

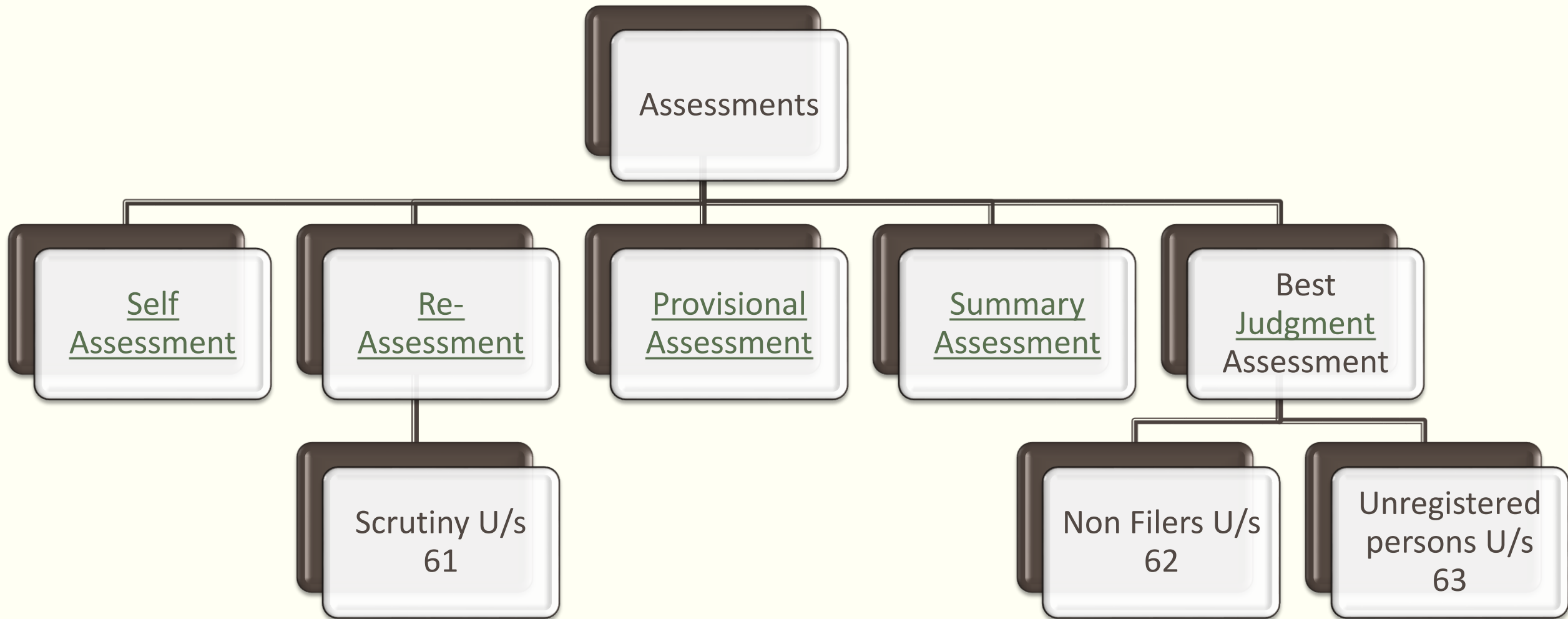


ISSUES IN ASSESSMENTS

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ASSESSMENTS






THANK YOU

Self Assessment


What is the meaning of Self Assessment? Eg. Hotel/ Petrol Bunk




Who is required to self assess? UIN required to self assess?
How would you self assess?



Would return be treated as valid if self-assessed tax is not paid? What are the consequences of such non payment?



Is SCN required to be issued to demand self-assessed tax, interest thereon which is not paid? - S.75(12)



Can penalty be levied for self assessed tax declared but not paid? - S. 73 (11). [Back](#)

Re- Assessment

Scrutiny of Returns



Inform registered person of discrepancies



Seek Explanation

Satisfactory Explanation

Non Satisfactory Explanation

No Explanation

Accept discrepancy but fails to take
corrective action



Initiate Action

S.65 [Back](#)

S.66

S.67

S.73 or 74

Issues - Scrutiny Assessment

■ Outward Taxable Supplies

- Cross Charges by HO to Branches
- Receipt of Foreign Exchange where POS is India - JW – Tea SR- O/s, SP- India.
- Non Receipt of Foreign Exchange where POS is O/s India – Beauty Treatment – Miss India
- Bldg O/s India - Architect Service - SP & SR India

