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Introduction

This document is intended to help you with questions that you may have for transactions concluded on the Tata nexarc platform.

A few topics covered under are extracts from the standard terms and conditions.

This is not in lieu of the standard terms and conditions or product terms and conditions. Please read this document along with the terms and conditions that you have accepted on the platform.

Questions

1. Who is Tata Business Hub Limited?

Tata Business Hub Limited (TBH or Tata nexarc) owns and manages tatanexarc¹ platform where users and buyers can purchase products and or avail services.

TBH plays the following two roles:

- a) Facilitator/ aggregator/ electronic commerce operator (ECO)² - where the seller of the products is a third-party registered on the platform.
- b) Seller/ service provider – since products or services are sold under the brand name of Tata nexarc.

¹ <https://www.tatanexarc.com/>

² ECO as per section 2(45) of Central Goods and Service Tax Act, 2017. Also please read Section 2(44) of Central Goods and Service Act, 2017 to refer to the definition of electronic commerce.

2. What is the information that is required to be submitted to avail GST credit (if registered under GST³)?

Following is the list of documents that are required to be submitted for availing GST credit:

Sl. no.	Details	Information
1	Legal name	Legal name would be as per statutory documents like PAN, GSTIN, trade license, etc.,
2	PAN	Accurate Business PAN
3	GSTIN	GSTIN where purchase will be consumed (place of consumption).
4	Address	Principal place of business as per GSTIN. Complete address is important (both in case of registered and unregistered buyer as "Place of Supply" is essential for invoice)

3. What are the steps required to be performed during check-out to ensure GSTIN (as and if applicable) appears on the GST invoice?


Following should be adhered to during check out:

STEP 1: Tick the box of 'Select GST Invoice'


STEP 2: Enter the GSTIN on which the GST invoice must be raised⁴

STEP 3: Click on Validate and proceed

Please refer to the image below for reference:



GST

☐ Select GST Invoice 

If you are a GST registered buyer please ensure you tick the box to avail a GST invoice. The onus of entering the correct GSTIN is on the buyer. Invoices once issued will not be rectified.

³ GST – Goods and Services Tax Rules and Laws, 2017 along with circulars, FAQs issued by the government from time to time.

⁴ The onus of entering the correct GSTIN is on the buyer. The invoice will contain the GSTIN shared during checkout. Once the invoice is issued it will not be rectified.

TATA BUSINESS HUB LIMITED
 (CIN) U74999MH2020PLC348224

Registered Office:
 Army and Navy building, 148 MG Road
 opposite Kala Ghoda Fort Mumbai 400001

Phone: 6665 7686 | Facsimile 6665 8080

Email: tatabusinesshub@tata.com

Website: www.tatanexarc.com

4. What is the role of Tata nexarc in relation to an invoice?⁵

When the seller of the product is a third-party seller ⁶	Invoice for the purchase will be facilitated by TBH and issued by the Seller
When TBH is the seller of the product	Invoice will be issued by TBH in the capacity of a seller

5. What is the role of Tata nexarc in relation to GST input tax credit?⁷

Compliance area	When TBH is the seller	When third party is the seller of the product
ITC ⁸ in Form GSTR 2B	The GSTR2B will reflect the invoice details when TBH files the GSTR 1	The GSTR2B will reflect the invoice details when seller files the GSTR 1
In case the required ITC is not reflecting or incorrectly reflecting	TBH will respond to these questions	Seller will be responsible for compliance and TBH does not assist the seller or does not enable seller compliance

6. Will an invoice contain an Invoice Reference Number (IRN) and a Quick Reference Code (QR Code)?

In case a seller has crossed the prescribed threshold as per GST laws then the tax invoice will contain an IRN and QR code.⁹

7. Who is liable to deduct Income Tax TDS¹⁰ and perform TDS compliances under the Income Tax Act, 1961?

Where TBH is the seller of the product	The TDS obligation is on the payer i.e., customer
Where product is being sold by third party	Since supply is being made on the Tata nexarc platform, the onus of deducting the TDS under the Income Tax Act, 1961 lies on TBH and hence TBH will deduct the required TDS for the sale made on the platform. ¹¹

⁵ Applicable for purchases where buyer is GST registered

⁶ Wherever the FAQ mentions that the product is being sold by third party, the answers are applicable in cases where the Tata nexarc platform gives the buy button and allows purchase and payment on the platform

