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Notices & Replies under GST



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Contents

Chapter 1 Introduction to Notices under Indian GST Law	2
Chapter 2 Legal Framework and Common Scenarios Triggering notices	3
Understanding Notices under 61 in Form GST ASMT-10:	3
Understanding Notices under section 65 in Form GST ADT-01:	6
Understanding Notices under Section 73 & Section 74 in Form GST DRC-1A & DRC-01:	8
Chapter 3 The Art of Effective Drafting.....	13
Understanding the Essence of Drafting	13
Preparing Your Reply to a Show Cause Notice.....	14
Chapter 4 Tips for Effective Drafting.....	16
General tips for response to show cause notices:	16
Do's and don'ts in an extension letter against a notice:	18
Do's and don'ts in a response to DRC-1A:	20
Do's and don'ts in a response to DRC-01:	20
Do's and don'ts in a response to Audit Memo:	21
Chapter 5 Sample Drafts	22
List of Circumstance or allegation in the notice for draft responses.....	22
1. Document Identification number (DIN) missing in the notice.....	23
2. DRC-01A/1 has been issued without ASMT-10.....	23
3. Mismatch in ITC claimed in GSTR-3B and reflected in GSTR-2A	25
4. ITC reversal for commercial credit notes	33
5. Non-payment of taxes on Advances received for supply of goods	36
6. ITC Eligibility on purchase of Test Drive Vehicles.....	36
7. SCN issued under section 74 without proven allegations of fraud or any wilful misstatement or suppression of facts.....	38
8. ITC Eligibility on procurements for Subsequent Supply of Motor Vehicles	43

Chapter 1 Introduction to Notices under Indian GST Law

The implementation of the Goods and Services Tax (GST) in India has undoubtedly been a transformative milestone in the country's tax landscape. It brought about significant changes in the way businesses manage their tax obligations. With the introduction of GST, various indirect taxes that were previously in place were subsumed into a single, comprehensive tax system, which aimed to streamline tax collection and reduce complexities. However, like any tax system, GST is not without its challenges.

The Indian GST regime is governed by a complex set of laws, rules, and regulations. Complying with these laws and regulations is a significant task for businesses of all sizes. Despite the best efforts of taxpayers, there may be instances where they receive notices from the GST authorities. These notices could be a result of discrepancies in return filings, mismatch in tax payments, interpretations adopted by the taxpayer or other compliance-related issues.

Thus, one of the key challenges faced by taxpayers in the GST regime is the issuance and receipt of notices from the tax authorities. Notices are the means by which tax authorities communicate with taxpayers regarding potential discrepancies, issues, or non-compliance with GST provisions. Understanding the nature and implications of these notices is vital for businesses to maintain compliance, manage tax risks, and avoid penalties.

