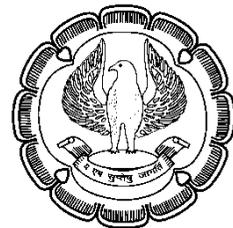


**INTERMEDIATE COURSE**  
**SUPPLEMENTARY STUDY PAPER - 2022**  
**PAPER 4B: INDIRECT TAXES**

*[A discussion on amendments made by the Finance Act, 2021 and Finance Act, 2022 and other important Notifications/ Circulars between 1<sup>st</sup> May, 2021 and 30<sup>th</sup> April, 2022]*

**(Relevant for students appearing in May, 2023 and November, 2023 examinations)**



**BOARD OF STUDIES**  
**THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA**

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## BEFORE WE BEGIN ...

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Taxation is one of the core competence areas of chartered accountants. The subject of "Taxation" at the Intermediate level is divided into two sections, namely, Section A: Income-tax law and Section B: Indirect Taxes. Indirect Taxes, at the Intermediate level, cover goods and services tax (GST), the path breaking indirect tax introduced in India from July 1, 2017.

The nitty-gritties of GST law coupled with its inherent dynamism, makes the learning, understanding and application of the provisions of this law in problem solving very interesting and challenging. GST, at the Intermediate level, involves understanding and application of the select provisions of the GST laws. For attaining this, the students not only have to be thorough with the basic provisions of the relevant law, but also need to constantly update their knowledge pertaining to statutory developments.

The subject matter of August 2021 Edition of the Study Material of Intermediate Paper 4B: Indirect Taxes is based on the provisions of the CGST Act, 2017 and the IGST Act, 2017 as amended upto 30.04.2021. **The amendments made vide the Finance Act, 2021 and the Finance Act, 2022, and significant notifications and circulars issued between 01.05.2021 and 30.04.2022 in GST laws have been compiled in this Supplementary Study Paper.**

These amendments are very important to the students for updating their knowledge pertaining to the latest statutory developments. **This Supplementary Study Paper is relevant for students appearing in May, 2023 and November, 2023 examinations.**

The Finance Act, 2022 came into force from 30.03.2022 after receiving the assent of the President of India. However, only the amendments made in sections 49 and 50 of the CGST Act, 2017 vide the Finance Act, 2022 became effective till the date of printing of the Supplementary Study Paper. Remaining amendments made in the GST laws vide the Finance Act, 2022 have not yet become effective. Such amendments have been incorporated at the end of each relevant chapter in the form of comparison of the existing provisions<sup>1</sup> with the provisions as amended by

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<sup>1</sup>Provisions existing as on the date when the Supplementary Study Paper was released for printing.

the Finance Act, 2022. Therefore, the applicability or otherwise of such amendments made by the Finance Act, 2022 for May 2023 and/or November 2023 examinations shall be announced by the ICAI only after the same become effective. Once the announcement for applicability of such amendments for examination(s) is made by the ICAI, students should read the amended provisions in place of the related provisions discussed in the Study Material.

*For the ease of reference, the amendments have been grouped into Chapters which correspond with the Chapters of the Study Material.*

*For the sake of brevity, Central Goods and Services Tax, Integrated Goods and Services Tax, Central Goods and Services Tax Act, 2017, Integrated Goods and Services Tax Act, 2017, Central Goods and Services Tax Rules, 2017 and Integrated Goods and Services Tax Rules, 2017 have been referred to as CGST, IGST, CGST Act, IGST Act, CGST Rules and IGST Rules respectively.*

*Unless otherwise specified, the section numbers and rules referred to in the chapters pertain to CGST Act and CGST Rules respectively.*

The amendments made by way of notifications/circulars issued after 30<sup>th</sup> April, 2022 and which are relevant for May, 2023 and November, 2023 examinations will be given in the Statutory Updates for May, 2023 and November, 2023 examinations, respectively.

***Happy Reading and Best Wishes for the forthcoming examinations!***

# SUPPLY UNDER GST



## 1. **Activities/ transactions between a person, other than an individual, and its members/constituents for consideration included in scope of supply [Section 7 and Schedule II to the CGST Act]**

Following amendments have been made by the Finance Act, 2021:

- (i) Earlier, supply of goods by any unincorporated association or body of persons to a member thereof for cash, deferred payment or other valuable consideration, was treated as supply of goods. [Para 7 of Schedule II to the CGST Act]. The said para has been omitted from Schedule II **retrospectively with effect from 01.07.2017**.
- (ii) A new clause (aa) has been inserted in sub-section (1) of section 7 **retrospectively with effect from 01.07.2017**. This includes the following activities/ transactions within the scope of supply:

Activities or transactions, by a person, other than an individual, to its members or constituents or *vice-versa*, for cash, deferred payment or other valuable consideration.

The intent of the above amendment is to put an end to the ambiguity whether activities/transactions involving supply of goods/services, by any person, other than an individual, to its members or *vice-versa* fall within the purview of supply or not. The amendment brings in the certainty that said activities/transactions are covered within the scope of supply under GST and ensures the levy of GST on such activities/transactions.

Further, an explanation has also been inserted to section 7(1)(aa), to clarify that for the purpose of this clause, the person and its members/ constituents shall be deemed to be **two separate persons** and the supply of activities/ transactions *inter se* shall be deemed to take place from one person to another. The clarification provides for a non-obstante clause as it shall have an overriding effect over anything contained in any other law for the time being in force or any judgment, decree or order of any Court, tribunal or authority. This explanation prevents the use of doctrine of mutuality by such person(s) to avoid GST liability<sup>2</sup>.

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<sup>2</sup> *The above amendment, in effect, overrules the judgment of the Hon'ble Supreme Court in State of West Bengal v. Calcutta Club Limited wherein it was held that the transactions between a Club and its members cannot be taxed owing to the doctrine of mutuality, i.e., a person cannot make a profit from himself.*

# CHARGE OF GST



## 1. Manufacturers of fly ash bricks/blocks, building bricks, bricks of fossil meals, earthen/roofing tiles, etc. also ineligible to opt for composition levy

As per section 10(2)(e) read with *Notification No. 14/2019 CT dated 07.03.2019*, manufacturers of following goods cannot opt for composition scheme under section 10(1) and 10(2):

Tariff item, sub-heading, heading or Chapter	Description
2105 00 00	Ice cream and other edible ice, whether or not containing cocoa
2106 90 20	Pan Masala
24	All goods i.e. Tobacco and manufactured tobacco substitutes
2202 1010	Aerated water

**With effect from 01.04.2022**, *Notification No. 14/2019 CT dated 07.03.2019* has been amended to include following items in the above list:

Tariff item, sub-heading, heading or Chapter	Description of goods
6815	Fly ash bricks or fly ash aggregate with 90% or more fly ash content; Fly ash blocks 
6901 00 10	Bricks of fossil meals or similar siliceous earths
6904 10 00	Building bricks 
6905 10 00	Earthen or roofing tiles 

Thus, manufacturers of the above-mentioned goods have become ineligible to opt for composition levy under section 10(1) and 10(2).

