

GST LAW COMMUNIQUE

Latest updates for the month of January 2025

A] Important Notifications (Rate)

1] **Changes in the rates of tax:** The following changes are made in the rates of goods-

- GST rate on the Fortified Rice Kernel falling under HSN 1904 is reduced to 5%
- The expression pre-packaged and labelled is amended in line with provisions of the Legal Metrology Act, 2009 (1 of 2010) as under-

"The expression 'pre-packaged and labelled' means all commodities that are intended for retail sale and containing not more than 25 kg or 25 litre, which are 'pre-packed' as defined in clause (l) of section 2 of the Legal Metrology Act, 2009 (1 of 2010) where, the package in which the commodity is pre-packed or a label securely affixed thereto is required to bear the declarations under the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the rules made thereunder."

[Notification No 01/2025-Central Tax (Rate) dt. 16th January, 2025]

- GST on Gene Therapy is made exempted.

[Notification No 02/2025-Central Tax (Rate) dt. 16th January, 2025]

- Concessional rate of 5% had been also notified on the inputs used in food preparation under Chapter 19 or 21 that are supplied to economically weaker sections under a government program subject to conditions provided.

[Notification No 03/2025-Central Tax (Rate) dt. 16th January, 2025]

- GST rate on sale of motor vehicle is increased from 12% to 18% including EV's other than those specified at 18%.

[Notification No 04/2025-Central Tax (Rate) dt. 16th January, 2025]

The above Notification shall come into effect on the date of notification

2] **Change in the definition of the specified premises:** The definition of specified premises as defined under clause 4 of the Notification No 11/2017 Central Tax (Rate) dt. 28.06.2017 is substituted with the following definition-

"Specified premises", for a financial year, means,-

- (a) *a premises from where the supplier has provided in the preceding financial year, 'hotel accommodation' service having the value of supply of any unit of accommodation above seven thousand five hundred rupees per unit per day or equivalent; or*
- (b) *a premises for which a registered person supplying 'hotel accommodation' service has filed a declaration, on or after the 1st of January and not later than 31st of March of the preceding financial year, declaring the said premises to be a specified premises; or*
- (c) *a premises for which a person applying for registration has filed a declaration, within fifteen days of obtaining acknowledgement for the registration application, declaring the said premises to be a specified premises."*

Incorporating

- 1] Important Notifications
- 2] Important Circulars/Clarifications
- 3] Important Case laws, AAR, AAAR
- 4] Compliance calendar for the month of January 25



A declaration is required to be filed in ***Annexure VII*** declaring the premises as a ‘specified premises’ for a Financial Year, shall be filed by a registered person on or after 1st of January of the preceding Financial Year but not later than 31st of March of the preceding Financial Year.

In case of new registration, the declaration is required to be made in “***Annexure VIII***” within 15 days of acknowledgement of the registration.

A declaration is required to be filed in ***Annexure IX*** declaring the premises is not as a ‘specified premises’ for a Financial Year, shall be filed by a registered person on or after 1st of January of the preceding Financial Year but not later than 31st of March of the preceding Financial Year.

The definition of specified premises as provided above is also made applicable for Notification No. 17/2017-Central Tax (Rate) dt. 28th June, 2017.

[Notification No 05/2025-Central Tax (Rate) dt. 16th January, 2025]

[Notification No 08/2025-Central Tax (Rate) dt. 16th January, 2025]

3] Changes in the rate of Services: Following changes are made in the exemptions on services as provided vide Notification No. 12/2017- Central Tax (Rate) dt. 28th June, 2017.