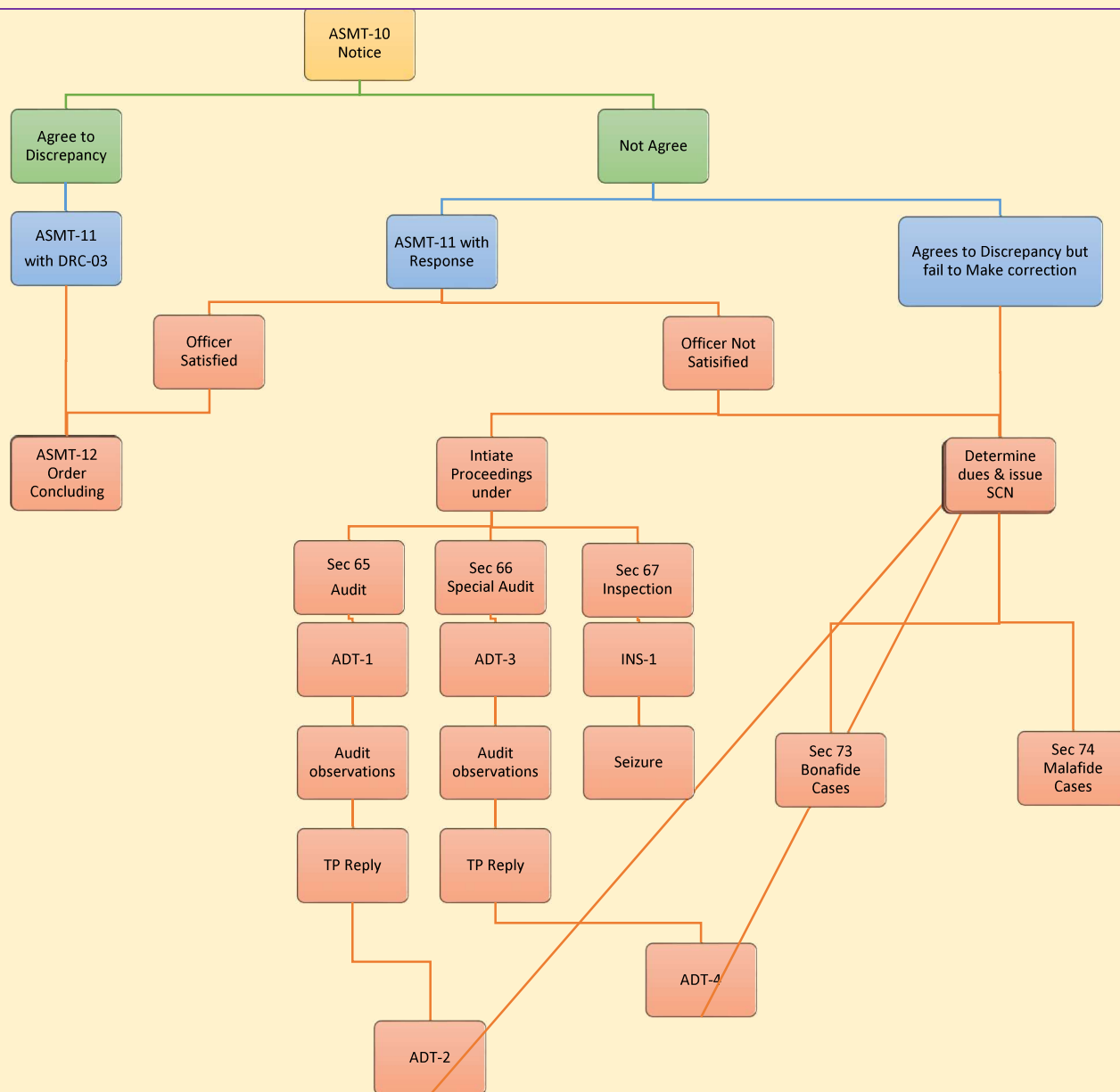
This book aims to provide a comprehensive guide to understanding notices under Indian GST law and, more importantly, equipping taxpayers with the knowledge and skills to draft effective replies to these notices. The goal is to empower taxpayers and tax professionals with the knowledge and tools needed to effectively handle notices under Indian GST law. With the right understanding and skills, businesses can not only address the issues raised in the notices but also ensure compliance with GST provisions and minimize the risk of penalties. This book is not intended to make a deep dive into the legal provisions governing notices but to provide practical insights on legal aspects on how to navigate the complexities of the GST system.

In this book, we will explore various aspects related to notices under the Indian GST law, including:

1. **The Legal Framework:** A crisp analysis of the legal provisions that empower tax authorities to issue notices and the types of notices that can be issued.
2. **Common Scenarios for Issuance:** An examination of the common situations in which taxpayers receive notices, such as discrepancies in returns, assessment proceedings, or audits.
3. **Drafting Effective Replies:** Practical guidance on drafting replies to notices, including key considerations, content, and strategies for responding to the tax authorities.
4. **Sample Drafts:** This book includes a collection of sample draft replies for notices issued in various scenarios, providing taxpayers with templates that can be customized to their specific circumstances. In the following chapters, we will delve deeper into the intricacies of the legal provisions, different types of notices, and the art of drafting effective replies, all aimed at helping taxpayers navigate the complexities of the Indian GST system with confidence and ease.

Chapter 2 Legal Framework and Common Scenarios Triggering notices

FRAME WORK OF ASSESSMENTS, AUDITS, DEMAND AND RECOVERY UNDER GST LAWS



Understanding Notices under 61 in Form GST ASMT-10:

Background:

In the realm of GST, the responsibility for assessing taxes primarily rests with the taxpayer, not the revenue department. As per Section 59 of the CGST Act, every registered person must calculate and declare their tax liability in their returns for each tax period, as specified in Section 39.