***[Notification No. 04/2022 CT dated 31.03.2022]***

# EXEMPTIONS FROM GST



## 1. Amendments in the services exempted from GST

Notification no. 12/2017 CT(R) dated 28.06.2017 provides list of services exempted from CGST. Parallel exemptions from IGST have been granted to inter-State supply of services vide Notification No. 9/2017 IT(R) dated 28.06.2017.

The amendments in the list of exempted services have been highlighted in bold/in strikethrough form, hereunder:

### (i) Amendment in the existing exemptions

Following existing exemptions have been amended:

Sl. No. <sup>3</sup>	Description of services	Effective from
3	Pure services (excluding works contract service or other composite supplies involving supply of any goods) provided to the Central Government, State Government or Union territory or local authority <del>or a Governmental authority or a Government Entity</del>	01.01.2022

<sup>3</sup>Entry Nos. mentioned herein correspond to entries in Notification No. 12/2017 CT (R) dated 28.06.2017. However, these entry numbers have been given only for reference purposes and are not relevant for examination purpose.

	by way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution.	
<b>3A</b>	Composite supply of goods and services in which the value of supply of goods constitutes not more than 25% of the value of the said composite supply provided to the Central Government, State Government or Union territory or local authority <del>or a Governmental authority or a Government Entity</del> by way of any activity in relation to any function entrusted to a Panchayat under article 243G of the Constitution or in relation to any function entrusted to a Municipality under article 243W of the Constitution.	01.01.2022
<b>15</b>	<p>Transport of passengers, with or without accompanied belongings, by –</p> <p>(a) air, embarking from or terminating in an airport located in the state of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim, or Tripura or at Bagdogra located in West Bengal;</p> <p>(b) non-air conditioned contract carriage other than radio taxi, for transportation of passengers, excluding tourism, conducted tour, charter or hire; or</p> <p>(c) stage carriage other than air-conditioned stage carriage</p> <p><b>However, nothing contained in items (b) and (c) above shall apply to services supplied through an electronic commerce operator (ECO), and notified under section 9(5) of the CGST, 2017.</b></p>	01.01.2022

	<p><i>Services notified under section 9(5) are the services by way of transportation of passengers by a radio-taxi, motorcab, maxicab, motor cycle, omnibus or any other motor vehicle, supplied through ECO. In such a case, the tax on supplies of such services shall be paid by the ECO.</i></p> <p>In other words, in case where services of transport of passengers, by non-air conditioned contract carriage other than radio taxi excluding tourism, conducted tour, charter or hire or by non-air conditioned stage carriage, are <b>supplied through ECO</b>, such services are <b>not exempt from GST</b>. Further, tax on such services shall be paid by ECO.</p>	
<p><b>17</b></p>	<p>Service of transportation of passengers, with or without accompanied belongings, by—</p> <p>(a) railways in a class other than— (i) first class; or (ii) an air-conditioned coach;</p> <p>(b) metro, monorail or tramway;</p> <p>(c) inland waterways;</p> <p>(d) public transport, other than predominantly for tourism purpose, in a vessel between places located in India; and</p> <p>(e) metered cabs or auto rickshaws (including e-rickshaws)</p> <p><b>However, nothing contained in item (e) above shall apply to services supplied through an electronic commerce operator (ECO), and notified under section 9(5) of the CGST, 2017.</b></p> <p><i>Services notified under section 9(5) are the services by way of transportation of passengers by a radio-taxi, motorcab, maxicab, motor cycle, omnibus or any other motor vehicle, supplied through ECO. In such a case, the tax on supplies of such services shall be paid by the ECO.</i></p>	<p>01.01.2022</p>

	 <p>In other words, in case where service of transport of passengers by metered cabs or auto rickshaws (including e-rickshaws) are <b>supplied through ECO</b>, such services are <b>not exempt from GST</b>. Further, tax on such services shall be paid by ECO.</p>  	
72	<p>Services provided to the Central Government, State Government, Union territory administration under any training programme for which <b>75% or more of the</b> total expenditure is borne by the Central Government, State Government, Union territory administration.</p>	01.10.2021

**(ii) New exemption introduced**

Following new services have been exempted from GST:

Sl. No. <sup>4</sup>	Description of services	Effective from
61A	<p><b>Services by way of granting National Permit to a goods carriage to operate through-out India/ contiguous States.</b></p> 	01.10.2021

<sup>4</sup>Entry Nos. mentioned herein correspond to entries in Notification No. 12/2017 CT (R) dated 28.06.2017. However, these entry numbers have been given only for reference purposes and are not relevant for examination purpose.

### (iii) Withdrawal of existing exemption

Exemption from GST available to following services has been withdrawn:

Sl. No. <sup>5</sup>	Description of services	Effective from
43	<del>Services of leasing of assets (rolling stock assets including wagons, coaches, locos) by the Indian Railways Finance Corporation to Indian Railways.</del>	01.10.2021

Parallel amendments in exemptions from IGST to inter-State supply of services have been carried out by amending *Notification No. 9/2017 IT(R) dated 28.06.2017*.

***[Notification No. 07/2021 CT(R) dated 30.09.2021, Notification No. 16/2021 CT(R) dated 18.11.2021, Notification No. 16/2021 IT(R) dated 18.11.2021 and Notification No. 07/2021 IT(R) dated 30.09.2021]***

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<sup>5</sup> Entry Nos. mentioned herein correspond to entries in Notification No. 12/2017 CT (R) dated 28.06.2017. However, these entry numbers have been given only for reference purposes and are not relevant for examination purpose.

# INPUT TAX CREDIT



1. **ITC can be availed by the recipients only if the suppliers have uploaded the relevant invoices/debit notes in their GSTR-1/ IFF and such details have been communicated to the recipients in GSTR 2B [Section 16(2) and rule 36(4) amended]**

**With effect from 01.01.2022**, a new clause (aa) has been added to section 16(2) by the Finance Act, 2021 to stipulate a new condition for availment of ITC. It provides that input tax credit in respect of any supply of goods or services or both is available to a registered person only if **the details of the invoice/debit note in respect of said supply has been furnished by the supplier in the statement of outward supplies (GSTR-1) and such details have been communicated to the recipient of such invoice/debit note in the manner specified under section 37.**

Consequently, rule 36(4) has been substituted to give effect to aforesaid amendment. Substituted rule 36(4) reads as follows:

No input tax credit shall be availed by a registered person in respect of invoices or debit notes the details of which are required to be furnished under section 37(1) unless,-

- (a) the details of such invoices or debit notes have been furnished by the supplier in the statement of outward supplies in Form GSTR-1 or using the invoice furnishing facility (IFF); and

- (b) the details of such invoices or debit notes have been communicated to the registered person in Form GSTR-2B under rule 60(7).