- The word “transmission and distribution” is changed to “transmission or distribution” in Entry 25A.
- A new entry 36B is inserted to exempt services of insurance provided by the Motor Vehicle Accident Fund, constituted under section 164B of the Motor Vehicles Act, 1988, against contributions made by insurers out of the premiums collected for third party insurance of motor vehicles.
- Exemption is given on services provided by a training partner approved by the National Skill Development Corporation in relation to
 - (i) the National Skill Development Programme or any other scheme implemented by the National Skill Development Corporation; or
 - (ii) a vocational skill development course under the National Skill Certification and Monetary Reward Scheme; or
 - (iii) any National Skill Qualification Framework aligned qualification or skill in respect of which the National Council for Vocational Education and Training has approved a qualification package.

[Notification No 06/2025-Central Tax (Rate) dt. 16th January, 2025]

4] Changes in RCM on services: Following changes are made with respect to RCM on services-

- **Sponsorship Services:** Sponsorship services provided by the body corporates has been brought under the forward charge mechanism. GST is not payable under RCM on sponsorship services provided by the body corporates.
- **RCM on renting of immovable property other than residential property:** Taxpayers registered under the composition scheme are now not required to pay RCM on the renting of immovable property other than residential dwelling on the property rented by an unregistered person.

[Notification No 07/2025-Central Tax (Rate) dt. 16th January, 2025]

B] Important Notifications

1] Extension of due date for filing FORM GSTR-1: The due date for filing FORM GSTR-1 for the month of December 2024 is extended till 13th January, 2025 in the case of monthly filers and up to 15th January 2025 in the case of quarterly filers.

[Notification No 01/2025-Central Tax dt. 10th January, 2025]

2] Extension of due date for filing FORM GSTR-3B: The due date for filing FORM GSTR-3B for the month of December 2024 is extended till 22nd January, 2025 in the case of monthly filers and up to 24th January 2025 & 26th January 2025 in the case of quarterly filers of Category A & B states respectively.

[Notification No 02/2025-Central Tax dt. 10th January, 2025]

3] Extension of due date for filing FORM GSTR-5 & 6: The due date for filing FORM GSTR-5 & 6 for the month of December 2024 is extended till 15th January 2025.

[Notification No 03/2025 & 04/2025-Central Tax dt. 10th January, 2025]

4] Extension of due date for filing FORM GSTR-7 & 8: The due date for filing FORM GSTR-7 & 8 for the month of December 2024 is extended till 12th January 2025.

[Notification No 05/2025 & 06/2025-Central Tax dt. 10th January, 2025]

5] Grant of temporary identification number: Rule 16A is inserted to grant a temporary identification number to a person who is not liable for the registration but is required to make the payment of tax under GST law.

[Notification No 07/2025 -Central Tax dt. 23rd January, 2025]

6] Waiver of late fees on GSTR-9C: The late fees under Section 47 of the CGST Act, 2017, for registered persons who were required to file both FORM GSTR-9 (annual return) and FORM GSTR-9C (reconciliation statement) but failed to submit FORM GSTR-9C within the stipulated timelines for the financial years 2017-18 to 2022-23 is waived. This waiver applies to the extent that the late fees exceed the amount payable up to the date of filing FORM GSTR-9 provided that FORM GSTR-9C is filed by March 31, 2025.

[Notification No 08/2025 -Central Tax dt. 23rd January, 2025]

C] Important Circulars

1] Clarification on regularizing payment of GST on co-insurance premium: It is clarified that payment of GST on co-insurance premium apportioned by the lead insurer to the co-insurer and on ceding /re-insurance commission deducted from the reinsurance premium paid by the insurer to the reinsurer is covered under the Schedule III of the CGST Act. Therefore, it is clarified that the payment of GST on the activities or transactions specified in paragraph 2 above is regularized for the period 01.07.2017 to 31.10.2024, on ‘as is where is’ basis

[Circular No 244/01/2024-GST dt. 28th January, 2025]

2] Clarification on applicability of GST on certain services: CBIC has clarified the applicability of GST with respect to following services-

- **Penal Charges levied by the Regulated Entities:** It is clarified that no GST is payable on the penal charges levied by Regulated Entities such as banks and NBFCs, in compliance with RBI directions dated 18.08.2023, for non-compliance with material terms and conditions of loan contract by the borrower.
- **Clarification on payment aggregator:** The GST exemption under Sl. No. 34 of Notification No. 12/2017-CTR, dated 28.06.2017, has been clarified concerning its applicability to Payment Aggregators (PAs) for transactions up to ₹2,000 made through credit cards, debit cards, charge cards, or other payment card services. Payment Aggregators are entities that facilitate e-commerce platforms and merchants in accepting payments from customers without requiring a separate payment integration system. They receive payments, pool them, and transfer them to merchants within a specified time frame.