■ Zero Rated Supply

- Service – Foreign Exchange/ Goods - Export

■ Inward Supplies

- Cross Charges by Holding Company O/s India

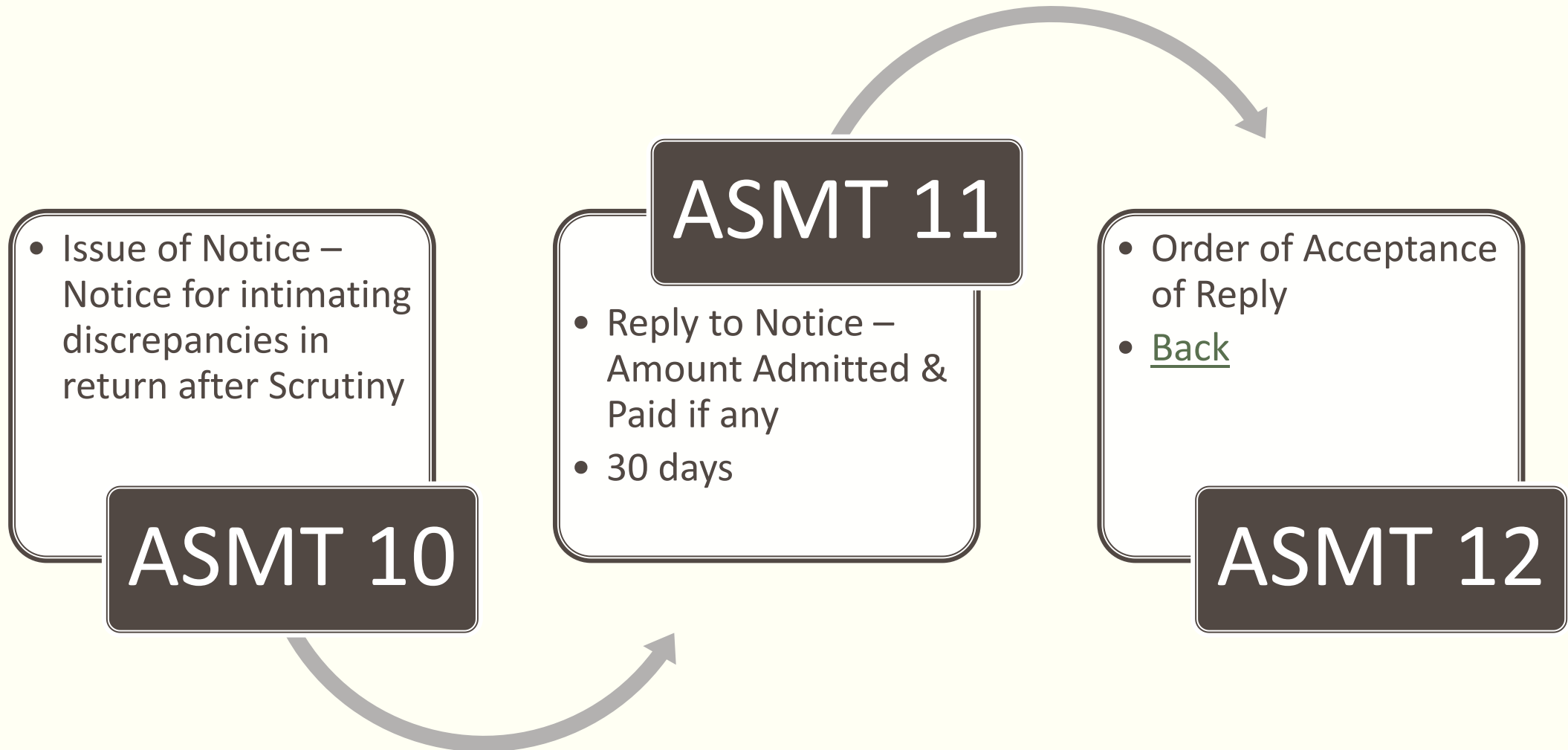
■ NON GST Outward Supplies

- Merchanting Trade
- In Bond Sales
- Securitization Transactions

■ Value

- Goods supplied free of cost by recipient
 - Construction – Cement / Manufacture
 - Tools/ Dies/ Jigs

Procedure – Scrutiny Assessment



Provisional Assessment

- Who can resort to Provisional Assessment? Difference between RP and TP?
- When can Provisional Assessment be resorted to?
- What is the time period within which provisional assessment must be approved?
- Is any bond/ security to be furnished?
- Within what period of time should the final assessment be passed?
- Would interest be payable if tax is payable on final assessment?
 - If so, interest is payable from which date?
- Would tax be refundable if excess tax paid?
- Would interest be allowable in case of excess tax payment?

Provisional Assessment

ASMT 1	• Application/ Reason
ASMT 2	• Notice/ Personal Hearing
ASMT 3	• Reply/ Additional Documents
ASMT 4	• Provisional Order, 25% of Amount
ASMT 5	• Bond & Bank Guarantee
ASMT 6	• Notice for finalization
ASMT 7	• Final Order
ASMT 8	• Release of Security Back

Summary Assessment

- When can it be resorted to?
- Whether previous permission has to be taken?
- Whether 'principal of natural justice' has to be followed?
- Whether person other than owner can be assessed hereunder?
- What are the circumstances when summary assessment order is withdrawn?
- After withdrawal, what is the further course of action by department?
- What is the course of action if proper officer does not withdraw his order?
- [Back](#)

Best Judgment Assessment

- Non Filers
- Over-rides S.73 & 74
- Fails to furnish return u/s 39 & 45
- Even after service of notice u/s 46
- Pass Best Judgment Assessment Order
- Limitation period
- How to overcome BJAO?
- Liability for interest and late fee?
- Un Registered Person
- Over-rides S.73 & 74
- TP fails to obtain registration/ where registration has been cancelled u/s 29(2)
- Pass Best Judgment Assessment Order
- Limitation period
- Opportunity of hearing
- [Back](#)