

GST

Facility for registration of IRP/RPs made available on the GST Portal

Pursuant to Notification. No 11/2020-CT, dated 21st March, 2020 read Notification No. 39/2020 – Central Tax dated 5th May,2020, Insolvency Resolution Professionals/ Resolution Professionals (IRPs/RPs) are liable to take a new registration on GST Portal, on behalf of the Corporate Debtors, in each of the States or Union Territories, on the PAN and CIN of the Corporate Debtor, where the corporate debtor was registered earlier, within 30 days of the appointment of the IRP/RP or by 30th June, 2020, whichever is later. Therefore, GST portal has released a news update dated 27th May, 2020 enabling the facility for registration of IRP/RPs.

[\[https://www.gst.gov.in/newsandupdates/read/377\]](https://www.gst.gov.in/newsandupdates/read/377)

Recommendations of GST council related to Law & Procedure

The 40th GST Council in its meeting held on 12th June, 2020, has made the following recommendations on Law & Procedures changes.

- **Measures for Trade facilitation:**

- (a) **Reduction in Late Fee for past Returns:** Late fee for non-furnishing **FORM GSTR-3B** for the tax period from July, 2017 to January, 2020 is ‘NIL’ if there is no tax liability and upper capped to Rs. 500/- per return if there is any tax liability, provided all **GSTR-3B** returns are furnished between 01.07.2020 to 30.09.2020

- (b) **Relief for taxpayers having aggregate turnover upto Rs. 5 crore (“Small Taxpayers”) for tax periods**

- **February, March & April 2020:** Rate of interest reduced from 18% to 9%, till 30.09.2020, if the return (GSTR-3B) for February, March and April,2020 are filed beyond the specified dates (staggered upto 6.07.2020) for Small Taxpayers.

- **May, June & July 2020:** Late fees and interest will be waived if returns (GSTR-3B) for May, June and July 2020 is furnished upto 30.09.2020 (staggered dates to be notified) by Small Taxpayers

- (c) **Extension in period for seeking revocation of cancellation of registration:** Where GST registration has been cancelled upto 12.06.2020, a one-time option to apply for revocation of cancellation of registration has been provided upto 30.09.2020.

- Certain clauses of the Finance Act, 2020 amending CGST Act 2017 and IGST Act, 2017 to be brought into force from **30.06.2020**.

[\[Press Release ID: 1631127 dated 12th June, 2020\]](#)

Section 128 of Finance Act, 2020 made effective

The Central Government vide [Notification No. 43/2020- Central Tax dated 16th May,2020](#) notified 18th May, 2020 as the date from which Section 128 of Finance Act, 2020 shall come into force which deals with the amendment in Sub-sections (1), (2), (3), (5), (6), (7), (8), (9) of Section 140 of CGST Act, 2017, to prescribe the manner and time limit for taking transitional credit.

[\[Notification No. 43/2020- Central Tax dated 16th May,2020\]](#)

Furnishing of a nil return in FORM GSTR-3B by SMS made effective

The Central Government vide [Notification No. 44/2020- Central Tax dated 8th June, 2020](#) appointed 8th June, 2020, as the date from which **Rule 67A** (Manner of furnishing of return by short messaging service facility) shall come into force to allow the registered person to furnish a **Nil return** in **FORM GSTR-3B** for a tax period, through a short messaging service (SMS) using the registered mobile number and verifying the same based on One Time Password facility .

[\[Notification No. 44/2020- Central Tax dated 8th June, 2020\]](#)

Extension of transition date under GST on account of merger of erstwhile Union Territories of Daman and Diu & Dadar and Nagar Haveli.

The Central Government vide [Notification No. 45/2020- Central Tax dated 9th June, 2020](#) has extended the transition date for compliance of special procedures under GST as notified vide [Notification No. 10/2020 – Central Tax dated 21st March ,2020](#) on account of merger of erstwhile Union Territories of Daman and Diu & Dadar and Nagar Havel from 31st May,2020 to 31st July,2020.

[\[Notification No. 45/2020- Central Tax dated 9th June, 2020\]](#)

Extension of period to pass order under Section 54(7) of the CGST Act.