The exemption under Sl. No. 34 is granted to acquiring banks, which includes “any other person who makes the payment to any person who accepts such card.” As per RBI’s Guidelines on Payment Aggregators and Payment Gateways dated 17.03.2020, PAs operate escrow accounts and handle fund settlements, thereby qualifying under this definition. Hence, it has been clarified that RBI-regulated Payment Aggregators fall within the scope of acquiring banks and are eligible for the GST exemption when performing payment settlements.

The clarification distinguishes Payment Aggregators (PAs) from Payment Gateways (PGs). While PAs handle and settle funds, PGs only provide technology infrastructure for routing transactions without handling money. As a result, the GST exemption applies only to PAs for their settlement function and does not extend to PG services.

- **GST on R & D services provided by the Govt:** It is clarified that the payment of GST on the supply of research and development services by Government Entities against grants received from the Government Entities is regularized for the period 01.07.2017 to 09.10.2024, on 'as is where is' basis.
- **Regularizing payment of GST on skilling services:** It is clarified that the payment of GST on services provided by Training Partners approved by the National Skill Development Corporation, which were exempt prior to 10.10.2024 and further exempted w.e.f. 16.01.2025, is regularized for the period 10.10.2024 to 15.01.2025, on 'as is where is' basis.
- **GST on facility management services provided by MCD:** A clarification was sought regarding the applicability of GST on facility management services provided to the Municipal Corporation of Delhi (MCD) Headquarters in New Delhi. MCD receives services such as housekeeping, civil maintenance, furniture maintenance, and horticulture from a facility management agency for the upkeep of its office. The query was whether these services are exempt from GST under Sr. No. 3A of Notification No. 12/2017-CTR dated 28.06.2017.

The exemption under Sr. No. 3A applies to composite supplies of goods and services where the value of goods does not exceed 25% of the total value. These supplies must be provided to government or local authorities and must be in relation to functions entrusted to a Panchayat (Article 243G) or a Municipality (Article 243W) under the Constitution of India. However, in this case, MCD is availing facility management services for the upkeep of its headquarters, which does not relate to any municipal functions under Article 243W.

It has been clarified that GST is applicable at the applicable rates on these facility management services as they do not qualify for exemption under Sr. No. 3A of Notification No. 12/2017-CTR.

- **Local Authority:** The Delhi Development Authority (DDA) sought clarification on whether it qualifies as a "local authority" under Section 2(69) of the CGST Act, 2017. This classification is important because, under Sr. No. 5 of Notification No. 13/2017-CTR, services provided by a local authority to a business entity are taxable under the Reverse Charge Mechanism (RCM).

As per Section 2(69) of the CGST Act, a local authority includes entities such as Municipal Committees, Zilla Parishads, District Boards, or any other authority entrusted by the government with the control or management of a municipal or local fund. This definition implies that an entity must function similarly to an elected self-governing body and must have control over a municipal or local fund.

Upon examination, it has been clarified that DDA does not fulfill these criteria and, therefore, cannot be treated as a local authority under GST law. This clarification follows the 55th GST Council's recommendation.

- **RCM on renting of commercial property:** The 54th GST Council, in its meeting on 09.09.2024, recommended bringing the renting of commercial property (other than residential dwellings) by unregistered persons to registered persons under the Reverse Charge Mechanism (RCM). This recommendation was implemented through Notification No. 09/2024-CTR, dated 08.10.2024, and became effective from 10.10.2024, by inserting Sr. No. 5AB in Notification No. 13/2017-CTR.

