

SUMMARY OF NOTIFICATIONS & CIRCULARS

S. No.	Contents
1.	<p>As per <u>Notification No. 03/2021-CT dated 23.02.2021</u>, provisions of sub-section (6B) or sub-section (6C) of section 25 of CGST Act will not apply to a person who is:</p> <ul style="list-style-type: none">• not a citizen of India, or• a Department or establishment of CG or SG, or• a local authority, or• a statutory body, or• a Public Sector Undertaking, or• a person applying for registration under the provisions of Section 25(9) of the said Act.
2.	<p>As per <u>Notification No. 04/2021-CT dated 28.02.2021</u>, the time limit for furnishing of the annual return for the financial year 2019-20 till 31.03.2021 is extended to 31.03.2021.</p>
3.	<p>As per <u>Circular No. 145/01/2021 dated 11.02.2021</u>, Standard Operating Procedure is issued for implementation of the provision of suspension of registration under sub-rule (2A) of Rule 21A of CGST Rules, 2017:</p> <p>The said provision provides for immediate suspension of registration of a person, as a measure to safeguard the interest of revenue, on observance of such discrepancies /anomalies which indicate violation of the provisions of Act and rules made thereunder.</p> <p>The registration of specified taxpayers shall be suspended and system generated intimation for suspension and <u>notice</u> for cancellation of registration in <u>FORM GST REG-31</u> shall be sent to such taxpayers on their registered e-mail address. Such notice shall be made available to the taxpayer on their dashboard in <u>FORM GST REG-17</u> in the “View/Notice and Order” tab post login.</p> <p>The taxpayers, whose registrations are suspended are required to furnish <u>reply in FORM GST REG-18</u> to the jurisdictional tax officer <u>within thirty days</u> from the receipt of such notice, explaining the reasons as to why their registration shouldn't be cancelled.</p> <p>Post issuance of FORM GST REG-31 via email, the list of such taxpayers would be sent to the concerned Nodal officers of the CBIC/ States. Upon receipt of reply from the said person or on expiry of thirty days (reply period), a task would be created in</p>

	<p>the dashboard of the concerned proper officer under “<u>Suo moto cancellation proceeding</u>”.</p> <p>Proper officer, post examination of the response received from the said person, may pass an order either for <u>dropping the proceedings</u> for suspension/ cancellation of registration in <u>FORM GST REG-20</u> or for cancellation of registration in <u>FORM GST REG-19</u>. Based on the action taken by the proper officer, the GSTIN status would be changed to “Active” or “Cancelled Suo-moto” as the case maybe.</p>
<p>4.</p>	<p><u>Circular No. 146/02/2021 dated 23.02.2021</u> provides clarification in respect of applicability of Dynamic Quick Response (QR) Code on B2C invoices and compliance of notification 14/2020- Central Tax dated 21st March, 2020:</p> <p>Notification No. 14/2020-CT, dated 21.03.2020 had been issued which requires Dynamic QR Code on B2C invoice issued by taxpayers having aggregate turnover more than 500 crore rupees, w.e.f. 01.12.2020. Further, vide Notification No. 89/2020-CT, dated 29.11.2020, penalty has been waived for non-compliance of the provisions of Notification No.14/2020 – CT for the period from 01.12.2020 to 31.03.2021, subject to the condition that the said person complies with the provisions of the said Notification from 01.04.2021.</p> <p><u>Clarification 1:</u></p> <p>A. The said notification is not applicable to an invoice issued in following cases:</p> <ol style="list-style-type: none"> i. Where the supplier of taxable service is: <ol style="list-style-type: none"> a) an insurer or a banking company or a financial institution, including a non-banking financial company; b) a goods transport agency supplying services in relation to transportation of goods by road in a goods carriage; c) supplying passenger transportation service; d) supplying services by way of admission to exhibition of cinematograph in films in multiplex screens ii. OIDAR supplies made by any registered person, who has obtained registration under section 14 of the IGST Act 2017, to an unregistered person. <p>B. The said Notification shall not be applicable for supplies made for exports.</p> <p><u>Clarification 2:</u></p> <p>Dynamic QR Code is required, inter-alia, to contain the following information: -</p> <ol style="list-style-type: none"> i. Supplier GSTIN number ii. Supplier UPI ID iii. Payee’s Bank A/C number and IFSC iv. Invoice number & invoice date, v. Total Invoice Value and vi. GST amount along with breakup i.e. CGST, SGST, IGST, CESS, etc.

Further, Dynamic QR Code should be such that it can be scanned to make a digital payment.

Clarification 3:

If a supplier provides/ displays Dynamic QR Code, but the customer opts to make payment without using Dynamic QR Code, then the cross reference of such payment, made without use of Dynamic QR Code, on the invoice would be considered as compliance of Dynamic QR Code on the invoice.

Clarification 4:

If the supplier makes available to customers an electronic mode of payment like UPI Collect, UPI Intent or similar other modes of payment, through mobile applications or computer based applications, where though Dynamic QR Code is not displayed, but the details of merchant as well as transaction are displayed, the invoice shall be deemed to comply with the requirement of Dynamic QR Code.

However, if payment is made after generation / issuance of invoice, the supplier shall provide Dynamic QR Code on the invoice.

Clarification 5:

Printing of Dynamic QR Code on B2C invoices is not mandatory for pre-paid invoices. If cross reference of the payment received either through electronic mode or through cash or combination thereof is made on the invoice, then the invoice would be deemed to have complied with the requirement of Dynamic QR Code.

Clarification 6:

The supplier is making supply through the Ecommerce portal or application, and the said supplier gives cross references of the payment received in respect of the said supply on the invoice, then such invoices would be deemed to have complied with the requirements of Dynamic QR Code.