Thus, ITC can now be taken only for those invoices/debit notes whose details are reflected in Form GSTR-2B i.e only when the respective suppliers (vendors) have filed the details of such invoices in their Form GSTR-1. Earlier, ITC, in respect of invoices/debit notes not uploaded by the suppliers in their Form GSTR-1s/IFF, could be availed upto 5% of the eligible credit available in respect of invoices/debit notes the details of which had been furnished by the suppliers in their Form GSTR-1s/ using IFF.

**[Notification No. 40/2021 CT dated 29.12.2021]**

### **AMENDMENTS MADE VIDE THE FINANCE ACT, 2022**

In the table given below, the existing provisions<sup>6</sup> of section 16(2) and 16(4) of the CGST Act are compared with the provisions as amended by the Finance Act, 2022. It is important to note that the below mentioned amendments have not been effective till the time when the Supplementary Study Paper was released for printing.

<b>Section No.</b>	<b>Existing provisions</b>	<b>Provisions as amended by the Finance Act, 2022</b>	<b>Remarks</b>
<b>16(2)</b>	Notwithstanding anything contained in this section, no registered person shall be entitled to the credit of any input tax in respect of any supply of goods or services or both to him unless,-	Notwithstanding anything contained in this section, no registered person shall be entitled to the credit of any input tax in respect of any supply of goods or services or both to him unless,-	A new clause (ba) to sub-section (2) of section 16 of the CGST Act is to be inserted to provide that ITC with respect to a supply can be availed only if such credit has not been restricted

<sup>6</sup> Provisions existing at the time of printing of this Supplementary Study Paper.



<p><b>16(4)</b></p>	<p>A registered person shall not be entitled to take input tax credit in respect of any invoice or debit note for supply of goods or services or both after the <b><i>due date of furnishing of the return under section 39 for the month of September</i></b> following the end of financial year to which such invoice or debit note pertains or furnishing of the relevant annual return, whichever is earlier.</p>	<p>A registered person shall not be entitled to take input tax credit in respect of any invoice or debit note for supply of goods or services or both after the <b><i>30<sup>th</sup> day of November</i></b> following the end of financial year to which such invoice or debit note pertains or furnishing of the relevant annual return, whichever is earlier.</p>	<p>Sub-section (4) of section 16 of the CGST Act is to be amended so as to provide for an extended time for availment of ITC by a registered person in respect of any invoice or debit note pertaining to a financial year.</p>
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# REGISTRATION



## 1. Aadhaar authentication mandatory for existing registered person [New rule 10B]

Lately Aadhaar authentication has been made mandatory for the new registrants as well as for the existing registrants. With regard to existing registrants, section 25(6A) stipulates that every registered person shall undergo authentication, or furnish proof of possession of Aadhaar number, in the prescribed form, manner and time. New rule 10B prescribes the manner in which aadhaar authentication needs to be done by a registered person.



A registered person, who has been issued a certificate of registration under GST, shall undergo authentication of the Aadhaar number of:-

- Proprietor, in the case of proprietorship firm,
  - Any partner, in the case of a partnership firm,
  - Karta, in the case of a Hindu undivided family,
  - Managing director or any whole-time director, in the case of a company,
  - Any of the Members of the Managing Committee of an Association of persons or body of individuals or a Society, or
  - Trustee in the Board of Trustees, in the case of a Trust;
- and of the Authorized Signatory,

in order to be eligible for the following purposes:

- ✓ for filing of application for revocation of cancellation of registration [Rule 23]
- ✓ for filing of refund application in Form RFD-01 [Rule 89]
- ✓ for refund of the IGST paid on goods exported out of India [Rule 96]

Consequential amendments by virtue of insertion of rule 10B have been made in rule 23(1) (revocation of cancellation of registration), in rule 89(1) (application for refund of tax, interest, penalty, fees or any other amount), and in rule 96(1) (refund of integrated tax paid on goods or services exported out of India).

First proviso to section 25(6A) provides that if an Aadhaar number is not assigned to an existing registered person, such person shall be offered alternate and viable means of identification in the prescribed manner. Such manner has been prescribed by rule 10B as follows:

If Aadhaar number has not been assigned to the person required to undergo authentication of the Aadhaar number, such person shall furnish the following identification documents, namely: –

- (a) his/ her Aadhaar Enrolment ID slip; and
- (b) (i) Bank passbook with photograph; or  
(ii) Voter identity card issued by the Election Commission of India; or  
(iii) Passport; or  
(iv) Driving license issued by the Licensing Authority

However, once Aadhaar number is allotted to such person, he shall undergo the authentication of Aadhaar number within a period of 30 days of the allotment of the Aadhaar number.

The afore-said rule 10B shall not be applicable to persons notified under section 25(6D), i.e. to persons exempt from aadhaar authentication.

***[Notification No. 35/2021 CT dated 24.09.2021 & Notification No. 38/2021 CT dated 21.12.2021]***

***[Effective from 01.01.2022]***

**2. Enhanced threshold limit of ₹ 40 lakh for registration available to persons exclusively engaged in making supplies of goods not applicable to suppliers of fly ash bricks/blocks, building bricks, bricks of fossil meals, earthen/roofing tiles, etc.**

*Notification No. 10/2019 CT dated 07.03.2019* exempts any person who is engaged exclusively in intra-State supply of goods and whose aggregate turnover in a financial year does not exceed ₹ 40 lakh, from obtaining the registration.

However, the persons engaged in making following supplies are not eligible for said exemption:

<b>Tariff item, sub-heading, heading or Chapter</b>	<b>Description of goods</b>
<b>2105 00 00</b>	Ice cream and other edible ice, whether or not containing cocoa
<b>2106 90 20</b>	Pan masala
<b>24</b>	All goods, i.e. Tobacco and manufactured tobacco substitutes

**With effect from 01.04.2022**, persons engaged in making supplies of following goods will also not be eligible to avail benefit of said exemption from registration even if they are engaged exclusively in intra-State supply of goods and their aggregate turnover in a financial year is upto ₹ 40 lakh:

<b>Tariff item, sub-heading, heading or Chapter</b>	<b>Description of goods</b>
<b>6815</b>	Fly ash bricks or fly ash aggregate with 90% or more fly ash content; Fly ash blocks
<b>6901 00 10</b>	Bricks of fossil meals or similar siliceous earths

6904 10 00	Building bricks
6905 10 00	Earthen or roofing tiles

**[Notification No. 03/2022 CT dated 31.03.2022]**

**3. Extension of time-limit for filing application for revocation of cancellation of registration by a registered person permitted beyond the stipulated time [Rule 23]**

**With effect from 01.01.2021**, proviso to section 30(1) was substituted by the Finance Act, 2020 to permit the extension of time-limit for filing application for revocation of cancellation of registration by a registered person. It stipulated that the time period prescribed for filing of application for revocation of cancellation of registration, (*viz.*, 30 days from the date of service of the order of cancellation of registration), may, on sufficient cause being shown, and for reasons to be recorded in writing, be extended—

- (a) by the Additional Commissioner or the Joint Commissioner, as the case may be, for a period not exceeding 30 days;
- (b) by the Commissioner, for a further period not exceeding 30 days, beyond the period specified in clause (a).

