





Assessment & Adjudication - Determination of Tax > Module Objectives

- By the end of this module, you will be able to:
 - —Identify the roles to be allocated to Tax Officials to process cases of Assessment in the GST Portal
 - Initiate proceeding and process assessments cases as a Tax
 Officials in cases of
 - Scrutiny of Returns (ASMT-10, ASMT-11, ASMT-12)
 - Determination of Tax(Fraud/Others) (Section 73, 74) (DRC-01, DRC-02, DRC-03, DRC-05, DRC-06, DRC-07)
 - —Take actions for cases in which taxpayer has made payment on voluntary basis (DRC-03, DRC-04)





Tax Officials Roles for Assessment & Adjudication

 Issue notices/orders related to Demand/Penalty

Adjudicating Authority



 Issue withdrawal orders or rejection orders for Summary Assessment and Provisional Assessment

Approving Authority For Assessment



 Approve issuance of order in specific cases

Commissioner





Assessment & Adjudication - Determination of Tax

Assessment & Adjudication -Determination of Tax

- Scrutiny of Returns (ASMT-10, ASMT-11, ASMT-12)
- Determination of Tax(Fraud/Others) (Section 73, 74) (DRC-01, DRC-02, DRC-03, DRC-05, DRC-06, DRC-07)
- Payment on voluntary basis by Taxpayer; (DRC-03, DRC-04) and Intimation of voluntary payment to Tax Official
- Determination of Tax(Fraud/Others)-DRC 07 (Quick update addition of Other column in pdf of DRC-07 and removal of validation on tax rate)

Assessment & Adjudication -Other Assessments

- Provisional Assessment (ASMT-01, ASMT-02, ASMT-03, ASMT-04, ASMT-05, ASMT-06, ASMT-07)
- Assessment of unregistered persons (GST ASMT- 14 and GST ASMT- 15)
- Summary Assessment (GST ASMT- 16, GST ASMT- 17 and GST ASMT- 18)
- Assessment of non-filers of Returns
- Rectification of Orders and Mistakes (GST DRC- 08)
- Provisional Attachment (GST DRC- 22)
- Restoration of Provisional Attachment (GST DRC- 23)
- General Penalty (not covered under any other section)



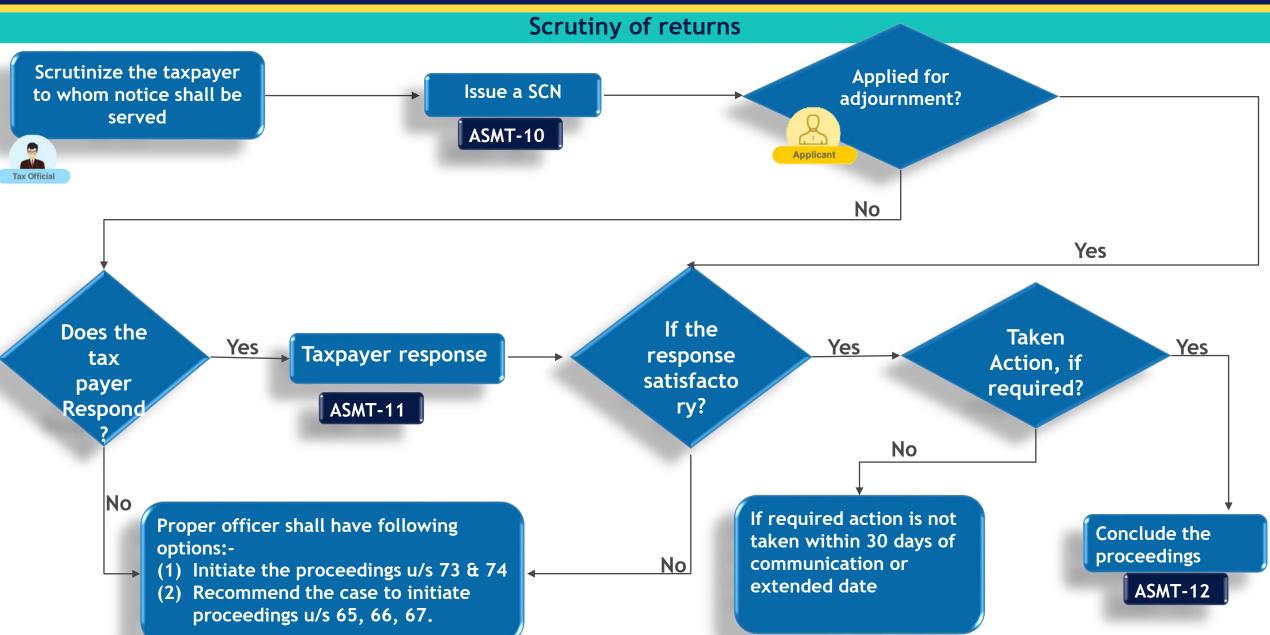
Forms of Scrutiny Assessment



Forms of Scrutiny Assessment

GST Form Number	Description	Rule
FORM GST ASMT-10	Notice for intimating discrepancies in the return after scrutiny	Rule 99(1)
FORM GST ASMT-11	Reply to the notice issued under section 61 intimating discrepancies in the return	Rule 99(2)
FORM GST ASMT-12	Order of acceptance of reply against the notice issued under section 61	Rule 99(3)







Scrutiny assessments				
Proposal Tab Name	Action on Each Tab			
Notices	 Reminder Notice Adjournment 			
Replies	You can download the replies & it's annexures			
Orders	Drop Proceeding			
References	 Communication References of the case 			
Recommend	Add Recommendation			



Scrutiny assessments

Action description	Status

Status of ARN of return under work item of A/A for scrutiny

on date specified in SCN or Extended date

On removing the item from 'List of Return under Scrutiny'

Status of ARN/ Case id and RFN upon issue of notice

Status of ARN/ Case id and RFN upon submission of reply

Status of ARN/ Case id and RFN, if person does not attend PH/ furnish explanation

Status of ARN/ Case id and RFN upon dropping the proceedings

Status of ARN/ Case id upon initiating proceedings u/s 73 for Determination of Tax

Recommended for action u/s 74 Status of ARN/ Case id upon initiating proceedings u/s 74 for Determination of Tax

Status

Closed

Pending for Action by tax officer

Pending for reply by taxpayer

Reply furnished; Pending for order by tax officer

Reply not furnished, pending for order

Order for dropping proceedings issued

Recommended for action u/s 73

(Internal Status)

(Internal Status)

Slide 9



Scrutiny assessments

Action description	Status

Status of ARN/ Case id upon recommended the case to Audit

Recommended for Audit u/s 65 (Internal Status)

Status of ARN/ Case id upon recommended the case to Special Audit

Recommended for Special Audit u/s 66 (Internal Status)

Status of ARN/ Case id upon Recommended the case under Enforcement

Recommended for Survey/ Inspection u/s 67 (Internal Status)

Status of ARN/ Case id and RFN, in case, no reply submitted against notice within time specified or extended time