Subsequently, multiple representations were received requesting that such transactions be taxed under the Forward Charge Mechanism instead of RCM. In response, the 55th GST Council, in its meeting on 21.12.2024, recommended excluding composition taxpayers from the scope of Sr. No. 5AB of Notification No. 13/2017-CTR. This exclusion was implemented through Notification No. 07/2025-CT(Rate), dated 16.01.2025.

Further, to address concerns about past compliance, the Council approved the regularization of RCM payments for such transactions during the intervening period from 10.10.2024 to

15.01.2025, on an ‘as is where is’ basis. This ensures that any GST paid under RCM for the period remains valid and does not require retrospective adjustments.

- **Support services by an electricity transmission or distribution utility:** The 54th GST Council, in its meeting, recommended exempting certain incidental or ancillary services provided by electricity transmission and distribution utilities to their consumers. These services include renting metering equipment, meter and transformer testing, releasing electricity connections, shifting meters/service lines, and issuing duplicate bills. To implement this, Sr. No. 25A was inserted in Notification No. 12/2017-CTR, vide Notification No. 08/2024-CTR, effective from 10.10.2024.

In its 55th meeting, the GST Council recommended aligning Sr. No. 25 and 25A, ensuring that all incidental or ancillary services related to the transmission or distribution of electricity by utilities fall under the same exemption. This was brought into effect through Notification No. 06/2025-CTR, dated 16.01.2025. It is clarified that GST payments for these services during the intervening period from 10.10.2024 to 15.01.2025 shall be regularized on an ‘as is where is’ basis

[Circular No 245/02/2025-GST dt. 28th January, 2024]

3] Late fees on GSTR-9C: The CBIC has issued Circular No. 246/03/2025-GST to clarify the applicability of late fees for delays in furnishing FORM GSTR-9C (Reconciliation Statement) under Section 47 of the CGST Act, 2017. Prior to 01.08.2021, registered persons with an aggregate turnover exceeding ₹2 crores were required to file GSTR-9C, certified by an auditor, along with their annual return GSTR-9. From 01.08.2021, the turnover threshold increased to ₹5 crores, and GSTR-9C is now self-certified instead of requiring an audit. Since GSTR-9C is an integral part of the annual return, failure to furnish it along with GSTR-9 results in the return being considered incomplete. Therefore, as per Section 47(2) of the CGST Act, late fees apply if the complete annual return (GSTR-9 + GSTR-9C) is not filed by the due date. If GSTR-9C is filed separately, the late fee is calculated from the due date until the date of full compliance.

To provide relief for past delays, Notification No. 08/2025-Central Tax (dated 23.01.2025) waives excess late fees for delayed filing of GSTR-9C up to FY 2022-23, provided it is submitted on or before 31.03.2025. In such cases, the late fee will be capped at the amount payable until the filing of GSTR-9, ensuring that no additional penalties apply for the delayed submission of GSTR-9C. However, no refunds will be granted for any late fees already paid. The CBIC has also directed tax authorities to issue trade notices to ensure the uniform implementation of these clarifications. This circular aims to standardize late fee application and provide relief for past non-compliance while reinforcing the requirement to file GSTR-9C on time..

[Circular No 246/03/2024-GST dt. 30th January, 2025]

D] Important Instructions

1] Guideline for arrest: It has been instructed that the grounds of arrest must be explained to the arrested person and also furnished to him in writing as an Annexure to the Arrest Memo. Acknowledgement of the same should be taken from the arrested person at the time of service of the Arrest Memo.

