

# SKKA IDT ALERT

07/2023 dt 04/04/2023

## WEEKLY UPDATES

The CBIC has issued various notifications implementing the decisions taken in the 49<sup>th</sup> GST Council meeting held on 18.02.2023. The important ones are as below:

1. Time Limit for issuing order under Section 73(10) is further extended as per the below chart vide NOTIFICATION NO. 09/2023–CENTRAL TAX dated 31.03.2023.

| FY      | GSTR 9/9C DUE DATE | EXTENDED SCN ISSUE DATE U/S 73 | EXTENDED ORDER ISSUE DATE U/S 73 | SCN ISSUE DATE U/S 74 | ORDER ISSUE DATE U/S 74 |
|---------|--------------------|--------------------------------|----------------------------------|-----------------------|-------------------------|
| 2017-18 | 07-02-2020         | 30-09-2023                     | 31-12-2023                       | 06-08-2024            | 06-02-2025              |
| 2018-19 | 31-12-2020         | 31-12-2023                     | 31-03-2024                       | 30-06-2025            | 30-12-2025              |
| 2019-20 | 31-03-2021         | 30-03-2024                     | 30-06-2024                       | 30-09-2026            | 30-03-2026              |

**Comments-** *The above extension provided to the department to issue SCN and pass orders under powers conferred by section 168A of the CGST Act, 2017 is completely arbitrary in our view and is bound to be challenged before the High Court in our view.*

2. **Amnesty Scheme for Filing of Final Return Under Form GSTR-10 has been notified** if such return is filed between **01.04.2023 to 30.06.2023** for all assesses who are yet to file the final return after surrender of GSTIN. The actual late fee payable was Rs. 20,000/- which has now been reduced to Rs. 1000/-. **NOTIFICATION NO. 08/2023–CENTRAL TAX dated 31.03.2023.**
3. **Rationalization of late fee for annual return for taxpayers having turnover of upto Rs. 20 crores for FY 22-23 onwards and Amnesty for old GSTR 9 returns** **NOTIFICATION NO. 07/2023–CENTRAL TAX dated 31.03.2023.**

CBIC has rationalised late fee payable for GSTR 9 for FY 22-23 onwards as below:

- a. For assessee having T/o up to Rs. 5 Cr in the relevant FY- Rs. 50/- per day (Rs. 25 CGST and Rs. 25 SGST) subject to a maximum of 0.04% of the turnover in the said State/UT.
- b. For assessee having T/o up from Rs. 5 Cr to Rs. 20 cr. in the relevant FY- Rs. 100/- per day (Rs. 50 CGST and Rs. 50 SGST) subject to a maximum of 0.04% of the turnover in the said State/UT.

**Amnesty for old returns-**

For all Assessee irrespective of t/o the maximum late fee payable u/s 47 of the CGST Act, 2017 for all pending GSTR 9 since 2017-18 would be Rs. 20,000/- per return if filed between **01.04.2023 to 30.06.2023.**

**4. REVOCATION FOR REGISTRATION CANCELLED TILL 31.12.2022 CAN BE FILED TILL 30.06.2023 IRRESPECTIVE OF STAGE OF THE CASE- NOTIFICATION NO. 03/2023-CENTRAL TAX dated 31.03.2023.**

(a) the registered person may apply for revocation of cancellation of such registration upto the 30<sup>th</sup> day of June, 2023.

(b) the application for revocation shall be filed only after furnishing the returns due upto the effective date of cancellation of registration and after payment of any amount due as tax along with any amount payable towards interest, penalty, and late fee in respect of returns.

(c) no further extension of time period for filing application for revocation of cancellation of registration shall be available such cases.

**SKKA COMMENTS:**

*With provision of online compliances and payments, the framework of GST has become more accountable. The one nation, one tax system aims to improve India's competitiveness in global markets. Being GST-compliant, organizations can experience the merits of having a unified tax system and easy input credits. Notwithstanding compliance challenges, it's clear that noncompliance is vastly more expensive and far riskier to an organization.*

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