In view of the above amendment, rule 23(1) has been suitably amended to give effect to aforesaid amendment. Amended rule 23(1) reads as follows:

A registered person, whose registration is cancelled by the proper officer on his own motion, **may subject to provisions of rule 10B** submit an application for revocation of cancellation of registration, in prescribed form, to such proper officer, within a period of 30 days from the date of the service of the order of cancellation of registration **or within such time period as extended by the Additional Commissioner or the Joint Commissioner or the Commissioner, as the case may be, in exercise of the powers provided under the proviso to section 30(1)**, at the common portal, either directly or through a Facilitation Centre notified by the Commissioner.

**[Notification No. 15/2021 CT dated 18.05.2021]**

## AMENDMENTS MADE VIDE THE FINANCE ACT, 2022

In the table given below, the existing provisions<sup>7</sup> of section 29(2) of the CGST Act are compared with the provisions as amended by the Finance Act, 2022. It is important to note that the below mentioned amendments have not been effective till the time when the Supplementary Study Paper was released for printing.

Section No.	Existing provisions	Provisions as amended by the Finance Act, 2022	Remarks
29(2)	<p>The proper officer may cancel the registration of a person from such date, including any retrospective date, as he may deem fit, where,-</p> <p>(a) .....</p> <p>(b) a person paying tax under section 10 has not furnished <b>returns for 3 consecutive tax periods</b>; or</p>	<p>The proper officer may cancel the registration of a person from such date, including any retrospective date, as he may deem fit, where,-</p> <p>(a) .....</p> <p>(b) a person paying tax under section 10 has not furnished <b>the return for a financial year beyond 3 months from the due date of furnishing the said return</b>; or</p>	<p>Clauses (b) and (c) of sub-section (2) of section 29 are to be amended so as to provide that the registration of a person is liable for cancellation, where –</p> <p>(i) a person paying tax under composition scheme has not furnished the return for a financial year beyond 3 months from the due date of furnishing of the said return;</p> <p>(ii) a person, other than those</p>

<sup>7</sup> Provisions existing at the time of printing of this Supplementary Study Paper.

	<p>(c) any registered person, other than a person specified in clause (b), has not furnished returns for <b><i>a continuous period of six months</i></b>; or</p> <p>(d) .....</p> <p>(e) .....</p>	<p>(c) any registered person, other than a person specified in clause (b), has not furnished returns for <b><i>such continuous tax period as may be prescribed</i></b>; or</p> <p>(d) .....</p> <p>(e) .....</p>	<p>paying tax under composition scheme, has not furnished returns for such continuous tax period as may be prescribed.</p>
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# TAX INVOICE; CREDIT AND DEBIT NOTES; E-WAY BILL



## 1. E-invoicing mandatory for all registered businesses with aggregate turnover in any preceding financial year from 2017-18 onwards greater than ₹ 20 crore

With effect from 01.10.2020, e-invoicing was made mandatory for all registered businesses with an aggregate turnover (based on PAN) in any preceding financial year from 2017-18 onwards greater than ₹ 500 crore for issue of all B2B invoices.



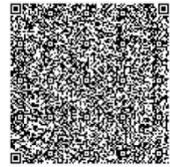
Since then, the threshold limit for issuing the e-invoices is being progressively reduced.

**With effect from 01.04.2022**, such limit has been further reduced to ₹ 20 crore. Thus, e-invoicing has been made mandatory for all registered businesses with an aggregate turnover in any preceding financial year from 2017-18 onwards greater than ₹ 20 crore.

***[Notification No. 01/2022 CT dated 24.02.2022]***



In this regard, **Circular No. 156/12/2021 GST dated 21.06.2021** has clarified that any person, who has obtained a Unique Identity Number (UIN), is not a “registered person” as per the definition of ‘registered person’ provided under section 2(94). Therefore, any invoice, issued to such person having a UIN, shall be considered as **invoice issued for a B2C supply** and shall be required to comply with the requirement of Dynamic QR Code.



#### 4. **E-way bill generation facility to be blocked only in respect of outward movement of goods, by the defaulting registered person [Rule 138E]**

Rule 138E contains provisions pertaining to blocking of e-way bill generation facility, i.e. disabling the generation of e-way bill.



Earlier, a user was not able to generate e-way bill for a GSTIN if the said GSTIN

became ineligible for e-way bill generation in terms of rule 138E. It implies that the GSTINs of such blocked taxpayers could not be used to generate the e-way bills either as supplier (consignor) or as recipient (consignee).

Said rule has been amended to relax such restriction. Henceforth, blocking of GSTIN for e-way bill generation facility is only in respect of any outward movement of goods of the registered person who is ineligible for e-way bill generation as per rule 138E. E-way bills can be generated in respect of inward supplies received by said registered person.



Mr. A, a registered person paying tax under regular scheme in Delhi, has not filed Form GSTR-1 for last 2 months. Mr. B, Haryana, (a regular return filer) wants to generate an e-way bill for goods to be supplied to Mr. A. As per earlier position of law, Mr. B would not have been able to generate e-way bill with Mr. A’s GSTIN.

In terms of the amended position of law, there will be no more restriction in generating e-way bill as Mr. B who is making outward movement of goods is a regular return filer.

Mr. A wants to generate an e-way bill in respect of an outward supply of goods to Mr. H. E-way bill generation is blocked in this case as it's an outward movement of goods of Mr. A who has not filed GSTR-1 for past 2 months.

**[Notification No. 15/2021 CT dated 18.05.2021]**

## AMENDMENTS MADE VIDE THE FINANCE ACT, 2022

In the table given below, the existing provisions<sup>8</sup> of section 34(2) of the CGST Act are compared with the provisions as amended by the Finance Act, 2022. It is important to note that the below mentioned amendments have not been effective till the time when the Supplementary Study Paper was released for printing.

Section No.	Existing provisions	Provisions as amended by the Finance Act, 2022	Remarks
34(2)	Any registered person who issues a credit note in relation to a supply of goods or services or both shall declare the details of such credit note in the return for the month during which such credit note has been issued but not later than <b>September</b> following the end of the financial year in which such supply was made, or the date of furnishing of the relevant annual	Any registered person who issues a credit note in relation to a supply of goods or services or both shall declare the details of such credit note in the return for the month during which such credit note has been issued but not later than <b>30<sup>th</sup> day of November</b> following the end of the financial year in which such supply was made, or the date of furnishing of the	Sub-section (2) of section 34 is to be amended so as to provide for an extended time for issuance of credit notes in respect of any supply made in a financial year upto 30 <sup>th</sup> day of November of the following financial year.

