards inter unit transfer to LTU	Credit transferred to inter unit to be mentioned here(this is applicable only for LTU units)
13.3.3.4	for any other payments/adjustments/reversal (please specify)	Credit reversed for any other reasons required to be mentioned here
13.3.3.5	Total credit of SHEC utilised	Total reversal / payment of She Cess
13.3.4	Closing Balance of SHEC	Closing balance of She Cess which will be self-generated

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Part J- CREDIT DETAILS FOR INPUT SERVICE DISTRIBUTOR(TO BE FILLED ONLY BY AN INPUT SERVICE DISTRIBUTOR):

J1 DETAILS OF CENVAT CREDIT OF SERVICE TAX & CENTRAL EXCISE DUTY TAKEN AND DISTRIBUTION THEREOF –

J1.1	Opening Balance of CENVAT credit	Opening balance of CENVAT Credit required to be mentioned here
J1.2	Credit taken (for distribution) on input services	Cenvat Credit availed on Input Services for distribution to be mentioned here
J1.3	Credit distributed	Total amount of credit distributed for the month to be mentioned here
J1.4	Credit not eligible for distribution in terms of rule 7(b) of CENVAT Credit Rules, 2004	Credit not eligible as per rule 7(b) of Cenvat Credit Rules, 2004 requires to be mentioned here
J1.5	Closing Balance of CENVAT credit	Closing balance of Cenvat Credit requires to be mentioned here

J2 DETAILS OF CENVAT CREDIT OF EDUCATION CESS TAKEN AND DISTRIBUTION THEREOF

J2.1	Opening balance of CENVAT credit of Education Cess	Opening balance of CENVAT Credit of Education Cess required to be mentioned here
J2.2	Credit of Education Cess taken (for distribution) on input services	Cenvat Credit of Education Cess availed on Input Services for distribution to be mentioned here
J2.3	Credit of Education Cess distributed	Total amount of credit distributed for the month to be mentioned here
J2.4	Credit of Education Cess not eligible for distribution in terms of rule 7(b) of CENVAT Credit Rules, 2004	Credit not eligible as per rule 7(b) of Cenvat Credit Rules, 2004 requires to be mentioned here
J2.5	Closing Balance of CENVAT credit of EC	Closing balance of Cenvat Credit of Education Cess requires to be mentioned here

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J3 DETAILS OF CENVAT CREDIT OF SECONDARY AND HIGHER EDUCATION CESS TAKEN AND DISTRIBUTION THEREOF –		
J3.1	Opening balance of CENVAT credit of SHEC	Opening balance of CENVAT Credit of SHE Cess required to be mentioned here
J3.2	Credit of SHEC taken (for distribution) on input services	Cenvat Credit of SHE Cess availed on Input Services for distribution to be mentioned here
J3.3	Credit of SHEC distributed	Total amount of credit distributed for the month to be mentioned here
J3.4	Credit of SHEC not eligible for distribution in terms of rule 7(b) of CENVAT Credit Rules, 2004	Credit not eligible as per rule 7(b) of Cenvat Credit Rules, 2004 requires to be mentioned here
J3.5	Closing Balance of CENVAT credit of SHEC	Closing balance of Cenvat Credit of SHE Cess requires to be mentioned here
J3.1	Opening balance of CENVAT credit of SHEC	
<p>Part L- Self Assessment Memorandum – In this assessee requires to declare the self-assessment procedure followed, above particulars are in with the records and books maintained, Cenvat credit has been availed properly, interest deposited for the delay payment made, authorized person on behalf of the company for submitting the return. This declaration to be submitted by clicking the spaced provided for this. Further, name of the signatory, date and place should be provided</p>		
<p>Part L- Service Tax Return preparer – If the assessee has taken the help of Service Tax return preparer, the details of this requires to be submitted here.</p>		

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Frequently asked Questions on the New ST-3 Returns

1. I got ST registration on/after 01.07.2012 with the service description, 'Other Than in the Negative List'. Can I file the return now?

Assessee registered / amended their registration on or after 01.07.2012 with the service description, "All Taxable Services – Other than in the Negative List" are required to file amendment to their Registration online by deleting the said description and adding the relevant description(s) of Taxable Services available in the drop-down list in the online Amend ST1 Form. Only after approval of the amendment by departmental officers, these assessee will be able to file their returns for the period from July, 2012 onwards.