Pending for order by tax officer

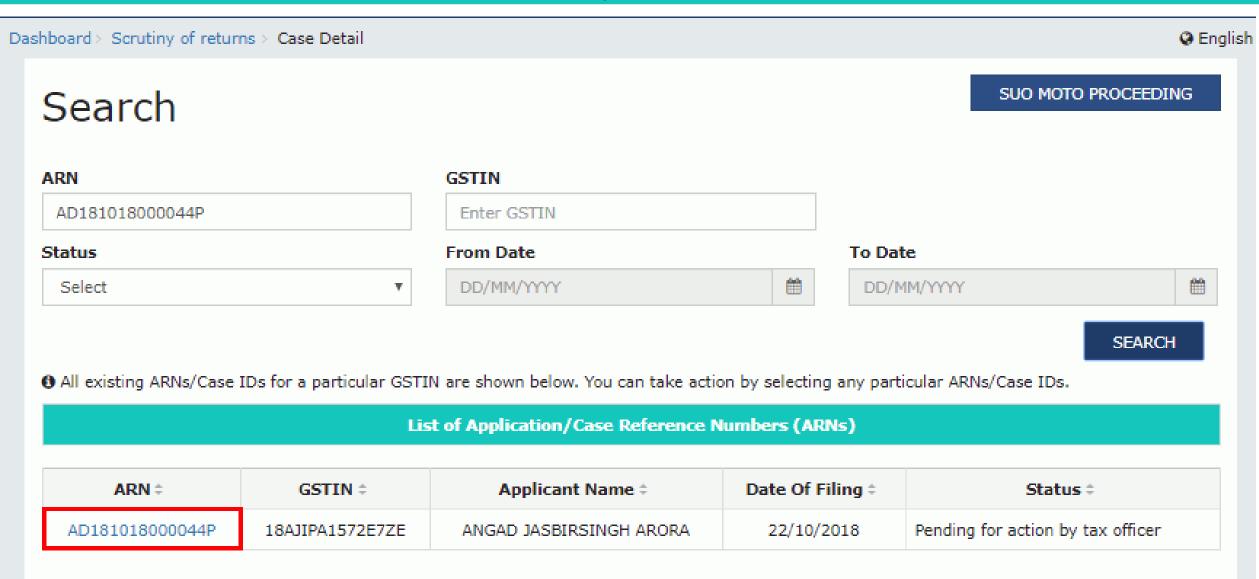


Screenshots of Scrutiny Assessment

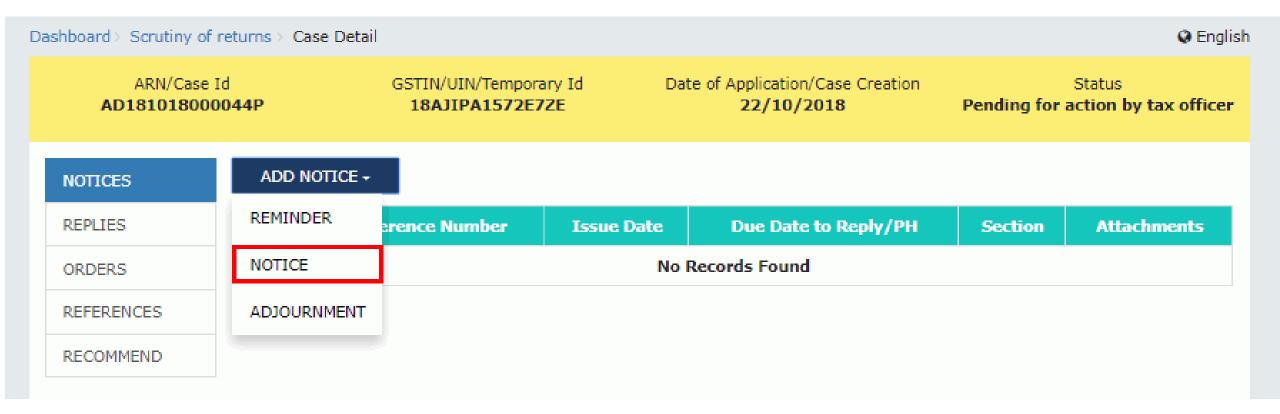


Dashboard	Services •	Help ▼	Grievances	Refund •	Statutory Functions			
Assessment/Adjudication Demand and Collection Register Quick Links		nks My Tasks C	Cause List Recovery					
Determination	n of tax(Fraud/(Other)-DRC07	,		Intimation of Vol	luntary Payment		
General Penal	lty				Assessment of u	Assessment of unregistered persons		
Assessment of Non-filers of Returns		Determination of	Determination of tax(Fraud/Other)					
Rectification of Orders		Summary Assess	sment					
Provisional Attachment		Restoration of Provisional Attachment						
Tax collected but not deposited		Scrutiny of Returns						
Provisional Assessment		Recommendations						











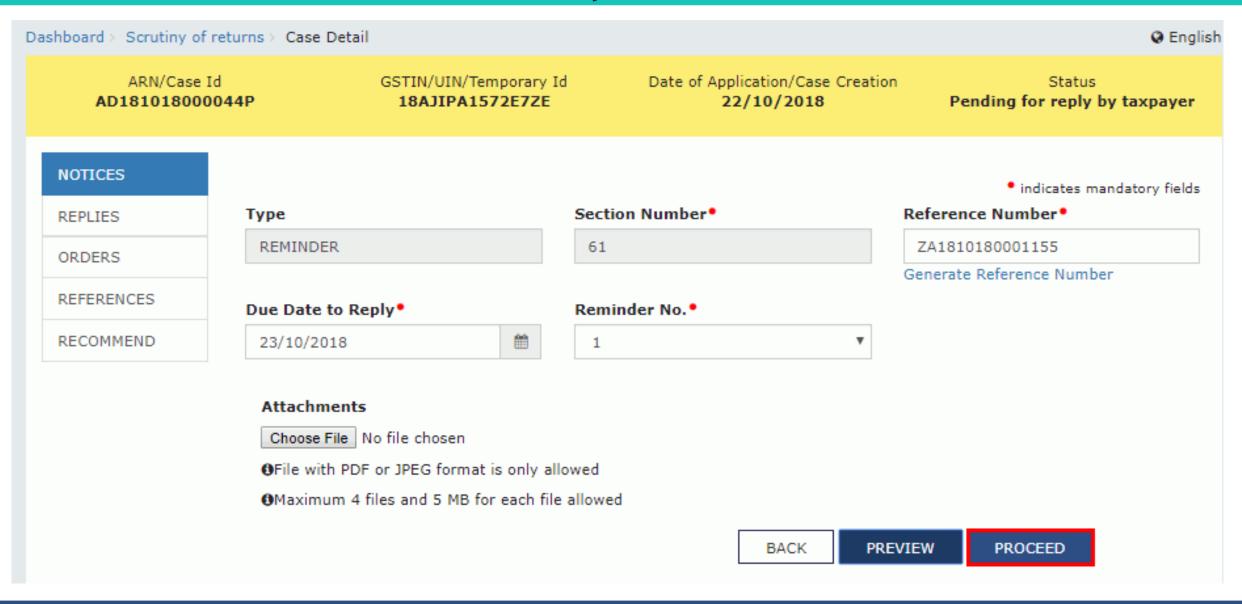
ARN/Case 1 AD181018000		IN/UIN/Temporary Id 8AJIPA1572E7ZE		oplication/Case 22/10/2018		Status ending for action by tax office
NOTICES REPLIES ORDERS REFERENCES	Туре		tion Number •			indicates mandatory field MIS Report Tax Liability Tax Return History ence Number
	NOTICE	61				810180001147 ate Reference Number
RECOMMEND	Financial Year • 2017-2018		Date to Reply	,•	<u>m</u>	
			Tax P	eriod •		
		From				То
	JAN	2018		MAR		2018
	Act/Rules Provision Act/Rules Provisions 1000 characters remain Attachments Choose File No file Doc.pdf	ining				
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				BACK	PREVIEW	PROCEED



Scrutiny of returns

Dashboard > Scrutiny of returns > Case Detail English ARN/Case Id GSTIN/UIN/Temporary Id Date of Application/Case Creation Status 18AJIPA1572E7ZE AD181018000044P 22/10/2018 Pending for reply by taxpayer ADD NOTICE -NOTICES REMINDER Issue **Due Date to** Section REPLIES erence mber Date Reply/PH Number **Attachments** NOTICE ORDERS 180001147 22/10/2018 23/10/2018 61 Doc.pdf ADJOURNMENT REFERENCES SR_NOTICE_ZA1810180001147_20181022122950.pdf RECOMMEND