<sup>8</sup> Provisions existing at the time of printing of this Supplementary Study Paper.

	return, whichever is earlier, and the tax liability shall be adjusted in such manner as may be prescribed.	relevant annual return, whichever is earlier, and the tax liability shall be adjusted in such manner as may be prescribed.	
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# PAYMENT OF TAX



## 1. Guidelines for disallowing debit of electronic credit ledger under rule 86A

Rule 86A provides that in certain specified circumstances, Commissioner or an officer authorised by him, not below the rank of Assistant Commissioner, on the basis of **reasonable belief** that ITC available in the electronic credit ledger has been fraudulently availed or is ineligible, may not allow debit of an amount equivalent to such credit in electronic credit ledger. CBIC has issued guidelines for disallowing debit of said amount from electronic credit ledger under rule 86A.

On perusal of rule 86A, it is evident that Commissioner, or an officer authorised by him, not below the rank of Assistant Commissioner, must have "**reasons to believe**" that ITC available in the electronic credit ledger is either ineligible or has been fraudulently availed by the registered person, before disallowing the debit of amount from electronic credit ledger of the said registered person under rule 86A.

The reasons for such belief must be based on one or more following **grounds**:

- ❑ The credit is availed by the registered person on the invoices or debit notes issued by a supplier, who is found to be non-existent or is found not to be conducting any business from the place declared in registration.
- ❑ The credit is availed by the registered person on invoices or debit notes, without actually receiving any goods or services or both.

- ❑ The credit is availed by the registered person on invoices or debit notes, the tax in respect of which has not been paid to the Government.
- ❑ The registered person claiming the credit is found to be non-existent or is found not to be conducting any business from the place declared in registration.
- ❑ The credit is availed by the registered person without having any invoice or debit note or any other valid document for it.

**[CBEC 20/16/05/2021 GST/1552 dated 02/11/2021]**

**2. Transfer of amount allowed from cash ledger under CGST Act of a registered person to cash ledger under IGST Act/SGST Act/UTGST Act/CGST Act of its distinct person. Maximum proportion of output tax liability which may be discharged through electronic credit ledger to be prescribed [Section 49]**

**With effect from 05.07.2022**, following amendments have been carried out by the Finance Act, 2022 in section 49:

Existing provisions	Provisions as amended by the Finance Act, 2022	Remarks
<p><b><u>Section 49</u></b>            (1) .....            (2) The input tax credit as self-assessed in the return of a registered person shall be credited to his electronic credit ledger, in accordance with section 41 <b>or section 43A</b>, to be maintained in such</p>	<p><b><u>Section 49</u></b>            (1) .....            (2) The input tax credit as self-assessed in the return of a registered person shall be credited to his electronic credit ledger, in accordance with section 41 <b>or <del>section 43A</del></b>, to be maintained in such</p>	<p>Section 49 has been amended so as to:            (i) provide for prescribing restrictions for utilizing the amount available in the electronic credit ledger;            (ii) allow transfer of amount</p>

<p>manner as may be prescribed.</p> <p>(3) .....</p> <p>(4) The amount available in the electronic credit ledger may be used for making any payment towards output tax under this Act or under the Integrated Goods and Services Tax Act in such manner and subject to such conditions within such time as may be prescribed.</p> <p>(5) .....</p> <p>(6) .....</p> <p>(7) .....</p> <p>(8) .....</p> <p>(9) .....</p> <p><b>(10) A registered person may, on the common portal, transfer any amount of tax, interest, penalty, fee or any other amount available in the electronic cash ledger under this Act, to the</b></p>	<p>manner as may be prescribed.</p> <p>(3) .....</p> <p>(4) The amount available in the electronic credit ledger may be used for making any payment towards output tax under this Act or under the Integrated Goods and Services Tax Act in such manner and subject to such conditions <b>and restrictions</b> within such time as may be prescribed.</p> <p>(5) .....</p> <p>(6) .....</p> <p>(7) .....</p> <p>(8) .....</p> <p>(9) .....</p> <p><b>(10) A registered person may, on the common portal, transfer any amount of tax, interest, penalty, fee or any other amount available in the electronic cash ledger under this Act, to the</b></p>	<p>available in electronic cash ledger under the CGST Act of a registered person to the electronic cash ledger under the said Act or the IGST Act of a distinct person;</p> <p>(iii) provide for prescribing the maximum proportion of output tax liability which may be discharged through the electronic credit ledger.</p>
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**electronic cash ledger for integrated tax, central tax, State tax, Union territory tax or cess, in such form and manner and subject to such conditions and restrictions as may be prescribed and such transfer shall be deemed to be a refund from the electronic cash ledger under this Act.**

**electronic cash ledger for,—**

- (a) integrated tax, central tax, State tax, Union territory tax or cess; or**
- (b) integrated tax or central tax of a distinct person as specified in sub-section (4) or, as the case may be, sub-section (5) of section 25, in such form and manner and subject to such conditions and restrictions as may be prescribed and such transfer shall be deemed to be a refund from the**

<p>(11) .....</p>	<p><b>electronic cash ledger under this Act:</b></p> <p><b>Provided that no such transfer under clause (b) shall be allowed if the said registered person has any unpaid liability in his electronic liability register.</b></p> <p>(11) .....</p> <p><b>(12) Notwithstanding anything contained in this Act, the Government may, on the recommendations of the Council, subject to such conditions and restrictions, specify such maximum proportion of output tax liability under this Act or under the IGST Act, 2017 which may be</b></p>	
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	<p><i>discharged through the electronic credit ledger by a registered person or a class of registered persons, as may be prescribed.</i></p>	
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**3. Levy of interest on ITC wrongly availed and utilized [Section 50]**

**With effect from 05.07.2022**, following amendments have been carried out by the Finance Act, 2022 in section 50:

Existing provisions	Provisions as amended by the Finance Act, 2022	Remarks
<p><b><u>Section 50</u></b>            (1) .....            (2) .....  <b>(3) A taxable person who makes an undue or excess claim of input tax credit under sub-section (10) of section 42 or undue or excess reduction in output tax liability under</b></p>	<p><b><u>Section 50<sup>9</sup></u></b>            (1) .....            (2) .....  <b>(3) Where the input tax credit has been wrongly availed and utilised, the registered person shall pay interest on such input tax credit wrongly availed and utilised, at such</b></p>	<p>Sub-section (3) of section 50 has been substituted retrospectively, <b>with effect from 1<sup>st</sup> July, 2017</b>, so as to provide for levy of interest on input tax credit wrongly availed and utilized.</p>

<sup>9</sup> *It is important to note that the said amendment is deemed to have been inserted with effect from 01.07.2017.*

<p><i>sub-section (10) of section 43, shall pay interest on such undue or excess claim or on such undue or excess reduction, as the case may be, at such rate not exceeding 24%, as may be notified by the Government on the recommendations of the Council.</i></p>	<p><i>rate not exceeding 24% as may be notified by the Government, on the recommendations of the Council, and the interest shall be calculated, in such manner as may be prescribed.</i></p>	
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# RETURNS