2. Are there any built in validations which may result in rejection of return?

Yes. There are a few mandatory validations and if incorrect entries are made, the return would be rejected. Some of them are listed below.

- i. Registration Number does not exist in the database.
 - ii. If a non-LTU assessee selected? Yes? In A6.1.
 - iii. Wrong selection of Constitution resulting in display of payable/paid sheet in quarterly format instead of monthly format and vice versa.
 - iv. Entering text in fields having drop-down values
 - v. Technical Error – tampering of XML file generated before uploading, error at the time of generation of XML files etc.
3. Things to do before the return is filed?
 - a) The version of excel software should be 2003 version and above.
 - b) File compression software like winrar, WinZip.
 - c) Please make sure the system date is correct
 - d) After opening the excel utility, it is required to enable the execution of macros in the sheet.
This enabling of macros vary depending upon the type of excel version we are using.

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4. I am a service provider having previous year taxable turnover Rs. 50 lakhs or less and I am paying service tax in current financial year on receipt basis. How should I disclose my service turnover in the ST3 Returns?

In such a case, value of taxable services of service provider is the amount received by the service provider during the period. It would be sufficient if such receipts are shown in column B.1.3 and there is no need to show total value of billings made during the period.

5. How to Disclose Exported Services Turnover? Query: I am a service provider having export services. How should I disclose my value of taxable services?

Prior to 01.07.2012, export services are taxable but exempted. From 01.07.2012 onwards, export services are not taxable in terms of Place of Provision of Services Rules, 2012. Further for the services provided prior to 01.07.2012, the point of taxation for these services is on receipt basis. So whatever export realizations during current period towards the value of taxable services should also be considered.

The export turnover should contain the following;

- a) Value of export services provided during the period and
- b) Export realizations made during the current period for the services exported during the preceding period.

These details should be mentioned in B1.1

6. I am a service receiver receiving certain taxable services for which I am required to pay entire service tax under reverse charge mechanism. How should I disclose this liability in my service tax return?

Mention that you are paying service tax as a service receiver under partial reverse charge by selecting 'YES' from the drop down menu in column A10.4. Select the specified percentage of turnover on which you are required to pay service tax in column A10.6. In this case, it is to be shown as 100%.

Arrive at total value of the taxable turnover by adding the following items.

- a) The value of services received for which payments are made during the period.

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b) The value of services received during the period for which payments are not made within 6 months from the date of invoice.

After arriving at the value of taxable services as per POT in the above manner, mention this amount in column B2.7. With respect to these services, no other columns (B2.1, B2.2, B2.3, and B2.4) are required to be filled.

7. I am a service provider engaged in providing works contract services. Some of the contracts executed are original works and some are other than original works. The abatement rates are different. How to claim the abatement benefit?

Mention the fact that you have claimed abatement benefit in column A12.1 by selecting 'Yes' from drop down menu. After that add notifications and corresponding serial no's under which abatement is claimed. In the instant case, it is Notification 24/2012-ST.

Subsequently mention value of services to the extent of abatement under column B1.11. This amount is nothing but the sum of the following;

- a) Abatement value at 60% of gross amount charged in case of original works (Taxable value is 40%)
- b) Abatement value at 40% of gross amount charged in case of other than original works (Taxable value 60%)

8. I am a service provider engaged in providing negative list services. Whether I need to mention the value of taxable services under 'payable services' column?

We understand that there is no requirement to disclose other than negative list services. Only requirement is to disclose this part of turnover under I.2.2. Under "CENVAT" sheet for the purpose of Rule 6(3) adjustment.

9. I am a service provider receiving certain amounts from my taxable service receiver as reimbursements and I have charged service tax on the same in the invoices issued by me. How should I disclose these receipts in my ST3 returns? In case I have not charged and paid service tax in view of ambiguity about taxability of these expenses, then how should I disclose these receipts

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These amounts claimed from service receiver as reimbursement expenses. It should be included under gross amount charged in column B1.1. As service tax is collected, there is no need to include the said amount in deductions part. In case if no service tax is collected and paid on reimbursements, then the same should be mentioned under column B1.12 under any other deductions by specifying the nature of deduction

10. I am a service provider paid excess tax in previous month due to mistake in computation which is now adjusted against liability in the current month. How should I reflect this adjustment in ST3 return?