The Central Government vide [Notification No. 46/2020- Central Tax dated 9th June, 2020](#) has notified w.e.f. 20th March,2020, that in cases where a notice has been issued for rejection of refund claim, in full or in part and time limit for issuance of order i.e. 60 days from receipt of complete application, falls during the period from 20th March, 2020 to 29th June, 2020, then in such cases refund order can be issued with 75 days (15 days extended) of the receipt of reply to notice or 30th June, 2020, whichever is later.

[\[Notification No. 46/2020- Central Tax dated 9th June, 2020\]](#)

Extension of validity of e-way bill generated on or before 24.03.2020

The Central Government vide [Notification No. 47/2020-Central Tax dated 9th June,2020,](#) extended the validity period of e-way bill generated on or before the 24th March, 2020 and whose validity has expired on or after the 20th March, 2020, till 30th June, 2020.

[\[Notification No. 47/2020-Central Tax dated 9th June,2020\]](#)

Clarification on refund related issues

The Central Board of Indirect Taxes and Customs CBIC vide [Circular No. 139/09/2020-GST dated 10th June, 2020](#) clarified that treatment of refund of ITC relating to imports, ISD invoices and the inward supplies liable to Reverse Charge (RCM supplies) will continue to be same as it was before the issuance of Circular No. 135/05/2020- GST dated 31-03-2020.

[[Circular No. 139/09/2020-GST dated 10th June,2020](#)]

Clarification in respect of levy of GST on Director's Remuneration

The Central Board of Indirect Taxes and Customs vide [Circular No. 140/10/2020-GST dated 10th June,2020](#) clarified the following in respect of levability of GST on Director's Remuneration:-

- remuneration paid to independent directors, or those directors, by whatever name called, who are not employees of the Company, is taxable in hands of the company, on reverse charge basis
- remuneration declared as "Salaries" in the books of a company and subjected to TDS under Section 192 of the Income Tax (IT) Act, are not taxable being consideration for services by an employee to the employer in the course of or in relation to his employment in terms of Schedule III of the CGST Act, 2017.
- remuneration which is declared separately other than "salaries" in the Company's accounts and subjected to TDS under Section 194J of the IT Act as *Fees for professional or Technical Services, being outside the scope of Schedule III of the CGST Act, are taxable under reverse charge basis*

[[Circular No. 140/10/2020-GST dated 10th June,2020](#)]

CUSTOMS

Empowerment Customs officers as `proper officers` to conduct faceless or remote assessment of Bills of Entry filed under Section 46 of the Customs Act, 1962 for import in another Customs station.

The Central Board of Indirect Taxes and Customs vide [Notification No. 50/2020-Customs \(N.T.\) dated 5th June, 2020](#) has appointed Superintendent of Customs, GST and Central Excise or Appraiser and Deputy Commissioner or Assistant Commissioner of Customs posted at any customs station in India, as proper officers for functions under section 17 (2)(a), 17(3), and (4) & section 17(5) and 18 of the Customs Act, 1962 respectively, in relation to a bill of entry presented electronically under section 46 or 68 of the said Act, anywhere in India, where, such bill of entry is assigned to them in the Customs Automated System.

[[Notification No. 50/2020-Customs \(N.T.\) dated 5th June, 2020](#)]

1st phase of All India roll-out of Faceless Assessment

CBIC vide [Circular No.28/2020-Customs dated 05th June, 2020](#) has clarified the procedure for implementation of the most critical reform viz, Faceless Assessment of the next generation reforms in the Customs clearance process under the umbrella of Turant Customs. The main objective of Faceless Assessment is speedy and uniform assessment practices.

Further, an Board's [Instruction No.09/2020 Customs dated 05th June, 2020](#) may also be referred.

[\[Circular No.28/2020-Customs dated 05th June, 2020, Instruction No.09/2020 Customs dated 05th June, 2020\]](#)

**Electronic sealing- Deposit in and removal of goods from Customs Bomded Warehouses-
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CBIC [Circular No. 25/2020- Customs dated 18th May, 2020](#) clarifies that Circular-19/2018 dated 18.06.2018 and Circular 10/2020-Customs dated 07.02.2020 provided for RFID sealing of goods to be deposited in or removed from Customs Bonded Warehouses. Since, a comprehensive circular is under consideration, therefore theses circulars which are yet to be operationalized stand rescinded.

[\[Circular No. 25/2020- Customs dated 18th May, 2020\]](#)