## 1. Maximum late fees payable under section 47 for delayed filing of Forms GSTR-1, GSTR-3B and GSTR-4, rationalized

Section 47 stipulates a specified amount of late fee for delay in filing any of the following by their respective due dates:

- (A) Statement of Outward Supplies [Section 37]
- (B) Returns (including returns under QRMP Scheme) Returns [Section 39]
- (C) Final Return [Section 45]

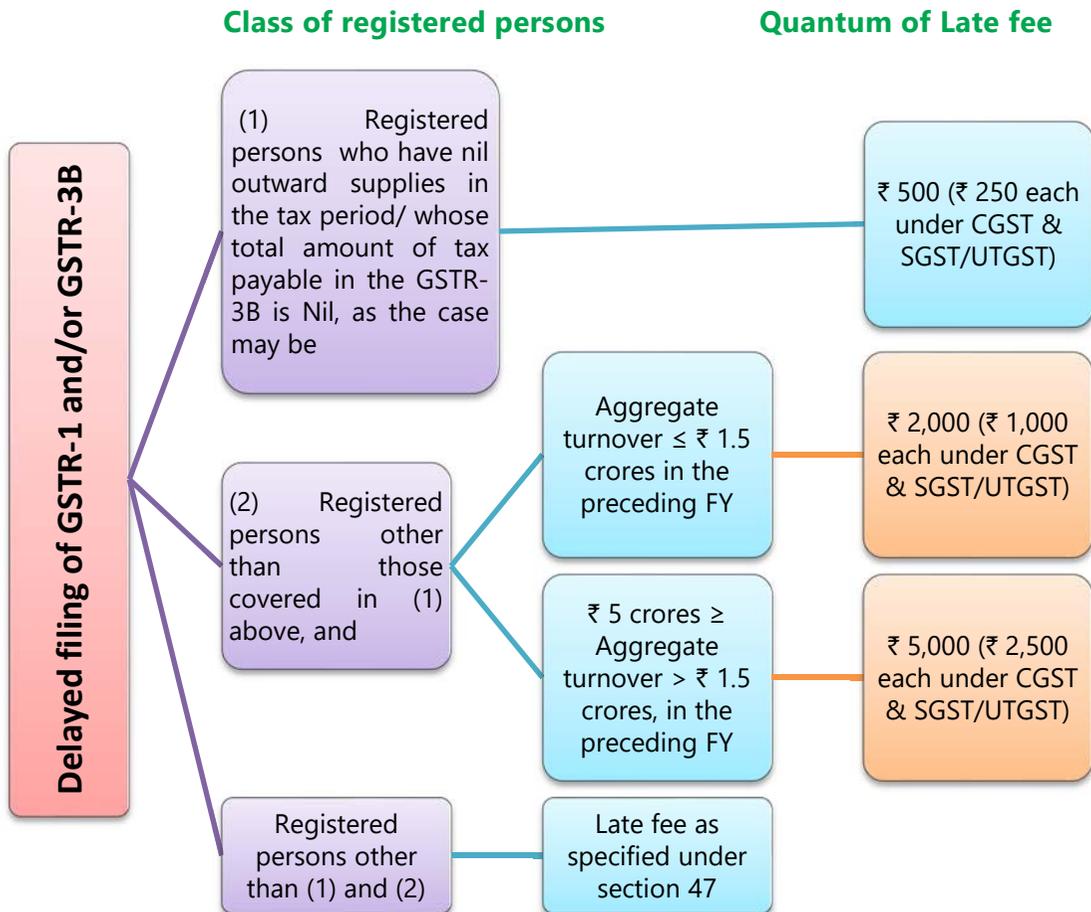
An equal amount of late fee is payable by such person under the respective SGST/UTGST Act as well.

The late fee can be waived off partially or fully by the Central Government. Since the inception of GST law, late fee is being regularly waived off by the Central Government either partially or fully.

From the tax period June, 2021 onwards or quarter ending June, 2021 or FY 2020-21 onwards, as the case may be, late fee for delayed filing of Forms GSTR-1, GSTR-3B and GSTR-4, has been rationalized as follows:

### For delayed filing of GSTR-1 and/or GSTR-3B:-

Total amount of late fee payable under section 47 **from June, 2021 / quarter ending June, 2021 onwards**, by the registered person who fail to furnish Form GSTR-1 and/or Form GSTR-3B by the due date, shall be as follows:



### For delayed filing of GSTR-4:-

Total amount of late fee payable under section 47 **from F.Y. 2021-22 onwards**, by the registered person (composition taxpayer) who fails to furnish Form GSTR-4 by the due date, shall be as follows:



**[Notification Nos 19-22/2021 CT all dated 01.06.2021]**

## **2. Mandatory requirement of submitting reconciliation statement audited by specified professional, done away with [Section 44 substituted]**

**With effect from 01.08.2021**, section 44 has been substituted by the Finance Act, 2021 so as to remove the mandatory requirement of furnishing a reconciliation statement duly audited by specified professional and to provide for filing of the annual return on self-certification basis. It further provides for the Commissioner to exempt a class of taxpayers from the requirement of filing the annual return.

**Substituted section 44** reads as follows:

Every registered person, other than an input service distributor, a person paying tax under section 51 or section 52<sup>10</sup>, a casual taxable person and a non-resident taxable person shall furnish an annual return which may include a self-certified reconciliation statement, reconciling the value of supplies declared in the return furnished for the financial year, with the audited annual financial statement for every financial year electronically, within such time and in such form and in such manner as may be prescribed.

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<sup>10</sup> The concept of input service distributor and provisions of sections 51 and 52 have been discussed in detail at final level.

However, the Commissioner may, on the recommendations of the Council, by notification, exempt any class of registered persons from filing annual return under this section.

Further, nothing contained section 44 shall apply to any department of the Central Government or a State Government or a local authority, whose books of account are subject to audit by the Comptroller and Auditor-General of India, or an auditor appointed for auditing the accounts of local authorities under any law for the time being in force.

## AMENDMENTS MADE VIDE THE FINANCE ACT, 2022

In the table given below, the existing provisions<sup>11</sup> of sections 37, 38, 39, 41, 42, 43, 43A, 47 and 48 of the CGST Act are compared with the provisions as amended by the Finance Act, 2022. It is important to note that the below mentioned amendments have not been effective till the time when the Supplementary Study Paper was released for printing.

Existing provisions	Provisions as amended by the Finance Act, 2022	Remarks
<p><b><u>Section 37</u></b>            (1) Every registered person, other than an Input Service Distributor, a non-resident taxable person and a person paying tax under the provisions of section 10 or section 51 or section 52, shall furnish, electronically</p>	<p><b><u>Section 37</u></b>            (1) Every registered person, other than an Input Service Distributor, a non-resident taxable person and a person paying tax under the provisions of section 10 or section 51 or section 52<sup>12</sup>, shall furnish, electronically</p>	<p>Section 37 is to be amended so as to:            (i) provide for prescribing conditions and restrictions for furnishing the details of outward supply and for communication of the details of</p>

<sup>11</sup> Provisions existing at the time of printing of Supplementary Study Paper.