This adjustment is made in accordance with Rule 6(4A) of the Service Tax Rules, 1994. This adjustment is required to be intimated to service tax department in writing. This adjustment should reflect in "Paid Service" Sheet in column D5. The document acknowledgment no/ reference no, date and amount should be given in column H2 of "Challan Service". If no intimation is given previously, then write a letter to Department intimating the same fact to Department before filling the return. Mention that date. It is not possible to claim this benefit without mentioning the source document details

11. I am a service provider paid service tax upon issue of invoice under POT basis. Subsequently, customer renegotiated the invoice amount due to deficient provision of service or any other terms contained in the contract. Revised invoice is given in subsequent month. The excess tax paid as a result of this in the previous month is adjusted against the current month ST liability. How should I reflect this adjustment in ST3 return?

This adjustment should be made in accordance with Rule 6(3) of the Service Tax Rules, 1994. This adjustment should be reflected in the column D4 of "Paid Service". It is not possible to claim this benefit without mentioning the source document details. The source document for such adjustment should be mentioned in column H2 of "Challan Service". It is mentioned in the instructions of CBEC; the source document for this adjustment is the return of the corresponding previous period in which excess payment is made. However we understand in some cases, the month in which excess payments are made as well as the month in which adjustment is made may fall in the present period for which return is filed. In such a case, it would be ideal to give reference to revised & initial invoice or credit notes issued to service

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receivers. Then the fact of such adjustment should be intimated to ST department in writing along with copy of these documents.

12. I am a service provider paying service tax under renting of immovable property services. I have not claimed property tax adjustment for the past periods as I have paid property tax now. Now I am claiming this benefit. How should I make this adjustment?

The adjustment of excess service tax paid in the previous periods/months on account of not claiming municipal taxes deduction benefit can be claimed within one year period after payment of municipal taxes as per Rule 6(4C) of Service Tax Rules, 1994. This adjustment required to be shown in column D6 under "Paid Service" sheet. Further the details of challan/document no of municipal taxes payment receipt along with amount is shown in Column H2 of "Challan Service" sheet.

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Special issues:

1. Whether Service Tax liability can be paid on Import of Services out of CENVAT Credits?
No, after 01-07-2012, there is a specific bar to set off such liability against the CENVAT Credits.
2. Whether Service Tax liability on GTA liability needs to be paid on gross amount charged at 12.36%?
No, the service tax liability to be paid after taking 75% abatement at 12.36%.
3. Whether the liability on tempo hire charges needs to be paid as GTA Service?
There is no need to pay the service tax liability as GTA Service on tempo hire charges.
4. Whether details of exemption claimed for GTA Service where gross amount charged for the transportation of goods on a consignment transported in a single carriage does not exceed one thousand five hundred rupees?
Yes, it can be disclosed as exemption claimed as per the notification no. 25/2012 ST.
5. Whether the revised ST-3 return for 2nd quarter can be filed before due date for the second quarter returns of 30th April 2013?
No, if there are any changes to be done in already uploaded 2nd quarter returns, the amended returns can be filed only after the due date for filing 2nd quarter ST-3 returns. Otherwise it would not get accepted in ACES utility. Further, in ACES Home page it says, we cannot file the revised return from the present Excel utility file and they would release the new Excel utility for the revised return. Until, they release the new file for revised return, assesseees are not able to file the revised return.
As per the provisions of Service Tax, the revised return can be filed within 3 months from the date of filing the original return. Who will be responsible for the lapse of time from the date of the original return and date of release of Excel utility for filing the revised return? Whether ACES would extend due date also for filing the revised return due to the inconvenience from their side?
6. Whether gross amount need to be disclosed by service recipient company while computing service tax liability under joint charge mechanism on works contract service received from an individual contractor?

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There is no need to disclose gross amount. The service tax liability of the recipient company is only 50% of total. Therefore disclose merely 50% of service portion of works contract in ST-3 return at relevant column for disclosing partial reverse charge.

7. Whether break up of opening balance, credits taken, and credits utilized on Cenvat credits of Education Cess and SHE cess need to be disclosed in ST-3 returns?

Yes, same need to be disclosed as separate provision is done for same in return.