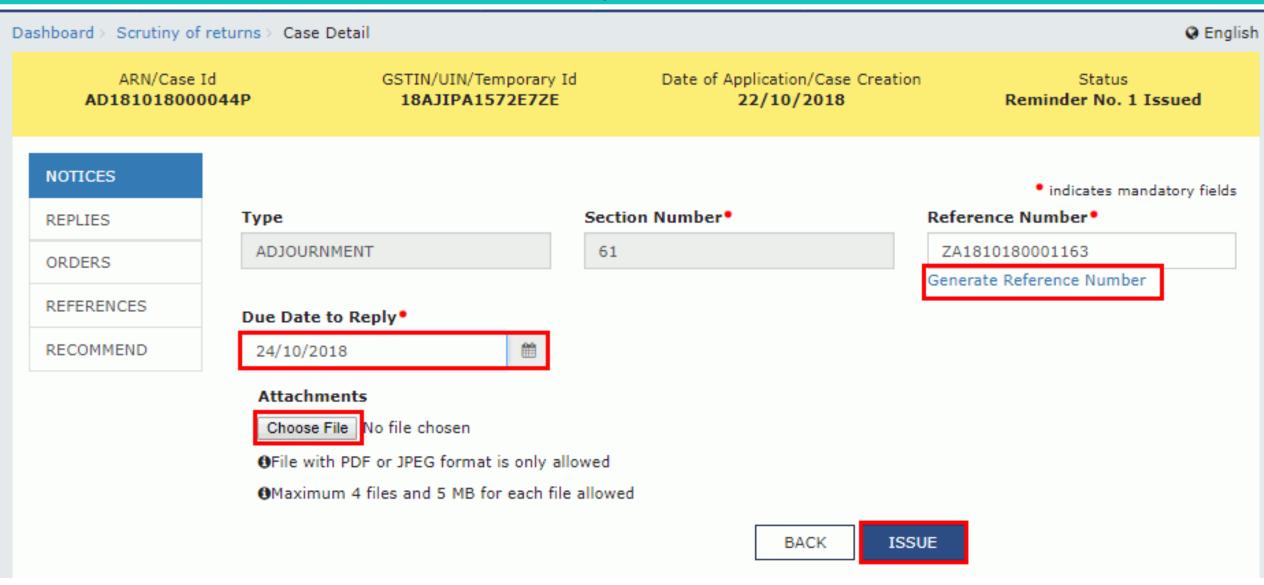
Scrutiny of returns

NOTICES
REPLIES
ORDERS
REFERENCES
RECOMMEND

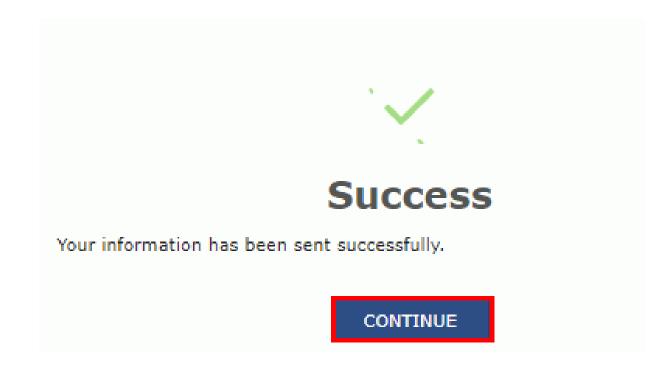
ADD NOTICE -

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NOTICE	•	teference Number	Issue Date	Due Date to Reply/PH	Section Number	Attachments
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NOTICE	ZA18	310180001147	22/10/2018	23/10/2018	61	Doc.pdf SR_NOTICE_ZA1810180001147_20181022122950.pdf









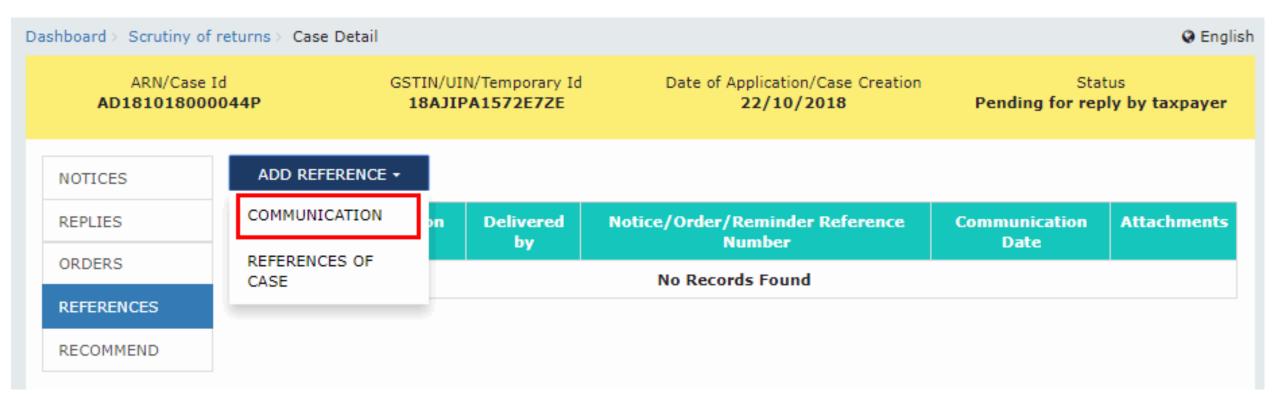




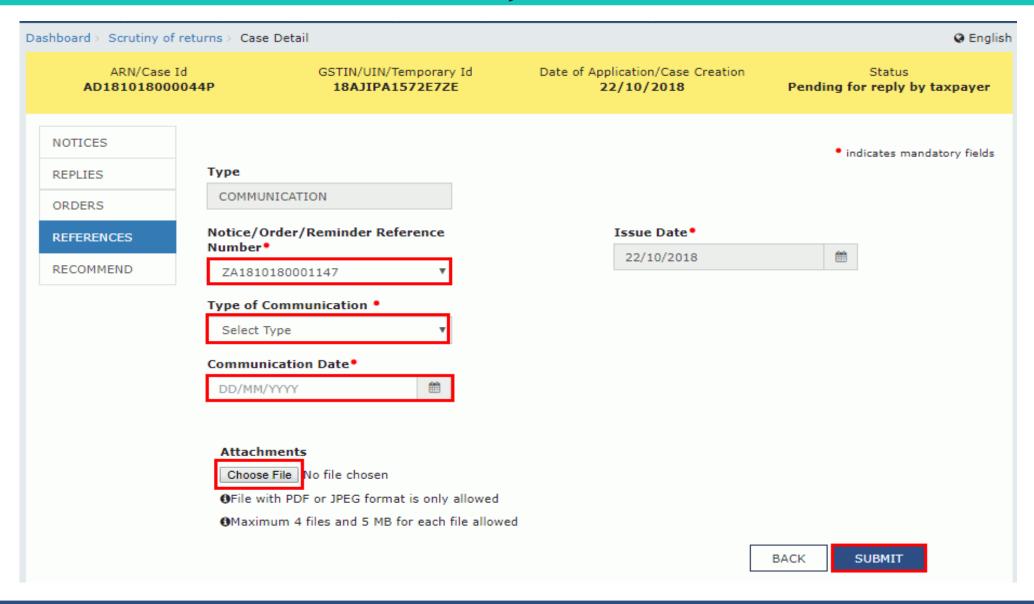


ARN/Case AD18101800 0	The state of the s	IN/Temporary Id PA1572EAZB	Date of Application/Case 10/10/2018	Creation	Status Pending for reply	
NOTICES					• indicates m	andatory fields
REPLIES	Туре	Orde	r Number • 0	Date	e of reply	
ORDERS	DROP PROCEEDING		1810180001171	NA		
		Gene	rate Reference Number			
REFERENCES	SCN Ref No •	Date	of SCN*	Fina	ncial Year•	
RECOMMEND	ZA1810180000826	10/	10/2018	20	17-2018	
			Tax Period•			
		From			То	
	JUL	2017	JUL		2017	
	Act/Rules Provisions Act/Rules Provisions 1000 characters remaining Attachments Choose File No file chose	en				
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	⊕Maximum 4 files and 5 MB for each file allowed					
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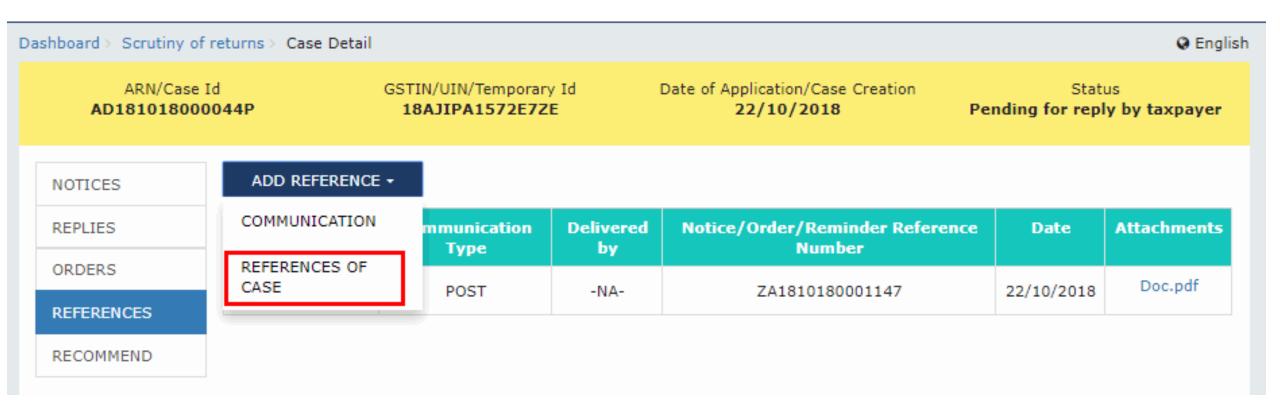