[Instruction No. 01/2025-GST dt. 13-01-2025]

E] Important Case Laws

1] Raiyan Traders Vs.State of Bihar – 2024(91)G.S.T.L.379-Patna High Court-

Appellate Authority - Appeals to - Assessee paid 10% of disputed tax amount from Electronic Credit Ledger for filing appeal - Appellate Authority rejected appeal holding payment must be from Electronic Cash Ledger - HELD: Given stay by Supreme Court on earlier High Court judgment mandating payment from Cash Ledger, and pending final decision, appeals to be considered on merits

without insisting on payment from Cash Ledger - Impugned order rejecting appeal set aside - Matter remanded for consideration on merits - Writ petition allowed.

2]S.R.Steels Vs.Deputy State Tax Officer,Hosur- 2024(91) G.S.T.L.381- Madras High Court-

Provisional attachment - Blocking of bank account - Proceedings against legal heirs - Petitioner's wife, who was proprietor of concern had passed away - However, respondent had issued show cause notice and passed impugned order against petitioner's wife though she was a dead person - Petitioner-husband's bank account was also freezed - HELD : Since impugned order was passed against a dead person, it was liable to be set aside - Further, since petitioner was only legal heir of deceased, an opportunity was to be provided to him to establish his case on merits - Respondent authorities were also to be directed to instruct concerned bank to release attachment and defreeze bank account of petitioner.

3] Travacore Minerals & Transport Cp. Vs.State of Karnataka-2025(92) G.S.T.L.156- Karnataka High Court-

Provisional attachment - Electronic Credit Ledger - Violation of natural justice - No pre-decisional hearing was provided/granted by respondent-authorities before passing impugned order invoking rule 86A of CGST Rules to block Electronic Credit Ledger of petitioner - Impugned blocking order did not contain any independent or cogent reasons to believe and it merely placed reliance upon reports of Enforcement authority - Such order was impermissible in law, since same was on borrowed satisfaction - Impugned order deserved to be quashed.

4] Compucom Software Ltd.Vs.Union of India -2025(92) G.S.T.L.229- Rajasthan High Court-

Input tax credit - Land and building - Constitutional validity of Section 17(5)(c) and (d) - Petitioner wanted to avail input tax credit on GST paid on purchase of land and constructions done thereon - HELD : Issue was covered by decision of Supreme Court in Chief Commissioner of Central GST v. Safari Retreats (P.) Ltd. [2024 (90) G.S.T.L. 3 (SC)] - Supreme Court had upheld vires of Sections 17(5)(c) and (d) of CGST Act - Supreme Court held that by using functionality test, a building could be held to be a plant - Petitions were to be disposed of with liberty to petitioners to file claim before respondents for availing ITC.

5]Sali P.Mathai Vs.State Tax Officr,Thodupuzha- 2025(92)G.S.T.L.236- Kerala High Court-

Refund - Limitation period - Rectified application - Original application for refund was filed on 5-4-2021 - Deficiencies were pointed out and fresh application was filed on 30-9-2021 - By time fresh application was filed, two years limitation period from relevant date was expired and, hence, fresh application was rejected as time barred - HELD : Rule 90(3) of CGST Rules requires filing of a fresh refund application after rectification of deficiencies pointed out in respect of first application - However, said sub-rule does not contemplate that date of fresh application has to be considered for purposes of determining period of limitation for filing an application for refund - Rejection of application for refund could not be sustained in law.

6]Sri Kaleeswari Stores Vs.Asst.Com., Kumbakonam- 2025 (92) G.S.T.L.262- Madras High Court-

Input tax Credit - Denial of - Order beyond scope of notice - Period 2019-20 - An audit was conducted on petitioner's place of business and certain defects were found viz. discrepancy between GSTR 2A and GSTR 3B; availment of ITC on discounts etc. - A show cause notice was issued and thereafter impugned order was passed - Assessee challenged order on grounds that in DRC-01 notice under head 'GSTR 2A and GSTR 3B discrepancy' it only provided that there was excess ITC to extent of Rs. 97 thousand, however while passing impugned order, entire ITC claimed to extent of Rs. 1.13 crore had been disallowed - Assessee submitted that impugned order traversed beyond SCN and, thus, resulted in violation of natural justice - With regard to issue of ITC claim on discounts assessee sought final opportunity to submit relevant documents - HELD : It was found that insofar as primary dispute viz. discrepancy between GSTR 2A and GSTR 3B, was concerned there was merit in submission of assessee that impugned order traversed beyond SCN in violation of natural justice as party was denied opportunity to put forth his case - Impugned order was to be set aside and matter was to be remanded.