<sup>12</sup> The concept of input service distributor and provisions of sections 51 and 52 have been discussed in detail at final level.

<p>in such form and manner as may be prescribed, the details of outward supplies of goods or services or both effected during a tax period on or before 10<sup>th</sup> day of the month succeeding the said tax period and such details <b>shall be communicated to the recipient of the said supplies within such time and in such manner as may be prescribed.</b></p> <p><b>Provided that the registered person shall not be allowed to furnish the details of outward supplies during the period from 11<sup>th</sup> day to 15<sup>th</sup> day of the month succeeding the tax period.</b></p>	<p><b>subject to such conditions and restrictions and</b> in such form and manner as may be prescribed, the details of outward supplies of goods or services or both effected during a tax period on or before 10<sup>th</sup> day of the month succeeding the said tax period and such details <b>shall, subject to such conditions and restrictions, within such time and in such manner as may be prescribed, be communicated to the recipient of the said supplies.</b></p> <p><del>Provided that the registered person shall not be allowed to furnish the details of outward supplies during the period from 11<sup>th</sup> day to 15<sup>th</sup> day of the month succeeding the tax period.</del></p>	<p>such outward supplies to concerned recipients;</p> <p>(ii) do away with two-way communication process in return filing;</p> <p>(iii) provide for an extended time upto 13<sup>th</sup> day of November of the following financial year for rectification of errors in respect of details of outward supplies furnished under sub-section (1);</p> <p>(iv) provide for tax period-wise sequential filing of details of outward supplies under sub-section (1).</p>
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<p>Provided <b>further</b> that the Commissioner may, for reasons to be recorded in writing, by notification, extend the time limit for furnishing such details for such class of taxable persons as may be specified therein:</p> <p>Provided <b>also</b> that any extension of time limit notified by the Commissioner of State tax or Commissioner of Union territory tax shall be deemed to be notified by the Commissioner.</p> <p><b>(2) Every registered person who has been communicated the details under sub-section (3) of section 38 or the details pertaining to inward supplies of Input Service Distributor under sub-section (4) of section 38, shall either accept or reject the details so</b></p>	<p>Provided <del><b>further</b></del> that the Commissioner may, for reasons to be recorded in writing, by notification, extend the time limit for furnishing such details for such class of taxable persons as may be specified therein:</p> <p>Provided <b>further</b> that any extension of time limit notified by the Commissioner of State tax or Commissioner of Union territory tax shall be deemed to be notified by the Commissioner.</p> <p><del><b>(2) Every registered person who has been communicated the details under sub-section (3) of section 38 or the details pertaining to inward supplies of Input Service Distributor under sub-section (4) of section 38, shall either accept or reject the details so</b></del></p>	
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**communicated, on or before 17<sup>th</sup> day, but not before 15<sup>th</sup> day, of the month succeeding the tax period and the details furnished by him under sub-section (1) shall stand amended accordingly.**

- (3) Any registered person, who has furnished the details under sub-section (1) for any tax period **and which have remained unmatched under section 42 or section 43**, shall, upon discovery of any error or omission therein, rectify such error or omission in such manner as may be prescribed, and shall pay the tax and interest, if any, in case there is a short payment of tax on account of such error or omission, in the return to be furnished for such tax period:

~~**communicated, on or before 17<sup>th</sup> day, but not before 15<sup>th</sup> day, of the month succeeding the tax period and details furnished by him under sub-section (1) shall stand amended accordingly.**~~

- (3) Any registered person, who has furnished the details under sub-section (1) for any tax period ~~**and which have remained unmatched under section 42 or section 43**~~, shall, upon discovery of any error or omission therein, rectify such error or omission in such manner as may be prescribed, and shall pay the tax and interest, if any, in case there is a short payment of tax on account of such error or omission, in the return to be

<p>Provided that no rectification of error or omission in respect of the details furnished under sub-section (1) shall be allowed after <b>furnishing of the return under section 39 for the month of September</b> following the end of the financial year to which such details pertain, or furnishing of the relevant annual return, whichever is earlier. Provided further that .....</p>	<p>furnished for such tax period:          Provided that no rectification of error or omission in respect of the details furnished under sub-section (1) shall be allowed after <b>30<sup>th</sup> day of November</b> following the end of the financial year to which such details pertain, or furnishing of the relevant annual return, whichever is earlier.          Provided further that .....</p> <p><b>(4) A registered person shall not be allowed to furnish the details of outward supplies under sub-section (1) for a tax period, if the details of outward supplies for any of the previous tax periods has not been furnished by him:          Provided that the Government may,</b></p>	
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	<p><i>on the recommendations of the Council, by notification, subject to such conditions and restrictions as may be specified therein, allow a registered person or a class of registered persons to furnish the details of outward supplies under sub-section (1), even if he has not furnished the details of outward supplies for one or more previous tax periods.</i></p>	
<p><b>Section 38</b> is to be substituted as follows:</p> <p><b>(1) <i>The details of outward supplies furnished by the registered persons under sub-section (1) of section 37 and of such other supplies as may be prescribed, and an auto-generated statement containing the details of input tax credit shall be made available electronically to the recipients of such supplies in such form and manner, within such time, and subject to such conditions and restrictions as may be prescribed.</i></b></p>		<p>Section 38 is to be substituted for prescribing the manner as well as conditions and restrictions for communication of details of inward supplies and input tax credit to the recipient by means of an auto-generated statement and to do</p>

**(2) The auto-generated statement under sub-section (1) shall consist of—**

**(a) details of inward supplies in respect of which credit of input tax may be available to the recipient; and**

**(b) details of supplies in respect of which such credit cannot be availed, whether wholly or partly, by the recipient, on account of the details of the said supplies being furnished under sub-section (1) of section 37,—**

**(i) by any registered person within such period of taking registration as may be prescribed; or**

**(ii) by any registered person, who has defaulted in payment of tax and where such default has continued for such period as may be prescribed; or**

**(iii) by any registered person, the output tax payable by whom in accordance with the statement of outward supplies furnished by him under the said sub-section during such period, as may be prescribed, exceeds the output tax paid by him during the said period by such limit as may be prescribed; or**

**(iv) by any registered person who, during such period as may be**

away with two-way communication process in return filing.

