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GST THIS WEEK

TOP FOUR GST NEWS UPDATES THAT YOU MUST KNOW

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Supreme Court rules on Service Tax on corporate guarantees, gives private firm relief

The Supreme Court has held that the Service Tax will not be levied on corporate guarantees by a parent company to its subsidiaries as there is no consideration in question. Consideration, the main element of a contract, is a promise, performance, or forbearance bargained by a 'promisor' in exchange for their promise. The Court ruled that Service Tax authorities failed to demonstrate that the holding company had received any consideration, either in monetary or non-monetary form, for the transaction involving the corporate guarantee. In the absence of any consideration, it was held that the transaction was not subject to tax

[Source: Business Standard](#)





GST Registration Cancellation

Revocation of GST Registration Cancellation: Deadline till June 30

The businesses have an opportunity to revoke their GST registration cancellation by paying due taxes, interests and penalties. The Government issued a deadline of June 30, 2023 to complete the revocation process. As per the notification of the Finance Ministry, there will be no further chance to be given for the revocation. Also, businesses that had their GST registrations cancelled before December 2022 and who have not yet requested the revocation of their cancellation may do so until June 30, 2023 by paying late fee of ₹1000 in Form GSTR-10

[Source: Tax Scan](#)

No GST on business vertical sold as 'going concern'

The Karnataka bench of the Authority for Advance Rulings ('AAR') held in a recent ruling that sale of a business vertical as a going concern will not attract the GST, provided the conditions are met. This AAR also mentioned that Notification dated 28 June 2017, specifically provides that “services by way of transfer of a going concern, as a whole or an independent part thereof attracts nil rate of GST”. While advance rulings do not set a judicial precedent, they have a persuasive impact on assessments

[Source: The Times of India](#)





CBIC

CENTRAL BOARD OF INDIRECT TAXES AND CUSTOMS

GST Amnesty scheme now available for non-filers of GSTR-9

The CBIC has notified the much-anticipated GSTR-9 amnesty scheme. The Central Tax Notification 07/2023 was released on 31st March 2023 to notify two decisions that benefit GST annual return filers. Firstly, those businesses that missed the previous deadlines for filing annual returns in Form GSTR-9 can do so at a concessional late fee under this scheme. The notification allows waiver of late fees by an amount exceeding Rs.10,000 per return, per Act. Secondly, the notification defines a new late fee for different categories of taxpayers

[Source: ClearTax Chronicles](#)

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