⁷ Applicable for purchases where buyer is GST registered

⁸ ITC – GST Input Tax credit

⁹ The same is applicable when TBH will be required to affix IRN and QR code on the invoice

¹⁰ TDS – Tax deducted at Source

¹¹ TBH to withhold TDS under section 194-O of the Income Tax Act, 1961. (Refer Glossary)

8. What are the important things to note on payment?

Scenario	Where TBH is the seller of the product	Where the product is being sold by third party
Vendor to be created on customer accounting system	TBH	Third party seller
Collection of payment	TBH	TBH
Payment receipt/payment confirmation/ payment summary	TBH	TBH

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opposite Kala Ghoda Fort Mumbai 400001

Phone: 6665 7686 | Facsimile 6665 8080

Email: tatabusinesshub@tata.com

Website: www.tatanexarc.com

Glossary

1. **Section 194-O** of the Income Tax Act, 1961–

194-O. (1) Notwithstanding anything to the contrary contained in any of the provisions of Part B of this Chapter, where sale of goods or provision of services of an e-commerce participant is facilitated by an e-commerce operator through its digital or electronic facility or platform (by whatever name called), such e-commerce operator shall, at the time of credit of amount of sale or services or both to the account of an e-commerce participant or at the time of payment thereof to such e-commerce participant by any mode, whichever is earlier, deduct income-tax at the rate of one per cent of the gross amount of such sales or services or both.

Explanation.—For the purposes of this sub-section, any payment made by a purchaser of goods or recipient of services directly to an e-commerce participant for the sale of goods or provision of services or both, facilitated by an e-commerce operator, shall be deemed to be the amount credited or paid by the e-commerce operator to the e-commerce participant and shall be included in the gross amount of such sale or services for the purpose of deduction of income-tax under this sub-section.

(2) No deduction under sub-section (1) shall be made from any sum credited or paid or likely to be credited or paid during the previous year to the account of an e-commerce participant, being an individual or Hindu undivided family, where the gross amount of such sale or services or both during the previous year does not exceed five lakh rupees and such e-commerce participant has furnished his Permanent Account Number or Aadhaar number to the e-commerce operator.

(3) Notwithstanding anything contained in Part B of this Chapter, a transaction in respect of which tax has been deducted by the e-commerce operator under sub-section (1), or which is not liable to deduction under sub-section (2), shall not be liable to tax deduction at source under any other provision of this Chapter:

Provided that the provisions of this sub-section shall not apply to any amount or aggregate of amounts received or receivable by an e-commerce operator for hosting advertisements or providing any other services which are not in connection with the sale or services referred to in sub-section (1).

(4) If any difficulty arises in giving effect to the provisions of this section, the Board may, with the approval of the Central Government, issue guidelines for the purpose of removing the difficulty.

(5) Every guideline issued by the Board under sub-section (4) shall be laid before each House of Parliament, and shall be binding on the income-tax authorities and on the e-commerce operator.

(6) For the purposes of this section, e-commerce operator shall be deemed to be the person responsible for paying to e-commerce participant.

Explanation.—For the purposes of this section,—

- (a) "electronic commerce" means the supply of goods or services or both, including digital products, over digital or electronic network;
 - (b) "e-commerce operator" means a person who owns, operates or manages digital or electronic facility or platform for electronic commerce;
 - (c) "e-commerce participant" means a person resident in India selling goods or providing services or both, including digital products, through digital or electronic facility or platform for electronic commerce;
 - (d) "services" includes "fees for technical services" and fees for "professional services", as defined in the Explanation to section 194J.
2. **Section 2(44) of the Central Goods and Services Tax Act, 2017:** "electronic commerce" means the supply of goods or services or both, including digital products over digital or electronic network
 3. **Section 2(45) of the Central Goods and Services Tax Act, 2017:** "electronic commerce operator" means any person who owns, operates or manages digital or electronic facility or platform for electronic commerce

Disclaimer

The above questions have been answered with certain assumptions made by TBH. The assumptions/observations/conclusions may or may not universally applicable. You cannot hold TBH responsible or quote these FAQs in any litigation in any court of law.

Version history

Version	Date of release
Version 1	July 2022