

Summary of recent GST amendments notified with respect to proposals recommended by GST Council in its 49th Meeting held on 18th February 2023

Amnesty Scheme for Non- Filers

Amnesty Scheme has been introduced for the non-filers which provides for nil / reduced fees if the returns are filed during the period April 1, 2023 to June 30, 2023.

Notification No. Dated 31.03.2023	GST Return Form	Type of Return	Period	Existing Late Fees per Return		Revised Late Fees Per Return	
				Fees (INR)	Maximum Limit (INR)	Late Fees (INR)	Maximum Limit (INR)
02/2023- Central Tax	GSTR-4 (Composition Dealer)	NIL	2017-18 to 2021-22	50 per day	500	NIL	
		Other than NIL			2,000	500	
08/2023- Central Tax	GSTR-10 (Final Return)	NA	Failure 30.06.2023	200 per day	10,000	200 per day	1,000

Amnesty Scheme for Non- Filers and Rationalisation of Late Fees

Amnesty Scheme has been introduced for the non-filers of annual return which provides for reduced fees if the returns are filed during the period April 1, 2023 to June 30, 2023. Further, late fees for annual return have been rationalised for the tax-payers having aggregate turnover upto INR 20 crore in a financial year.

Notification No.	GST Return Form	Period	Turnover	Existing Late Fees per Return		Revised Late Fees Per Return	
				Fees (INR)	Maximum Limit (INR)	Late Fees (INR)	Maximum Limit (INR)
07/2023- Central Tax dated 31.03.2023	GSTR-9 (Annual Return)	2017-18 to 2021-22	Any	200 per day	0.5% of Turnover	20,000	
		2022-23 and onwards	Upto 5 crore			50 per day	0.04% of Turnover
			> 5 crore <= 20 crore			100 per day	
			> 20 crore			200 per day	0.5% of Turnover

Amnesty Scheme for Cancelled GSTINs

(Notification No. 03/2023- Central Tax dated 31.03.2023)

- Amnesty to registered person whose registration has been cancelled on or before December 31, 2022 due to non filing of GST returns & failed to apply for revocation of cancellation within 30 days from date of service of cancellation order.
- The benefit of this extension can also be claimed by those whose appeal against order of cancellation of registration or against order of rejection of application for revocation has been rejected on the ground of failure to adhere to the prescribed time limit for revocation.
- The application for revocation can be filed latest by June 30, 2023 and only after furnishing the returns due upto the effective date of cancellation of registration and after payment of any amount due as tax, interest, penalty and late fee in respect of the such returns.

Amnesty Scheme for Deemed Withdrawal of Best Judgement Assessment Orders

(Notification No. 06/2023- Central Tax dated 31.03.2023)

- Amnesty to registered persons in whose cases best judgement assessment under Section 62 of the CGST Act has been done on or before 28.02.2023 and who have failed to furnish a valid return within a period of 30 days from date of service of assessment order.
- The aforesaid amnesty is applicable irrespective whether or not appeal has been filed or decided against the said assessment order.
- The assessment order would be deemed to be withdrawn if the return is furnished upto June 30, 2023 along with interest and late fees.

Amendment in CGST Rules

(Notification No. 04/2023 & 05/2023 - Central Tax dated 31.03.2023)

- Changes in CGST Rules pertaining to Aadhar authentication and biometric verification of those registered under GST with retrospective effect from 26.12.2022.

Extension of Limitation Period for Passing Orders

(Notification No. 09/2023- Central Tax dated 31.03.2023)

- The time limit for issuance of order under Section 73 of the CGST Act for recovery of tax not paid or short paid or ITC wrongly availed or utilized has been extended which also provides additional time to tax authorities to issue show cause notices. The extended period is set out herein below.

Financial Year	Extended Time to Pass Order	Last Date to Issue SCN under Section 73
2017-18	31.12.2023	30.09.2023
2018-19	31.03.2024	31.12.2023
2019-20	30.06.2024	31.03.2024

Compensation Cess

- Levy of compensation cess based on Retail Sale Price (RSP) notified with effect from April 1, 2023 (Notification No. 01/2023- Compensation Cess dated 31.03.2023)
- Amendment in compensation cess rates on tobacco and pan masala from ad valorem to RSP basis (Notification No. 02/2023- Compensation Cess (Rate) dated 31.03.2023)

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