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No 333 | 23 December 2020

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Indirect Taxes

- **Notifications / Circulars / Press releases / FAQs / Portal Updates / Write-ups by Board "CBIC" and Government.**

❖ **GSTN Webinars**

- **Webinar for taxpayers on Quarterly Return Filing and Monthly Payment of Taxes (QRMP) Scheme on 24, 28 & 29 December.**
  Check this link for more details

- **Webinar on online application by Taxpayers on GST Portal for unblocking E-Way Bill generation facility on 23 and 30 December.**
  Check this link for more details

❖ **Government waived penalty exceeding specified amount for late filing of returns by composition dealers vide Principal Notification 73/2017– Central Tax, dated 29th December 2017. Now some amendments by Notification 93/2020– Central Tax, dated 22nd December 2020.**

4th proviso is added in principal notification
late fee payable for delay in furnishing of FORM GSTR-4 for the Financial Year 2019-20 under section 47 of the said Act, from the 1st day of November 2020 till the 31st day of December 2020 shall stand waived for the registered person whose principal place of business is in the Union Territory of Ladakh.

- **Govt. notifies CGST (14th Amendment) Rules, 2020 vide Notification no. No. 94/2020-Central Tax published in gazette vide no. G.S.R. 786(E) dated 22.12.2020.**

  - **Existing sub rule 4A of Rule 8 substituted with new rule 4A (Effective date will be notified later)**

    For new registration, after submission of Part B of FORM GST REG-01, shall be followed by—
    (a) biometric-based Aadhaar authentication and taking photograph, if he has opted for authentication of Aadhaar number; or
    (b) taking biometric information, photograph, and verification of such other KYC documents, as notified, if he has opted not to get Aadhaar authentication done,
    along with the **verification of the original copy of the documents uploaded with the application in FORM GST REG-01 at one of the Facilitation Centres** notified by the Commissioner for the purpose of this sub-rule and the application shall be deemed to be complete only after completion of the process laid down under this subrule.

  - **Rule 9 amended as below- (effective from 22.12.2020)**
    1) Time limit for approval of registration extended from 3 working days to 7 working days from the date of submission of the application.
    2) When a person fails to undergo authentication of Aadhaar number or proper officer, with the approval of an officer authorised by the Commissioner not below the rank of Assistant Commissioner, deems it fit to carry out physical verification of places of business, the registration shall be granted within 30 days of submission of application, after physical verification of the place of business in the presence of the said person, in the manner provided under rule 25 and verification of such documents as the proper officer may deem fit.

- **Rule 21 amended as below (effective from 22.12.2020).**

  - **Registration will be cancelled in following cases: -**

  1) avails input tax credit in violation of the provisions of section 16 of the Act or the rules made there under; or
  2) Furnishes the details of outward supplies in FORM GSTR-1 under section 37 for one or more tax periods which is in excess of the outward supplies declared by him in his valid return under section 39 for the said tax periods; or
  3) violates the provision of rule 86B.

  - If proper officer has reasons to believe that the registration of a person is liable to be cancelled under section 29 or under rule 21, he may suspend the registration ***without affording the said person a reasonable opportunity of being heard***.

  - If officer find significant differences or anomalies indicating contravention of the provisions of law on comparison of returns furnished u/s 39, registration shall be suspended.

  - A registered person, whose registration has been suspended under sub-rule (1) or (2) or (2A), shall not make any taxable supply during the period of suspension and shall not be required to furnish any return under section 39.

  - after sub-rule (3), following sub-rule inserted-
    Rule (3A). A registered person, whose registration has been suspended under sub-rule (2) or sub-rule (2A), shall not be granted any refund under section 54, during the period of suspension of his registration.

- **Rule 36(4) amended with effect from the 1st day of January 2021.**
  ITC to be availed in respect of invoices or debit notes, the details of which have not been **furnished** by the suppliers' **in FORM GSTR-1 or using the invoice furnishing facility** shall not exceed **5%** the eligible credit available in respect of invoices or debit notes the details of which have been **furnished** by the suppliers **in FORM GSTR-1 or using the invoice furnishing facility.**

- **Rule 59 amended by insertion of new sub rule (5) with effect from 22.12.2020.**
  a) a registered person shall not be allowed to furnish FORM GSTR-1 if he has not furnished GSTR-3B for preceding 2 months.
  b) Quarterly return filer shall not be allowed to furnish details of outward supply in GSTR-1 or using the invoice furnishing facility if he has not furnished GSTR-3B for preceding tax period.
  (c) a registered person, who is restricted from using the amount available in electronic credit ledger to discharge his liability towards tax in excess of 99% of such tax liability under rule 86B, shall not be allowed to furnish the details of outward supplies in FORM GSTR-1 or using the invoice furnishing facility if he has not furnished FORM GSTR-3B for preceding tax period.

- New rule 86B inserted with effect from 01.01.2021 to restrict 99% of output tax liability with ITC where value of taxable supply in a month exceeds Rs. 50 lacs with certain exceptions to specified persons.

- Rule 138(10) amended-
  - Validity of e-way bill for the distance up-to 200 km, 1 day.
  - Validity for distance for every 200 km or part, one additional day.

- New form GST REG-31 notified [Intimation for suspension & notice for cancellation of registration.

Download notification here

- **CBIC's Faceless Assessment for uniform and standardized customs assessment practices.**
  Here is guidebook

Corporate Laws

- **MCA postponed Companies (Auditor's Report) Order, 2020 to 1 April 2021.**
  Notifications here

Insolvency & Bankruptcy

- **Notifications / Circulars / Press releases/ Write-ups by IBBI and Government.**

  - **Govt. suspended initiation of CIRP for further period of three months from the 25th of December 2020.**
    Notification here

SEBI

- **SEBI issued Master Circular on (i) Scheme of Arrangement by Listed Entities and (ii) Relaxation under Sub-rule (7) of rule 19 of the Securities Contracts (Regulation) Rules, 1957.**
  Download here

Economy & Finance

- **US body announces $54 million investment in India to support infrastructure projects.**
  TOI Report

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