



SUMMARY OF RECENT GST AMENDMENT AFTER **49th GST COUNCIL MEETING**

The 49th GST Council meeting was held in Delhi on February 18, 2023 under the chairmanship of the Union Finance & Corporate Affairs Minister Smt. Nirmala Sitharaman. The GST Council has *inter-alia* made the following recommendations relating to changes in GST compensation, GST Appellant Tribunal, Approval of the Report of Group of Ministers (GoM) on Capacity Based Taxation and Special Composition Scheme in certain Sectors on GST, GST rates on Goods and Services and other measures for facilitation of trade. The key highlights of the meeting are as under:

1. Rate of Tax
2. Reverse charge mechanism
3. Exemption from GST
4. Rationalisation of Late fees
5. Rationalisation of Place of Supply
6. Ease of doing business
7. Amnesty Schemes
8. Miscellaneous

Change in Rate of Tax of Goods

S.No.	Description of goods	From	To
1.	Rab	18%	5%- – if sold pre-packaged and labelled Nil – if sold otherwise
2.	Pencil Sharpener	18%	12%

2. Reverse charge mechanism: Extend dispensation available to Central Government, State Governments, Parliament and State Legislatures with regard to payment of GST under reverse charge mechanism (RCM) to the Courts and Tribunals also in respect of taxable services supplied by them such as renting of premises to telecommunication companies for installation of towers, renting of chamber to lawyers etc.

3. Exemption from GST: Extend the exemption available to educational institutions and Central and State educational boards for conduct of entrance examination to any authority, board or a body set up by the Central Government or State Government including National Testing Agency for conduct of entrance examination for admission to educational institutions.

4. Rationalisation of Late fees: Rationalize late fees for Annual return in FORM GSTR-9 for F.Y. 2022-23 and onwards for registered person having aggregate turnover in that financial year up to 20 crores in the following manner.

Aggregate Turnover in a F.Y.	Current late fees	Proposed late fees
Upto Rs. 5 Cr	Rs. 200 per day (Rs. 100 CGST + Rs. 100 SGST), subject to maximum 0.5% of turnover in the State or UT.	Rs. 50 per day (Rs. 25 CGST + Rs. 25 SGST), subject to maximum of 0.04% of turnover in the State or UT.
Rs. 5 Cr to Rs. 20 Cr	Rs. 200 per day (Rs. 100 CGST + Rs. 100 SGST), subject to maximum 0.5% of turnover in the State or UT.	Rs. 100 per day (Rs. 50 CGST + Rs. 50 SGST), subject to maximum of 0.04% of turnover in the State or UT.

5. Rationalisation of Place of Supply: Rationalize the provision of place of supply for services of transportation of goods by deletion of section 13(9) of IGST Act, 2017 so as to provide that the place of supply of services of transportation of goods, in cases where location of supplier of services or location of recipient of services is outside India, shall be the location of the recipient of services.

6. Ease of doing business with GST:

- **Extension of time limit for application for revocation or cancellation of registration under Section 30 of the CGST Act, 2017:** To increase the time limit for making an application for revocation or cancellation of registration under

Section 30 of the CGST Act, 2017, from 30 days to 90 days. Further, where the registered person fails to apply for such revocation within 90 days, the said time period may be extended by the Commissioner or an officer authorised by him in this behalf for a further period not exceeding 180 days.

- **Extend the time limit for filing return under Section 62 of the CGST Act, 2017:** To increase the time period for filing of return for enabling deemed withdrawal of the best judgment assessment order issued under Section 62(1) of the CGST Act, 2017, from the present 30 days to 60 days, extendable by another 60 days, subject to certain conditions.

7. Amnesty Schemes to settle procedural disputes:

- In respect of following pending returns, by way of conditional waiver/ reduction of late fees:
 - a. **FORM GSTR 4** – Annual Return of Composition Taxpayers
 - b. **FORM GSTR 9** – Annual Return of Regular Taxpayers
 - c. **FORM GSTR 10** – Final Return
- To provide an amnesty scheme for conditional deemed withdrawal of assessment orders issued under Section 62(1) of the CGST Act, 2017 (i.e. Best Judgment Assessment Order) in past cases where the concerned return could not be filed within 30 days of the assessment order but has been filed along with due interest and late fee upto a specified date, irrespective of whether appeal has been filed or not against the assessment order, or whether the said appeal has been decided or not.
- To provide amnesty in the past cases, where registration has been cancelled on account of non-filing of the returns, but application for revocation of cancellation of registration could not be filed within the time specified in section 30 of CGST Act, by allowing such persons to file such application for revocation by a specified date, subject to certain conditions

8. Miscellaneous:

- **GST Compensation:** The Government decided to clear entire pending balance GST compensation of Rs. 16,982 crore for June'2022.
- **GST Appellant Tribunal:** To adopt report of Group of Ministers (GoM) on GST Appellate Tribunal with certain modifications. The final draft amendments to the GST laws shall be circulated to Members for their comments. The Chairperson has been authorised to finalise the same.
- **Approval of the Report of GoM on Capacity Based Taxation and Special Composition Scheme , to curb tax evasion in commodities like pan masala, gutkha, chewing tobacco. The mechanism is as under:**
 - a. Capacity based levy not to be prescribed;
 - b. Compliance and tracking measures to be taken to plug leakages/evasions;
 - c. Exports of such commodities to be allowed only against LUT with consequential refund of accumulated ITC;
 - d. Compensation cess levied on such commodities to be changed from ad valorem to specific tax based levy to boost the first stage collection of the revenue

NOT JUST A REPOSITORY.....

IT'S A TRUE KNOWLEDGE SOLUTION ON GST !



Taxo PRO

Advanced GST Solution for Professionals & Corporates

ASK UNLIMITED
GST QUERIES

Our USP

Due Dates Calendar
(GST, Income Tax, ROC, PF & ESI)

GST Master Classes
(Monthly Webinar on GST)

Prime Time
(Weekly Webinars on Case Laws)

Topic wise Judicial
Pronouncements

Comprehensive
Sectoral Case Studies

Notifications Tree Facility

1000 plus Illustrations,
Case-Scenarios

Expert Commentary with
Visual Diagrams on all Sections



GST Act, Rules,
Notifications, Circulars & Case Laws

OTHERS

Price Up to 15K

GST Act, Rules,
Notifications, Circulars & Case Laws

TAXO PRO

Special Package Price ~~₹ 14,540/-~~
₹ 9999/-*

*GST Extra

*Market value of all above content is ₹ 30-35K and
we offer exceptional value for money like no one else with real time updates*



info@taxo.online |

+91 72898 00700 |



www.taxo.online