<p><i>prescribed, has availed credit of input tax of an amount that exceeds the credit that can be availed by him in accordance with clause (a), by such limit as may be prescribed; or</i></p> <p><i>(v) by any registered person, who has defaulted in discharging his tax liability in accordance with the provisions of sub-section (12) of section 49 subject to such conditions and restrictions as may be prescribed; or</i></p> <p><i>(vi) by such other class of persons as may be prescribed.</i></p>		
<p><b><u>Section 39</u></b></p> <p>(1) .....</p> <p>(2) .....</p> <p>(3) .....</p> <p>(4) .....</p> <p>(5) .....</p> <p>(6) .....</p> <p>(7) .....</p> <p><b><i>Provided that every registered person furnishing return under the proviso to sub-section (1) shall pay to the Government, the</i></b></p>	<p><b><u>Section 39</u></b></p> <p>(1) .....</p> <p>(2) .....</p> <p>(3) .....</p> <p>(4) .....</p> <p>(5) .....</p> <p>(6) .....</p> <p>(7) .....</p> <p><b><i>Provided that every registered person furnishing return under the proviso to sub-section (1) shall pay to the Government, in</i></b></p>	<p>Section 39 is to be amended so as to:</p> <p>(i) provide an option to the persons furnishing return under proviso to sub-section (1), to pay either the self-assessed tax or an amount that may be prescribed;</p> <p>(ii) provide for an extended time upto 30<sup>th</sup> day</p>

<p><b>tax due taking into account inward and outward supplies of goods or services or both, input tax credit availed, tax payable and such other particulars during a month, in such form and manner, and within such time, as may be prescribed.</b></p>	<p><b>such form and manner, and within such time, as may be prescribed,—</b></p> <p><b>(a) an amount equal to the tax due taking into account inward and outward supplies of goods or services or both, input tax credit availed, tax payable and such other particulars during a month; or</b></p> <p><b>(b) in lieu of the amount referred to in clause (a), an amount determined in such manner and subject to such conditions and restrictions as may be prescribed.</b></p>	<p>of November of the following financial year, for rectification of errors in the return furnished under section 39;</p> <p>(iii) provide for furnishing of details of outward supplies of a tax period under sub-section (1) of section 37 as a condition for furnishing the return under section 39 for the said tax period.</p>
<p>(8) .....</p> <p>(9) <b>Subject to the provisions of sections 37 and 38, if</b> any registered person after furnishing a return under sub-section (1) or sub-section (2) or</p>	<p>(8) .....</p> <p>(9) <b>Where</b> any registered person after furnishing a return under sub-section (1) or sub-section (2) or sub-section (3) or sub-section (4) or sub-</p>	

<p>sub-section (3) or sub-section (4) or sub-section (5) discovers any omission or incorrect particulars therein, other than as a result of scrutiny, audit, inspection or enforcement activity by the tax authorities, he shall rectify such omission or incorrect particulars in the return to be furnished for the month or quarter during which such omission or incorrect particulars in such form and manner as may be prescribed, subject to payment of interest under this Act:</p> <p>Provided that no such rectification of any omission or incorrect particulars shall be allowed after <b><i>the due date for furnishing of return for the month of September or</i></b></p>	<p>section (5) discovers any omission or incorrect particulars therein, other than as a result of scrutiny, audit, inspection or enforcement activity by the tax authorities, he shall rectify such omission or incorrect particulars in the return to be furnished for the month or quarter during which such omission or incorrect particulars in such form and manner as may be prescribed, subject to payment of interest under this Act:</p> <p>Provided that no such rectification of any omission or incorrect particulars shall be allowed after <b><i>30<sup>th</sup> day of November</i></b> following the end of the financial year to which such details</p>	
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<p><b>second quarter</b> following the end of the financial year to which such details pertain, or the actual date of furnishing of relevant annual return, whichever is earlier.</p> <p>(10) A registered person shall not be allowed to furnish a return for a tax period if the return for any of the previous tax periods <b>has not been furnished by him.</b></p>	<p>pertain, or the actual date of furnishing of relevant annual return, whichever is earlier.</p> <p>(10) A registered person shall not be allowed to furnish a return for a tax period if the return for any of the previous tax periods <b>or the details of outward supplies under sub-section (1) of section 37 for the said tax period has not been furnished by him:</b></p> <p><b>Provided that the Government may, on the recommendations of the Council, by notification, subject to such conditions and restrictions as may be specified therein, allow a registered person or a class of</b></p>	
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*registered persons to furnish the return, even if he has not furnished the returns for one or more previous tax periods or has not furnished the details of outward supplies under sub-section (1) of section 37 for the said tax period.*

**Section 41** is to be substituted as follows:

- (1) Every registered person shall, subject to such conditions and restrictions as may be prescribed, be entitled to avail the credit of eligible input tax, as self-assessed, in his return and such amount shall be credited to his electronic credit ledger.**
- (2) The credit of input tax availed by a registered person under sub-section (1) in respect of such supplies of goods or services or both, the tax payable whereon has not been paid by the supplier, shall be reversed along with applicable interest, by the said person in such manner as may be prescribed:**

*Provided that where the said supplier makes payment of the tax payable in respect of the aforesaid supplies, the said registered person may re-avail the amount of credit reversed by him in such manner as may be prescribed.*

Section 41 is to be substituted so as to do away with the concept of "claim" of eligible ITC on a "provisional" basis and to provide for availment of self-assessed ITC subject to such conditions and restrictions as may be prescribed.

**Sections 42, 43 and 43A are to be omitted so as to do away with two-way communication process in return filing.**

<p><b>Section 47</b></p> <p>(1) Any registered person who fails to furnish the details of outward <b>or inward</b> supplies required under section 37 <b>or section 38</b> or returns required under section 39 or section 45 by the due date shall pay a late fee of one hundred rupees for every day during which such failure continues subject to a maximum amount of ₹ 5,000.</p> <p>(2) .....</p>	<p><b>Section 47</b></p> <p>(1) Any registered person who fails to furnish the details of outward <del>or inward</del> supplies required under section 37 <del>or section 38</del> or returns required under section 39 or section 45 <b>or section 52<sup>13</sup></b> by the due date shall pay a late fee of one hundred rupees for every day during which such failure continues subject to a maximum amount of ₹ 5,000.</p> <p>(2) .....</p>	<p>Section 47 is to be amended so as to provide for levy of late fee for delayed filing of return under section 52. Further, reference to section 38 to be removed consequent to the amendment in section 38.</p>
<p><b>Section 48</b></p> <p>(1) .....</p> <p>(2) A registered person may authorise an approved goods and services tax practitioner to furnish the details of outward supplies under section 37, <b>the details of inward supplies</b></p>	<p><b>Section 48</b></p> <p>(1) .....</p> <p>(2) A registered person may authorise an approved goods and services tax practitioner to furnish the details of outward supplies under section 37, <del>the details of inward supplies</del> <b>under</b></p>	<p>Consequent to the amendment in section 38, sub-section (2) of section 48 is to be amended so as to remove reference to section 38 therefrom.</p>

<sup>13</sup> Provisions of section 52 have been discussed in detail at final level.

<p><b><i>under section 38</i></b> and the return under section 39 or section 44 or section 45 and to perform such other functions in such manner as may be prescribed.</p> <p>(3) .....</p>	<p><b><del>section 38</del></b> and the return under section 39 or section 44 or section 45 and to perform such other functions in such manner as may be prescribed.</p> <p>(3) .....</p>	
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