7]TVL Signet Industries Ltd.Vs.State Tax Officer,Salem- 2025(92) G.S.T.L.274- Madras High Court-

Demand - Show cause notice - Violation of natural justice - Notice in Form DRC-01 was issued by revenue - Assessee filed reply to said notice - Without affording an opportunity of personal hearing to assessee, assessment order came to be passed - HELD : Provision of Section 75(4) of CGST/TNGST Act, 2017 mandates that if an adverse order is going to be passed, it is mandatory to provide an opportunity of personal hearing to assessee - Though impugned assessment order was passed against assessee by confirming demand, revenue had failed to provide an opportunity of personal hearing - Impugned order was passed in violation of principles of natural justice as well as in contravention of provision of Section 75(4) ibid - Hence, same was to be set aside and remanded back for re-adjudication.

8] Yasho Industries Ltd.Vs.Union of India- 2025(92) G.S.T.L.498-Gujarath High Court-

Appeals to Appellate Authority - Pre-deposit payment through Electronic Credit Ledger - Period 28-2-2018 to 14-1-2021 - Assessee was public limited company engaged in the business of manufacturing and exporting specialized chemicals such as aroma chemicals, food antioxidants, rubber chemicals and lubricant additives - Assessee, had preferred appeal against order confirming demand of recovery of IGST and penalty and also deposited pre-deposit amount to tune of Rs. 3,36,82,000 in compliance of Section 107(6)(b) of CGST Act, 2017 utilizing amount available in Electronic Credit Ledger - However, revenue directed Assessee to pay pre-deposit through Electronic Cash Ledger - HELD : In judicial precedents and CBI&C Circular No. 172/04/2022-GST, dated 6-7-2022, it was clarified that pre-deposits could be made using Electronic Credit Ledger - Following said judgment amount paid by assessee as pre-deposit in compliance of Section 107(6)(b) ibid utilizing amount of Electronic Credit Ledger was required to be considered valid and letter issued by revenue directing assessee to pay pre-deposit amount through Electronic Cash Ledger was therefore, quashed and set aside - Appeal filed by assessee was required to be heard on merits by considering payment of pre-deposit by assessee from Electronic Credit Ledger as a sufficient compliance of provisions of Section 107(6)(b) ibid.

9] TVL Sripati Paper & Boards Pvt. Ltd. Vs. Asst. Com. (ST), Virudhunagar-2025(92)G.S.T.L.539-

Input tax credit - Denial of - Non-speaking order - Period 2018-19 - An audit notice was served on assessee for period 2017 to 2020 and pursuant to completion of audit, an audit summary was issued to assessee - Said report pointed out several defects relating to year 2018-19 in respect of ITC wrongly claimed/availed - A detailed reply was filed by assessee - Assessee also requested for further time - Request of assessee was rejected and a final audit report in ADT-02 was issued - Notice in DRC-01 was issued invoking Sections 73 and 74 of TNGST Act, 2017 adopting all defects from audit report - Assessee respondent to same and also attended personal hearing - Impugned order of assessment was issued confirming all defects as pointed out in audit report - Assessee challenged same on ground that impugned order was passed without dealing with assessee's objections and without assigning any reason for rejecting objections - In view of assessee's submission, respondent submitted that that they would redo entire assessment - HELD : In view thereof, impugned order of assessment was to be set aside and matter was to be remanded to pass a speaking order.

