ANALYSIS – ASSESSMENT AND AUDIT

Rule No.	Rule Title	Form No.	Provision	Analysis
1	Provisional Assessment	FORM GST ASMT – 01 to FORM GST ASMT – 09	(1) Every registered person requesting for payment of tax on a provisional basis in accordance with the provisions of subsection (1) of section 60 shall furnish an application in **FORM GST ASMT-01,** along with the documents in support of his request, electronically through the Common Portal, either directly or through a Facilitation Centre notified by the Commissioner. (2) The proper officer may, on receipt of the application under sub-rule (1), issue a notice in **FORM GST ASMT-02** requiring the registered person to appear in person or furnish additional information or documents in support of his request and the applicant shall file a reply to the notice in **FORM GST ASMT – 03.** (3) The proper officer shall issue an order in **FORM GST ASMT-04,** either rejecting the application, stating the grounds for such rejection or allowing payment of tax on provisional basis indicating the value or the rate or both on the basis of which the provisional assessment is to be made and the amount	Detailed procedure for provisional assessment is laid down and forms have been prescribed for furnishing the application, additional details etc as under: **Form** – **Details** **FORM GST ASMT-01** – Application for provisional assessment along with relevant documents to be furnished electronically **FORM GST ASMT-02** – Notice by officer requiring additional details / personal hearing **FORM GST ASMT-03** – Furnishing additional details **FORM GST ASMT-04** – Order of rejection / allow provisional assessment indicating the value, rate at which provisional assessment is to be made and bond amount and the security not exceeding 25% of the bond amount. In case the application is rejected, the grounds for rejection need to be stated.

Rule No.	Rule Title	Form No.	Provision	Analysis	
			for which the bond is to be executed and security to be furnished not exceeding twenty-five per cent. of the amount covered under the bond.	**FORM GST ASMT-05**	Bond to be executed along with security in form of Bank Guarantee
			(4) The registered person shall execute a bond in accordance with the provisions of sub-section (2) of section 60 in **FORM GST ASMT-05** along with a security in the form of a bank guarantee for an amount as determined under sub rule (3): Provided that a bond furnished to the proper officer under the ***Central/State*** Goods and Services Tax Act or Integrated Goods and Services Tax Act shall be deemed to be a bond furnished under the provisions of this Act and the rules made thereunder. *Explanation*.- For the purposes of this rule, the term "amount" shall include the amount of integrated tax, central tax, State tax or Union territory tax and cess payable in respect of such transaction. (5) The proper officer shall issue a notice in **FORM GST ASMT-06**, calling for information and records required for finalization of assessment under sub-section (3) of section 60 and shall issue a final		The Bond amount shall include the amount of integrated tax, central tax, State tax or Union territory tax and cess payable in respect of such transaction
				FORM GST ASMT-06	Notice requiring details for finalisation of assessment
				FORM GST ASMT-07	Final Assessment Order
				FORM GST ASMT-08	Application for release of security
				FORM GST ASMT–09	Order for release of security within a period of seven working days from the date of receipt after confirming receipt of differential payment if any arising out of the final assessment order

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Rule No.	Rule Title	Form No.	Provision	Analysis
			assessment order, specifying the amount payable by the registered person or the amount refundable, if any, in **FORM GST ASMT-07.** (6) The applicant may file an application in **FORM GST ASMT- 08** for release of security furnished under sub-rule (4) after issue of order under sub-rule (5). (7) The proper officer shall release the security furnished under sub-rule (4), after ensuring that the applicant has paid the	
			amount specified in sub-rule (5) and issue an order in **FORM GST ASMT–09** within a period of seven working days from the date of receipt of the application under sub-rule (6).	

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Rule No.	Rule Title	Form No.	Provision	Analysis
2	**Scrutiny of returns**	**FORM GST ASMT-10 to GST ASMT-12**	(1) Where any return furnished by a registered person is selected for scrutiny, the proper officer shall scrutinize the same in accordance with the provisions of section 61 with reference to the information available with him, and in case of any discrepancy, he shall issue a notice to the said person in **FORM GST ASMT-10**, informing him of such discrepancy and seeking his explanation thereto within such time, not exceeding fifteen days from the date of service of the notice, as may be specified in the notice and also quantifying the amount of tax, interest and any other amount payable in relation to such discrepancy. (2) The registered person may accept the discrepancy mentioned in the notice issued under sub-rule (1), and pay the tax, interest and any other amount arising from such discrepancy and inform the same or furnish an explanation for the discrepancy in **FORM GST ASMT-11** to the proper officer. (3) Where the explanation furnished by the taxable person or the information submitted under sub-rule (2) is found to be acceptable, the proper officer shall inform the registered person accordingly in **FORM GST ASMT-12.**	Procedure for communicating the discrepancies in the return and resolving the same is provided for. These specific provisions and forms would enable proper closure of the open issues • The officer scrutinizing the return will issue a notice in **FORM GST ASMT-10** if he observes any discrepancy in the return. • The reply to the notice needs to be given within 15 days of service of notice. • The notice should clearly quantify the amount of tax, interest and any other amount payable • The response to the discrepancy providing the necessary explanations and confirmation w.r.t. payment of tax, interest, etc if the same is payable, needs to be furnished in **FORM GST ASMT-11** • If the officer is satisfied with the response, then he shall inform the same in **FORM GST ASMT-12** indicating the acceptance