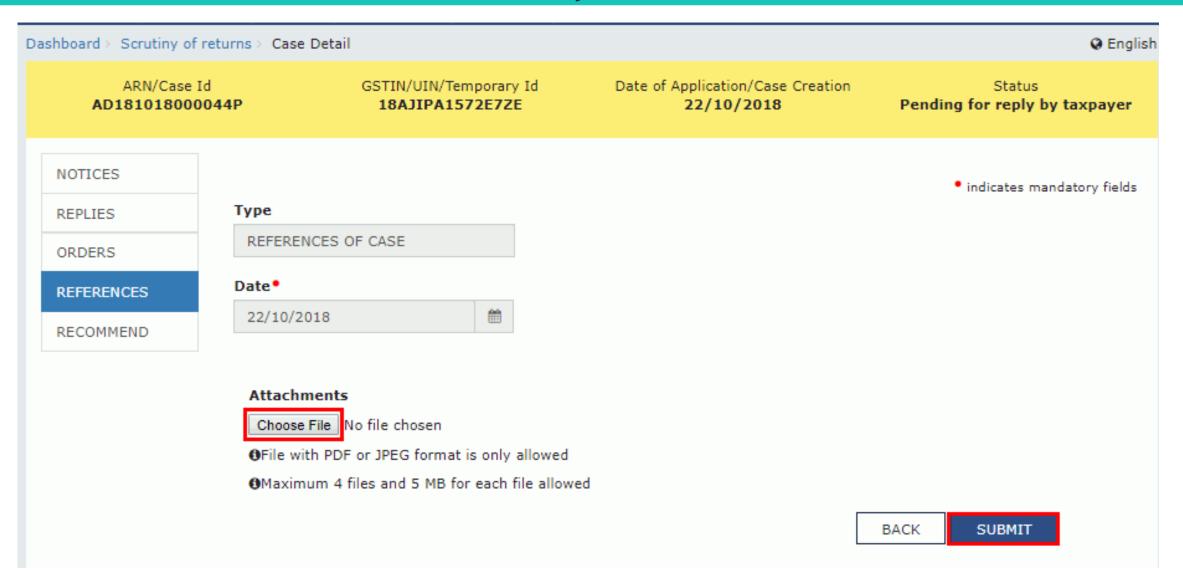




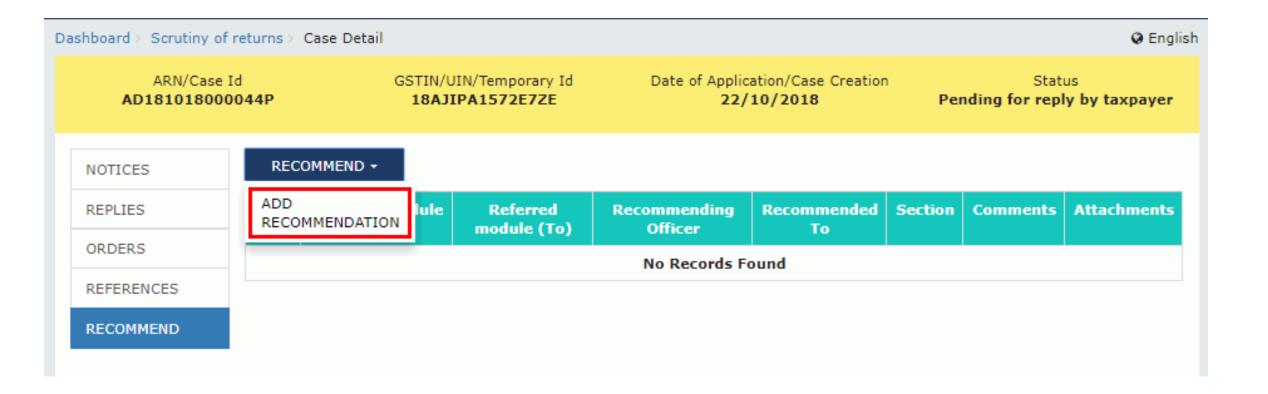




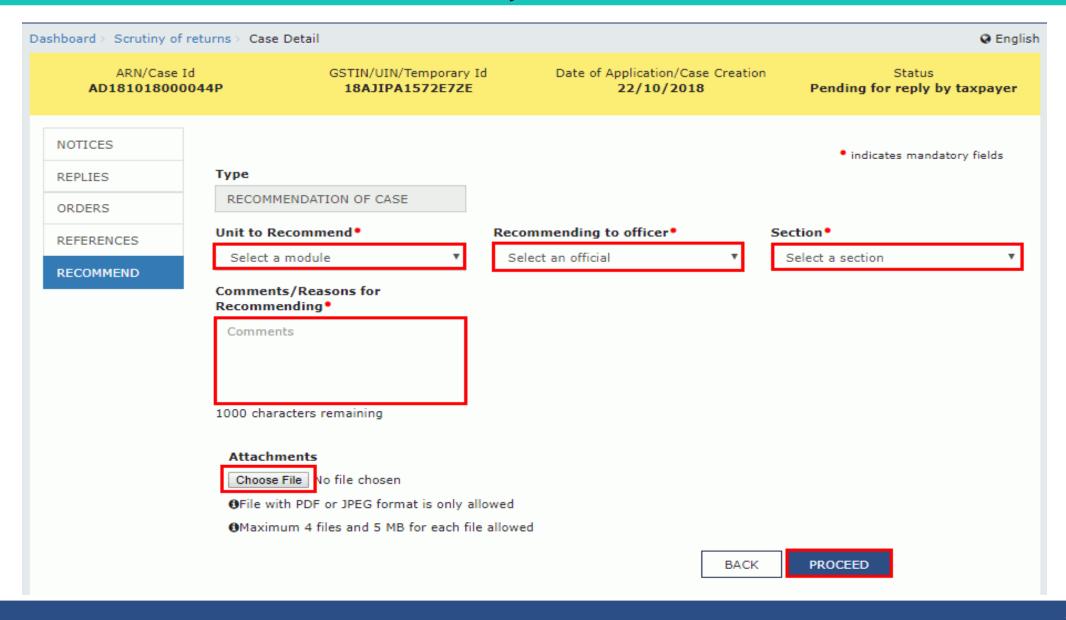














Assessment & Adjudication - Determination of Tax

Assessment & Adjudication -Determination of Tax

- Scrutiny of Returns (ASMT-10, ASMT-11, ASMT-12)
- Determination of Tax(Fraud/Others) (Section 73, 74) (DRC-01, DRC-02, DRC-03, DRC-05, DRC-06, DRC-07)
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Assessment & Adjudication -Other Assessments

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- General Penalty (not covered under any other section)



Forms of Demand U/s 73 & 74



Forms of Demand U/s 73 & 74

GST Form Number	Description	Rule
FORM GST DRC-1	Summary of Show Cause Notice	Rule 142(1)
FORM GST DRC-02	Summary of Statement	Rule 142(1)(b)
FORM GST DRC-03	Intimation of payment made voluntarily or made against the show cause notice (SCN) or statement	Rules 142(2) &142(3)
FORM GST DRC-04	Acknowledgement of acceptance of payment made voluntarily	Rule 142(2)
FORM GST DRC-05	Intimation of conclusion of proceedings	Rule 142(3)
FORM GST DRC-06	Reply to the Show Cause Notice	Rule 142(4)
FORM GST DRC-07	Summary of the order	Rule 142(5)
FORM GST DRC-08	Rectification of Order	Rule 142(7)
FORM GST DRC-09	Order for recovery through specified officer under section 79	Rule 143