F] GST portal updates

1] Advisory to Taxpayers on Extension of E-Way Bills Expired: The technical issues encountered in the e-way bill generation process have now been resolved, and the portal is functioning smoothly. To address the disruptions caused, the authorities have introduced facilitation measures for taxpayers and transporters.

Firstly, the extension of expired e-way bills has been addressed. Under normal procedures, e-way bills expiring at midnight on 31st December 2024 could be extended within 8 hours before or after expiry. However, due to technical glitches, this process was disrupted. As a remedial measure, the window for extension has been extended until midnight on 1st January 2025, allowing taxpayers to utilize the "Extend EWB" facility if required.

Secondly, taxpayers and transporters who moved goods on 31st December 2024 without generating e-way bills due to the technical issue are advised to generate the required e-way bills on 1st January 2025 using the existing facility on the portal.

The authorities appreciate the cooperation of taxpayers in ensuring compliance with e-way bill requirements and encourage them to seek assistance through the helpline or portal support page if needed.

2] Enabling filing of Application for Rectification as per Notn. 22/2024-CT: The Central Government, based on the 54th GST Council's recommendations, issued Notification No. 22/2024 - CT on 08.10.2024, allowing taxpayers to apply for rectification of demand orders issued for wrong availment of Input Tax Credit (ITC) due to violations of Section 16(4) of the CGST Act. If the ITC is now eligible under the newly inserted sub-sections (5) and/or (6) of Section 16, affected taxpayers can seek rectification of such orders.

To facilitate this, a new functionality has been made available on the GST portal. Taxpayers can submit an application for rectification of orders issued under Section 73/74 by navigating to Services > User Services > My Applications, selecting "Application for rectification of order", and clicking NEW APPLICATION. A proforma in Annexure A is provided in Word format, which must be downloaded, filled, and uploaded with details of the wrongly availed ITC now eligible under the revised provisions.

3] Advisory on Extension of Due Date w.r.t GSTR 1 and GSTR 3B: Due Date for filling of GSTR-1 and GSTR-3B have been extended by two days. For details refer to Notification No. 01/2025 - (CT) dt. 10th January, 2025 and Notification No. 02/2025 - (CT) dt. 10th January, 2025 issued by CBIC.

4] Generation Date for Draft GSTR 2B for December 2024: Due to the extended due dates for filing GSTR-1 and GSTR-3B for December 2024 (Quarter Oct-Dec 2024), as per Notifications No. 01/2025 and 02/2025 dated 10th January 2025, the Draft GSTR-2B for the same period will now be generated on 16th January 2025, in accordance with Rule 60 of the CGST Rules, 2017.

Taxpayers are advised that if any action is taken in IMS (Input Matching System) after the generation of GSTR-2B on or after 16th January 2025, they can recompute their Draft GSTR-2B accordingly.

5] Advisory for Waiver Scheme under Section 128A: Taxpayers are informed that an advisory on the waiver scheme was issued by GSTN on 29.12.2024, and they can access it via GST portal. The Forms GST SPL 01 and GST SPL 02 required for applying under the waiver scheme are now available on the GST portal, and taxpayers are advised to submit their applications accordingly.

A key eligibility condition for filing under the waiver scheme is the withdrawal of any appeal applications (APL-01) filed against the demand order/notice/statement related to the waiver application. For appeals filed before the First Appellate Authority, a withdrawal option is available on the GST portal. However, for appeals filed before 21.03.2023, this option is not available online. In such cases, taxpayers must submit a withdrawal request to the Appellate Authority, which will forward it to GSTN through the State Nodal Officer for backend processing.

For any difficulties faced in the process, taxpayers can raise a ticket under the category "Issues related to Waiver Scheme" on the GST self-service portal.