ANALYSIS – ASSESSMENT AND AUDIT

<table>
<tr><th>Rule No.</th><th>Rule Title</th><th>Form No.</th><th>Provision</th><th colspan="3">Analysis</th></tr>
<tr><td rowspan="4">3</td><td rowspan="4">Assessment in certain cases</td><td rowspan="4">FORM GST ASMT-13 to GST ASMT-18</td><td rowspan="4">(1) The order of assessment made under subsection (1) of section 62 shall be issued in FORM GST ASMT-13.
(2) The proper officer shall issue a notice to an unregistered taxable person in accordance with the provisions of section 63 in FORM GST ASMT-14 containing the grounds on which the assessment is proposed to be made on best judgment basis and after allowing a time of fifteen days to such person to furnish his reply, if any, pass an order in FORM GST ASMT-15.
(3) The order of summary assessment under sub-section (1) of section 64 shall be issued in FORM GST ASMT-16.
(4) The person referred to in sub-section (2) of section 64 may file an application for withdrawal of the summary assessment order in FORM GST ASMT–17.
(5) The order of withdrawal or, as the case may be, rejection of the application under sub-section (2) of section 64 shall be issued in FORM GST ASMT-18.</td><td>under:</td><td>GST</td><td>for orders of assessment are prescribed as</td></tr>
<tr><td>FORM ASMT-13</td><td></td><td>Order of assessment under sub-section (1) of section 62 i.e. best judgement assessment in scenarios where the registered person fails to furnish return on own or even after issuing notice.

This order is to be issued within a period of 5 years from the date of furnishing of the annual return for the financial year to which the tax not paid relates</td></tr>
<tr><td>FORM ASMT-14</td><td>GST</td><td>Notice to an unregistered taxable person containing the grounds on which the assessment is proposed to be made on best judgment basis</td></tr>
<tr><td>FORM ASMT-15</td><td>GST</td><td>Order w.r.t. assessment of unregistered person after allowing 15 days from issue of notice under FORM GST ASMT-14

This order is to be issued within a period of 5 years from the date of furnishing of the annual return for the financial year to which the tax not paid relates</td></tr>
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				FORM GST ASMT-16	Order of summary assessment under sub-section (1) of section 64 in situations where the proper officer has sufficient grounds to believe that delay in issuing order will adversely impact the revenue due to tax liability of a registered person.
					This order can be issued with previous permission of Additional Commissioner or Joint Commissioner
				FORM GST ASMT-17	Application for withdrawal of the summary assessment order can be made by the registered person within thirty days from the date of receipt of order
				FORM GST ASMT-18	Withdrawal of the summary assessment order / Rejection of application for withdrawal can be made by the Additional Commissioner or Joint Commissioner on application made by the registered person or on his own motion

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4	**Audit**	**FORM GST ADT-01, FORM GST ADT-02**	(1) The period of audit to be conducted under sub-section (1) of section 65 shall be a financial year or multiples thereof. (2) Where it is decided to undertake the audit of a registered person in accordance with the provisions of section 65, the proper officer shall issue a notice in **FORM GST ADT01** within the time specified in sub-section (3) of the said section. (3) The proper officer authorised to conduct audit of the records and books of account of the registered person shall, with the assistance of the team of officers and officials accompanying him, verify the documents on the basis of which the books of account are maintained and the returns	• Period of audit can be a financial year or multiples thereof • Notice for audit shall be issued in **FORM GST ADT-01** atleast 15 days prior to the date of audit • Following shall be verified during audit by the Proper officer and team assigned ✓ Documents relied upon for updating books of accounts and returns and statements furnished under the Act and rules made thereunder ✓ Correctness of the turnover ✓ Exemptions and deductions claimed ✓ Rate of tax applied in respect of supply of goods or services or both ✓ Input tax credit availed and utilized ✓ Refund claimed ✓ Other relevant issues

			and statements furnished under the Act and the rules made thereunder, the correctness of the turnover, exemptions and deductions claimed, the rate of tax applied in respect of supply of goods or services or both, the input tax credit availed and utilized, refund claimed, and other relevant issues and record the observations in his audit notes. (4) The proper officer may inform the registered person of the discrepancies, if any, noticed as observations of the audit and the said person may file his reply and the proper officer shall finalise the findings of the audit after due consideration of the reply furnished. (5) On conclusion of the audit, the proper officer shall inform the findings of audit to the registered person in accordance with the provisions of sub-section (6) of section 65 in **FORM GST ADT-02.**	• Officer shall record the observations in his audit notes and inform the discrepancies to the auditee • The auditee can submit his reply to the observations • Audit findings shall be informed in FORM GST ADT-02 once the audit is concluded
5.	**Special Audit**	**FORM GST ADT-03, FORM GST ADT-04**	(1) Where special audit is required to be conducted under section 66, the officer referred to in the said section shall issue a direction in **FORM GST ADT-03** to the registered person to get his records audited by the chartered accountant or cost accountant specified in the said direction. (2) On conclusion of special audit, the registered person shall be	• Order for getting special audit conducted by chartered accountant or cost accountant shall be issued in **FORM GST ADT-03 by** any officer not below the rank of Assistant Commissioner with the prior approval of the Commissioner, in scenarios where he during any stage of scrutiny, inquiry, investigation or any other proceedings before him, opines that considering it is so necessary considering the nature and complexity of the case and the interest of revenue • The findings of the special audit shall be informed in **FORM GST ADT-04**

			informed of the findings of special audit in **FORM GST ADT04.**	