

Following are the amendments which have been notified by the Government on 23rd April 2019:

Utilization of ITC at the time of filing of return

- The newly inserted rule 88A in the CGST Rules allows utilization of input tax credit of Integrated tax towards the payment of Central tax and State tax, or as the case may be, Union territory tax, in any order and in any proportion subject to the condition that the entire input tax credit on account of Integrated tax is completely exhausted first before the input tax credit on account of Central tax or State / Union territory tax can be utilized. The following sequence/order has been clarified:

Input tax Credit on account of	Output liability on account of Integrated tax	Output liability on account of Central tax	Output liability on account of State tax / Union Territory tax
Integrated tax	(I)	(II) – In any order and in any proportion	
<i>(III) Input tax Credit on account of Integrated tax to be completely exhausted mandatorily</i>			
Central tax	(V)	(IV)	Not permitted
State tax / Union Territory tax	(VII)	Not permitted	(VI)

- Further it has been clarified that till the new order of utilization as per newly inserted Rule 88A of the CGST Rules is implemented on the common portal, taxpayers may continue to utilize their input tax credit as per the functionality available on the common portal.

(Circular No. 98/17/2019-GST dated 23rd April 2019)

Quarterly tax payment and Annual return for the supplies covered under “Not. 2/2019”

- “New composition scheme” had been given vide Notification no. 2/2019-CT dated 7th March 2019 for certain category of suppliers having turnover upto Rs.50 lakhs subject to certain conditions.
- The said persons have now been required to submit details of payment of self-assessed tax in FORM GST CMP-08 till the 18th day of the month succeeding such quarter
- The said will furnish their return annually in Form GSTR 4 on or before 30th April following the end of the financial year

(Notification No.21 /2019 – Central Tax dated 23rd April 2019)

Applicability date for restriction on generation of e-waybill for defaulters

- Persons who defaulted in furnishing of returns for two consecutive months (for normal tax payers) and two consecutive tax periods (for composition taxpayers) had been restricted from generation of e-waybill with certain conditions and exceptions.
- The said provision is said to be made applicable with effect from 21st June 2019.

(Notification No.22 /2019 – Central Tax dated 23rd April 2019)

Revocation of cancellation of registration

- A Removal of Difficulty Order (RoD) number 05/2019-Central Tax dated the 23rd April 2019 has been issued wherein persons whose registrations have been cancelled after they were served notice and who could not reply to the said notice and for whom cancellation order has been passed up to 31st March, 2019, have been given one time opportunity to apply for revocation of cancellation of registration on or before the 22nd July, 2019
- The situations warranting cancellation may have been any of the following:
 - (a) a registered person has contravened such provisions of the Act or the rules made thereunder as may be prescribed; or
 - (b) a person paying tax under composition scheme has not furnished returns for three consecutive tax periods; or
 - (c) any registered person, other than a person specified in clause (b), has not furnished returns for a continuous period of six months; or
 - (d) any person who has taken voluntary registration has not commenced business within six months from the date of registration; or
 - (e) registration has been obtained by means of fraud, willful misstatement or suppression of facts
- The communication of notice may have been sent by any of the following modes:
 - (c) by sending a communication to his e-mail address provided at the time of registration or as amended from time to time; or
 - (d) by making it available on the common portal
- If the registration has been cancelled on account of failure of the registered person to furnish returns, no application for revocation of cancellation of registration shall be filed, unless such returns are furnished and any amount in terms of such returns is paid.

- Where the registration has been cancelled with effect from the date of order of cancellation of registration, all returns due till the date of such cancellation are required to be furnished before the application for revocation can be filed.
- All returns required to be furnished in respect of the period from the date of order of cancellation till the date of order of revocation of cancellation of registration have to be furnished within a period of thirty days from the date of the order of revocation
- Where the registration has been cancelled with retrospective effect, the common portal does not allow furnishing of returns after the effective date of cancellation. In such cases it was not possible to file the application for revocation of cancellation of registration. Therefore, a third proviso was added to sub-rule (1) of rule 23 of the said Rules enabling filing of application for revocation of cancellation of registration, subject to the condition that all returns relating to the period from the effective date of cancellation of registration till the date of order of revocation of cancellation of registration shall be filed within a period of thirty days from the date of order of such revocation of cancellation of registration.

Return not furnished from	Date of order of cancellation of registration	Cancellation of registration effective from	Date of filing of application for revocation of cancellation of registration as per RoD (to be filed on or before the 22 nd July, 2019)	Returns to be furnished before filing the application for revocation of cancellation of registration	Date of order of revocation of cancellation of registration	Date of furnishing returns for period b/w date of order of cancellation of registration and date of revocation of cancellation of registration (to be filed within thirty days from the date of order of revocation of cancellation of registration)	Returns to be furnished within thirty days from date of order of revocation of cancellation of registration
July, 18	01 st March, 19	01 st March, 19	30 th May, 19	Returns due till 01 st March, 19 (i.e. July, 18 to January, 19)	01 st June, 19	01 st July, 19	Returns due till 01 st June, 19 (i.e. February, 19 to April, 19)
July, 18	22 nd March, 19	22 nd March, 19	20 th June, 19	Returns due till 22 nd March, 19 (i.e. July, 18 to February, 19)	22 nd June, 19	22 nd July, 19	Returns due till 21 st June, 19 (i.e. March, 19 to May, 19)
July, 18	01 st March, 19	01 st July, 18	30 th May, 19	NA	01 st June, 19	01 st July, 19	Returns due till 01 st June, 19 (i.e. July, 18 to April, 19)

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