6] Implementation of mandatory mentioning of HSN codes in GSTR-1 & GSTR 1A: With the successful implementation of Phase-I & Phase-II, Phase-III of Table 12 of GSTR-1 & GSTR-1A is now being introduced from the return period of February 2025. In this phase, the manual entry of HSN codes has been replaced with a dropdown selection to ensure accuracy. Additionally, Table 12 has been bifurcated into two tabs: B2B and B2C, allowing separate reporting of these supplies.

Further, validations on the values of supplies and tax amounts have been introduced for both tabs. However, during the initial period, these validations will be in warning mode only, meaning that even if a validation fails, it will not block the filing of GSTR-1 & GSTR-1A. For a detailed advisory, taxpayers can refer to the provided link.

7] Advisory on Business Continuity for e-Invoice and e-Waybill Systems: This advisory highlights the alternate mechanisms and business continuity plans available for e-Invoice and e-Waybill systems. Taxpayers are advised to integrate these mechanisms into their systems and coordinate with their system integrators, IRPs, ERPs, GSPs, or ASPs to ensure uninterrupted operations.

8] Advisory on the Introduction of E-Way Bill (EWB) for Gold in Kerala State: A new option for generating E-Way Bills (EWB) for gold has been introduced in the EWB system, effective January 20, 2025. This feature is designed specifically for taxpayers in Kerala to generate EWB for goods classified under Chapter 71, excluding HSN 7117 (Imitation Jewellery), for intrastate movement, in compliance with the Government of Kerala's notification. The "EWB for gold" option is applicable only for goods under Chapter 71 and can be used solely for intrastate movement within Kerala. However, EWB for imitation jewellery (HSN 7117) can still be generated using the standard option in the EWB system. Taxpayers needing further assistance can contact the GST Helpdesk or refer to the detailed user guide available on the EWB portal. This advisory is issued for stakeholder awareness and compliance.

9] Hard - Locking of auto-populated liability in GSTR-3B: The earlier advisory dated October 17, 2024, regarding the restriction on editing auto-populated liability in GSTR-3B from the January 2025 tax period, has been temporarily put on hold due to requests from the trade seeking additional time. As a result, this change will not be implemented from January 2025 on the GST portal. However, taxpayers are advised to prepare for this update, as it will be introduced soon, with prior notification to the trade.

Compliance Calendar for the month of February 2025

| Due Date of Compliance | Compliance |
|-------------------------------|--|
| 10.02.2025 | Monthly GSTR 7 for the month of Jan 2025 (TDS deductor) |
| | Monthly GSTR 8 for the month of Jan 2025 (TCS collector) |
| 11.02.2025 | Monthly GSTR 1 for the month of Jan 2025 (Regular Monthly Taxpayer) |
| 13.02.2025 | IFF facility under the QRMP scheme (Jan-2025) |
| 13.02.2025 | GSTR-5 for the month of Jan 25 (Non-Resident Taxpayer) |
| 13.02.2025 | GSTR-6 for the month of Jan 25 (Input Service Distributor) |
| 20.02.2025 | Monthly GSTR 3B for the month of Jan 2025 (Regular Monthly Taxpayer) |
| 20.02.2025 | Monthly GSTR 5A for the month of Jan 2025 (OIDAR service provider) |
| 25.02.2025 | Monthly tax payment for the month of Jan 2025 in Form GST PMT 06 under QRMP scheme |

Join our exclusive community on WhatsApp!



For Private Circulation only. This note presents a summary of various notifications in simple language for easy understanding. You are requested to refer respective notification before the application of the text of this newsletter. While utmost care has been taken to provide up-to-date & current information, any person using this information may exercise sufficient caution. We shall not be responsible for any errors/omissions or any losses arising out of the use of the contents of this newsletter.

Editorial Team

CMA R.K. Deodhar

CMA Dipak N Joshi

“Matruchaya Banglow”, Plot No 16 and 17, Trambakeshwar Road, Satya Colony, behind Vikas Colony, Nashik, Maharashtra 422007

Contact: +91 98220 49980, +91 99221 59279

Email: info@edugst.com