Demand U/s 73 & &4

Proceedings initiated On the basis of

- (1) Inspection or Survey
- (2) Audit
- (3) Special Audit
- (4) Scrutiny of returns
- (5) Summary assessments



Bonafide u/s 73:-

Initiated in Cases not involving fraud, wilful misstatement or suppression of facts

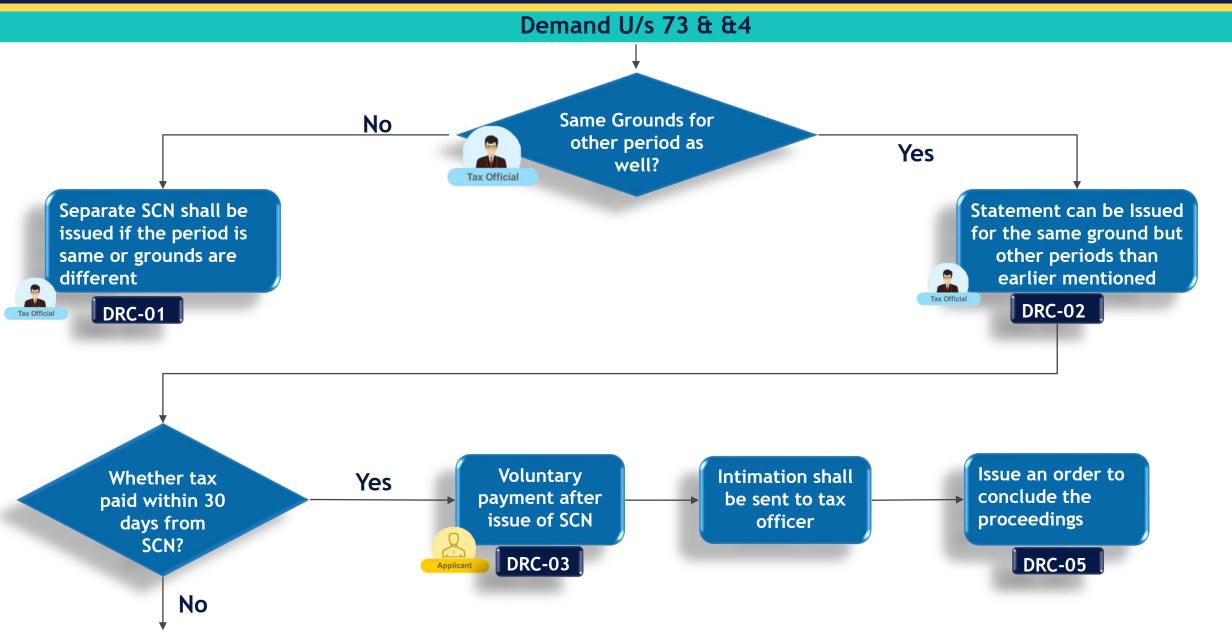
Malafide u/s 74:-

Initiated in Cases involving fraud, wilful misstatement or suppression of facts

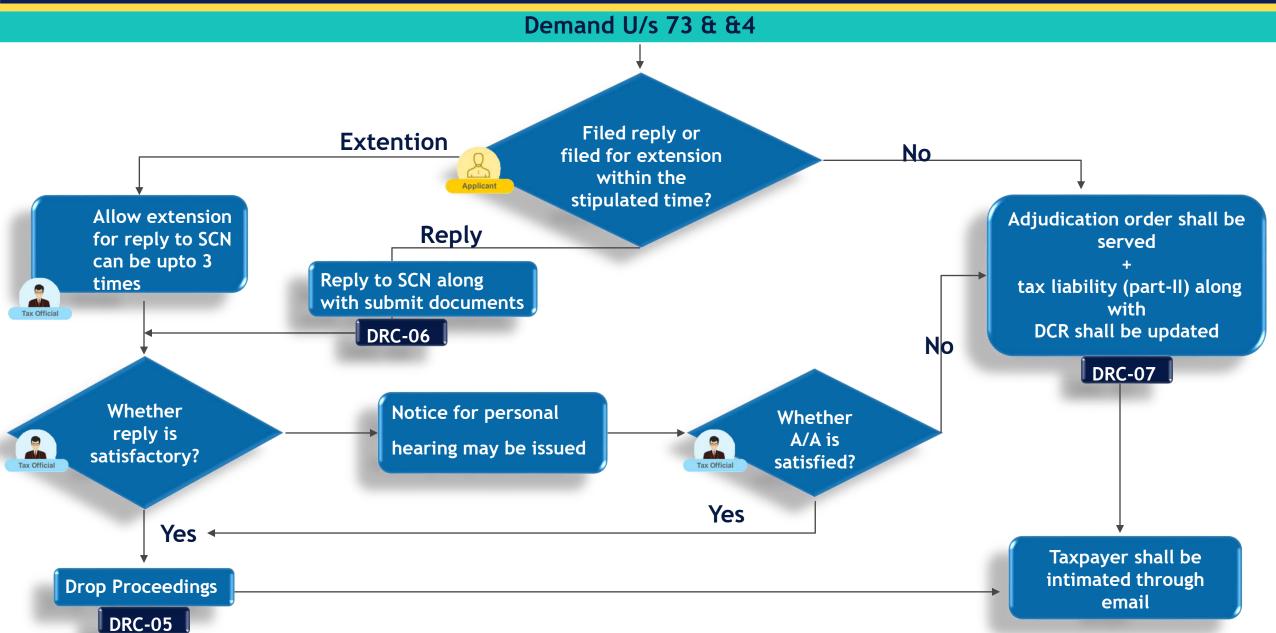
SCN shall be issued to the tax payer

DRC-01











Action description

Assessment & Adjudication and Appeal

Demand U/s 73 & &4

Status of ARN upon voluntary payment	Intimation of payment received
Status of ARN if payment made before SCN is acknowledged	Acknowledged
Status of ARN/ Case id upon recommendation received	Pending for action by tax officer
Status of ARN/ Case id on selection of ARN/Case id for proceedings	Pending for action by tax officer

Status of ARN/ Case id and RFN on issuance of SCN

Status of ARN/ Case id and RFN upon reply received from taxpayer

Status of ARN/ Case id and RFN upon dropped the proceedings

Status of ARN/ Case id and RFN upon issuance of order

Status of ARN/ Case id and RFN if reply not furnished

Status of demand Upon issuance of order (GST DRC-07) by tax officer

Demand created

Pending for reply by taxpayer

Reply furnished, pending for order by tax officer

Order for dropping proceedings issued

Order for creation of demand issued

Reply not furnished, pending for order

Status

Slide 35



Assessment U/s 73 & 74

Case Detail Tab Name	Taking Action on Each Tab
NOTICES	Issue Notice (SCN/Statement/Reminder/Adjournment)
	Download and View Notices
REPLIES	Download and View Filed Replies
PROCEEDINGS	Add Proceedings Record Sheet
	Download and View Proceedings Record Sheet
ORDERS	Issue Orders (Drop Proceeding/Assessment Order u/s 73 or 74)
	Download and View Orders
REFERENCES	Record any communication/references related to the case
	View/Download Communication/references related to the case



Important Points:-Demand U/s 73 - Time limit for issuance of Notice and Order

Particulars	Time limit for issuing show cause notice	Time limit for issuing order
Cases not involving fraud, wilful misstatement or suppression of facts	At least 3 months prior to the time limit specified under Section 73(10) for issuance of an order.	3 years from the due date for furnishing annual return for the financial year to which the tax not paid or short paid or input tax credit wrongly availed or utilised relates to or 3 years from the date of erroneous refund.
Cases involving fraud, wilful misstatement or suppression of facts to evade tax	At least 6 months prior to the time limit specified under Section 74(10) for issuance of order.	5 years from the due date for furnishing of annual return for the financial year to which the tax not paid or short paid or input tax credit wrongly availed or utilised relates to or 5 years from the date of erroneous refund.



Important Points: - Summary of Penalty implications U/s 73

Pay Tax + Interest	Amount of penalty
Before issuance of show cause notice	No penalty
Within 30 days after the issuance of show cause notice	No penalty
In any other case	10% of the tax or 10,000 whichever is higher



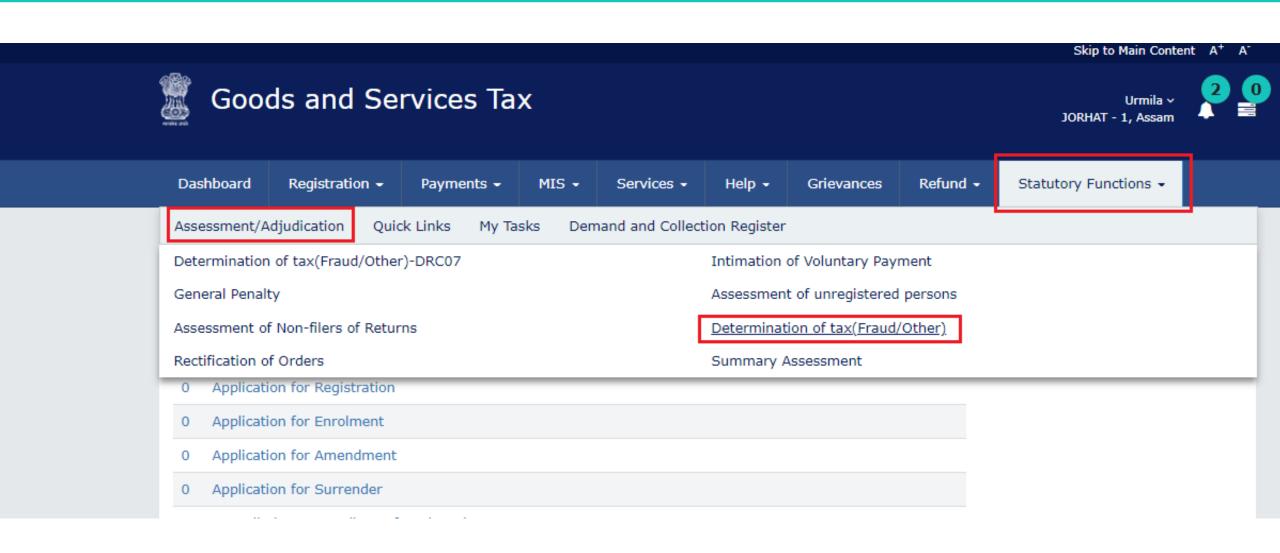
Important Points:- Summary of Penalty implications U/s 74

Pay Tax + Interest	Amount of penalty
Before issuance of show cause notice	15% of the tax amount
Within 30 days after the issuance of show cause notice	25% of the tax amount
Within 30 days from the communication of order	50% of the tax amount
In any other case	100% of the amount equal to tax.

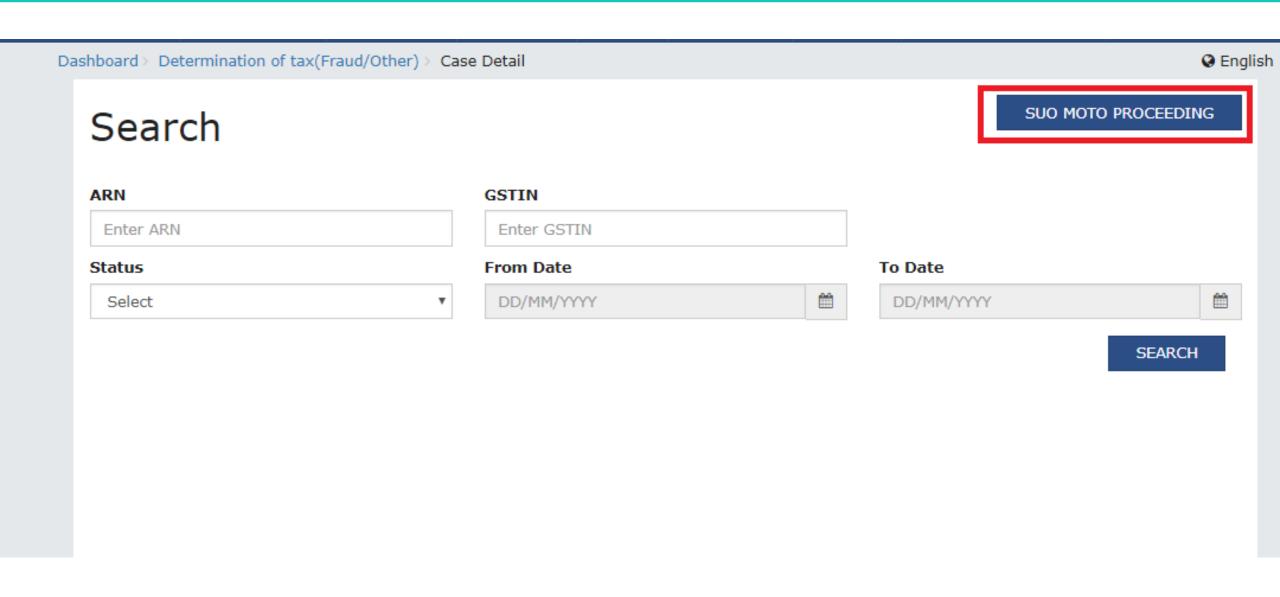


Screenshots of Demand U/s 73 & 74

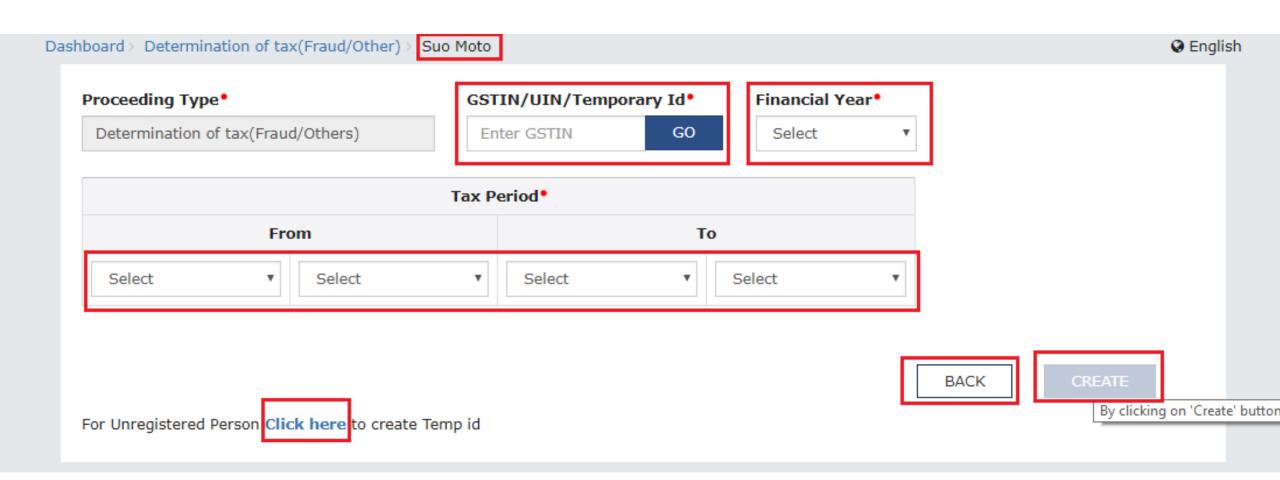




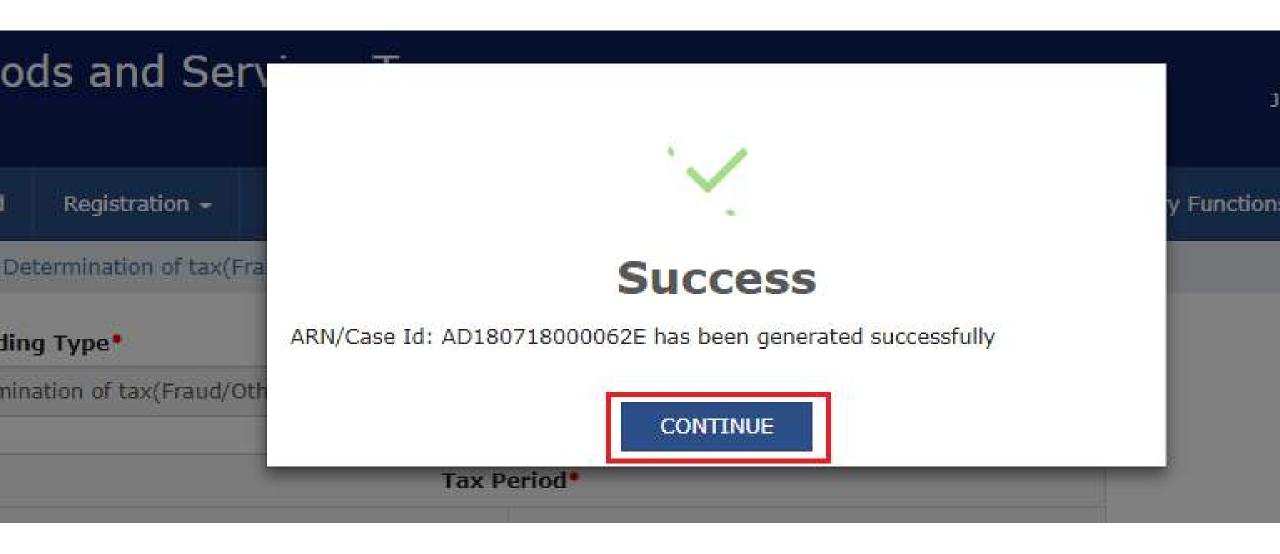








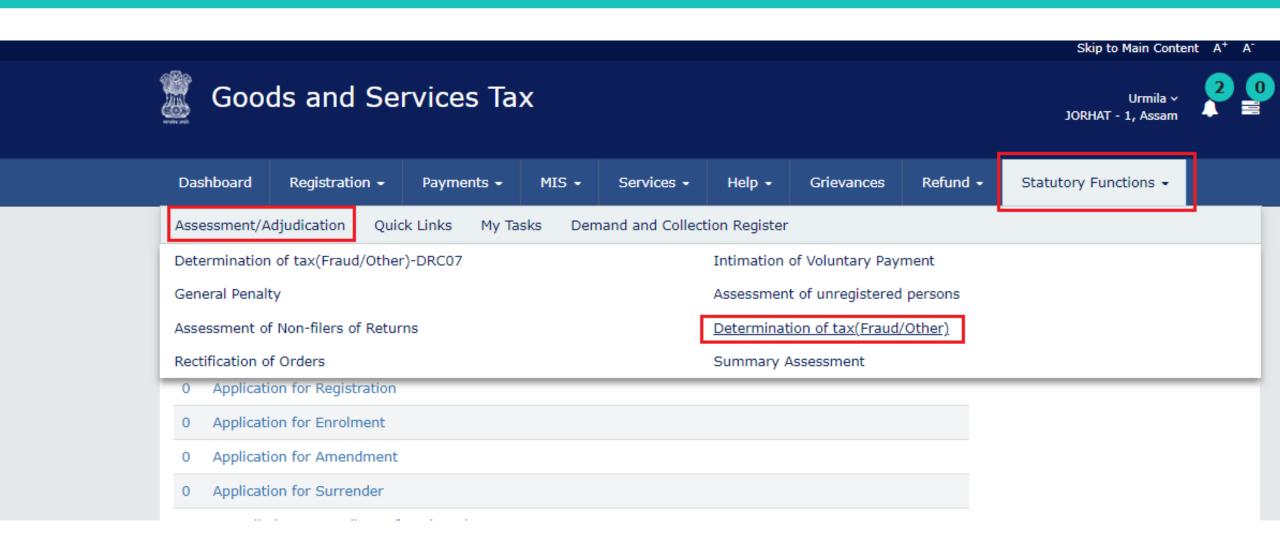




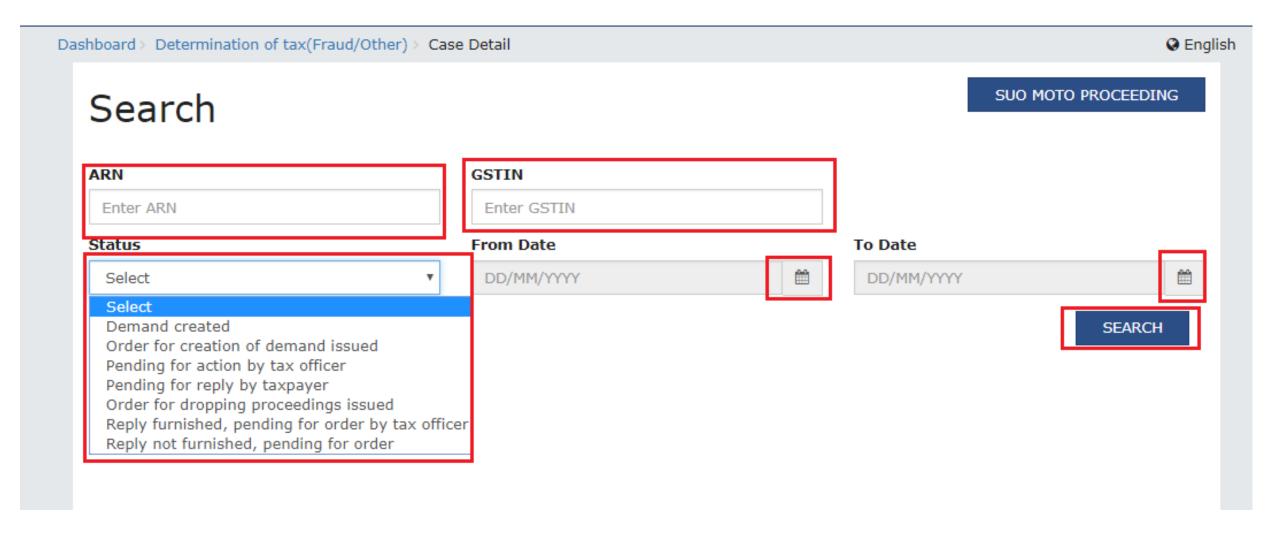




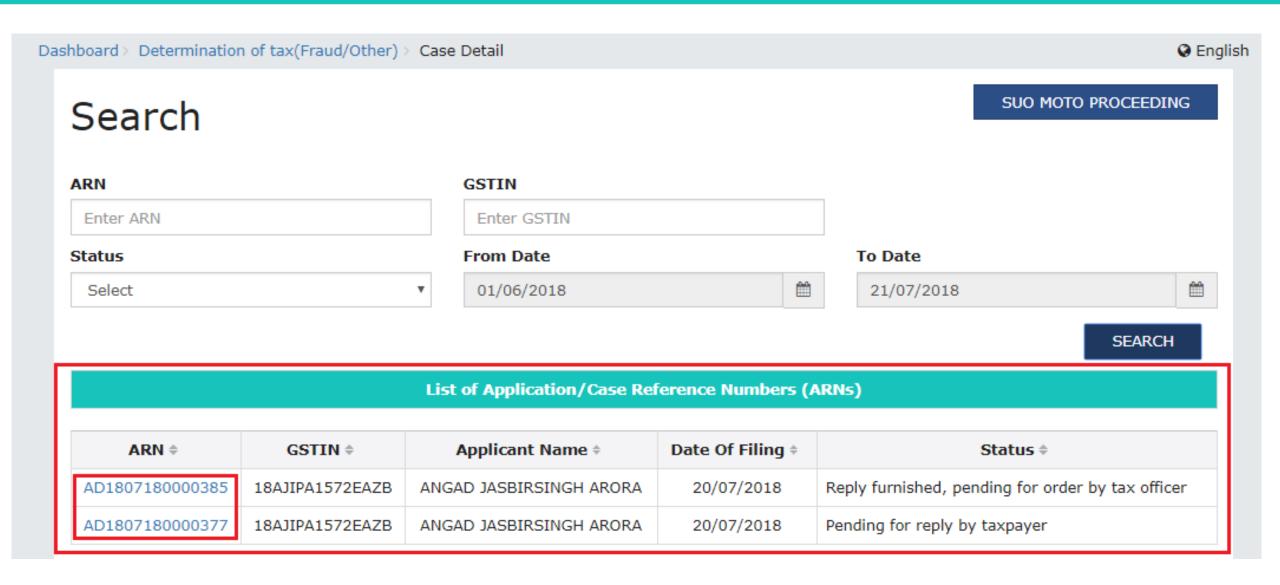




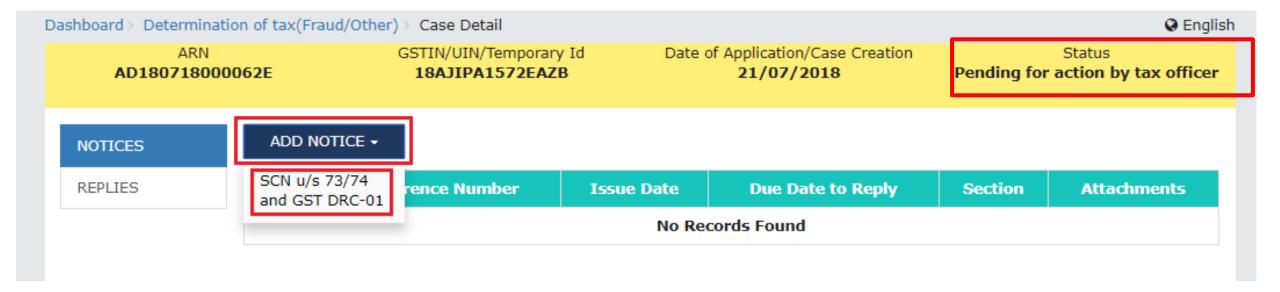




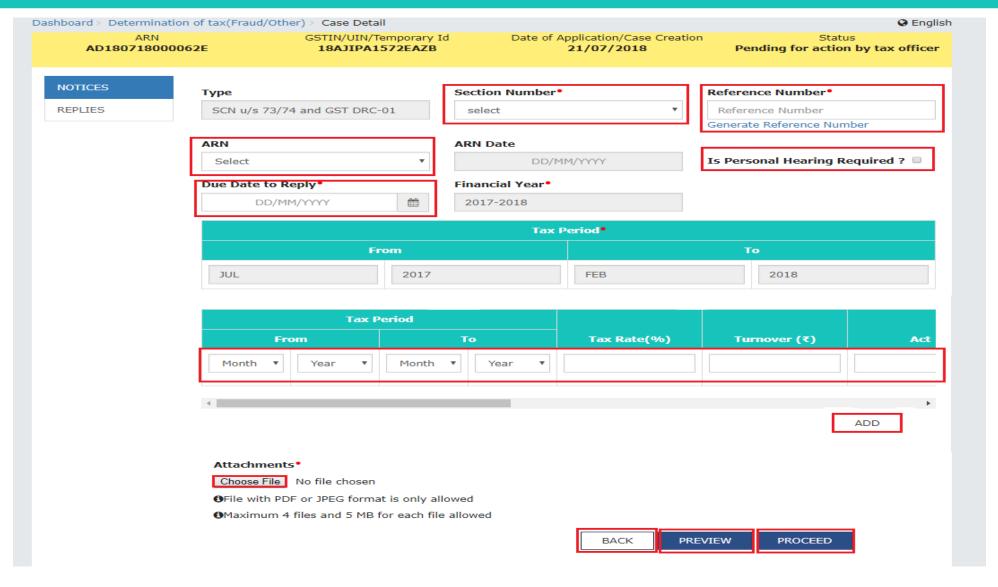










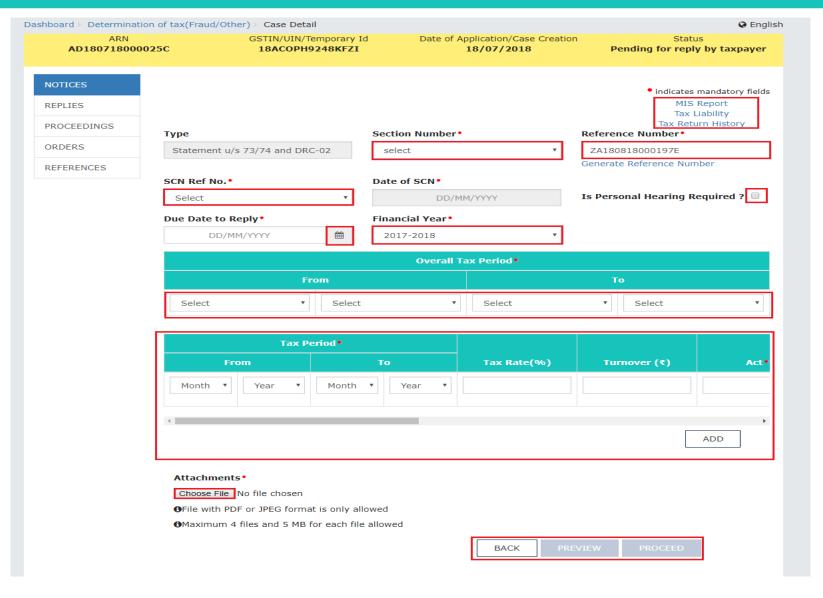




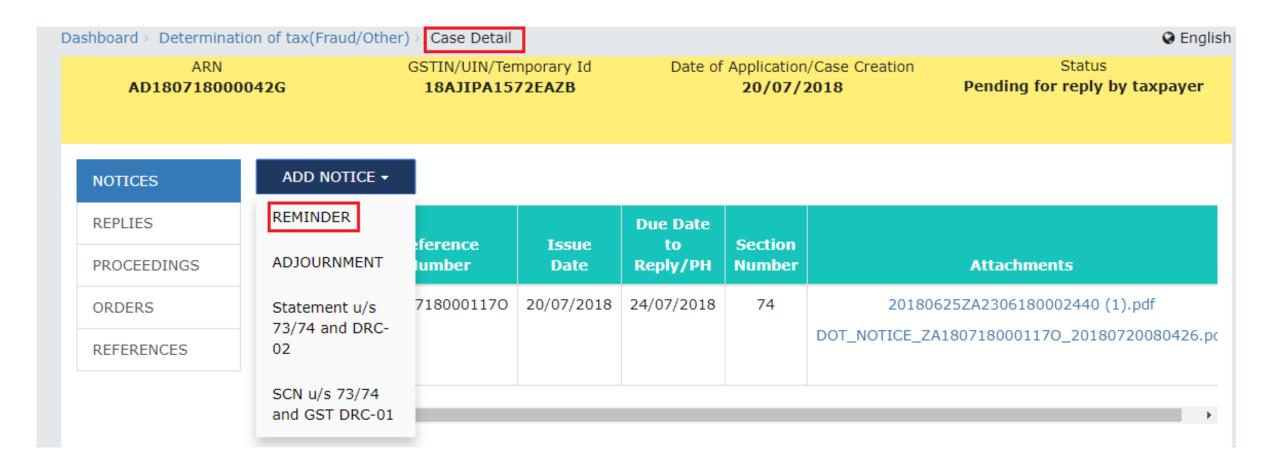
Assessment U/s 73 & 74

Dashboard > Determination of tax(Fraud/Other) > Case Detail English GSTIN/UIN/Temporary Id Date of Application/Case Creation Status ARN AD180718000042G 18AJIPA1572EAZB 20/07/2018 Reply furnished, pending for order by tax officer ADD NOTICE ▼ NOTICES REMINDER REPLIES **Due Date** Section ference Issue to ADJOURNMENT **Attachments** Number **PROCEEDINGS** umber Date Reply/PH 7180001170 20/07/2018 24/07/2018 74 20180625ZA2306180002440 (1).pdf **ORDERS** Statement u/s 73/74 and DRC-DOT_NOTICE_ZA1807180001170_20180720080426.pc 02 REFERENCES SCN u/s 73/74 and GST DRC-01

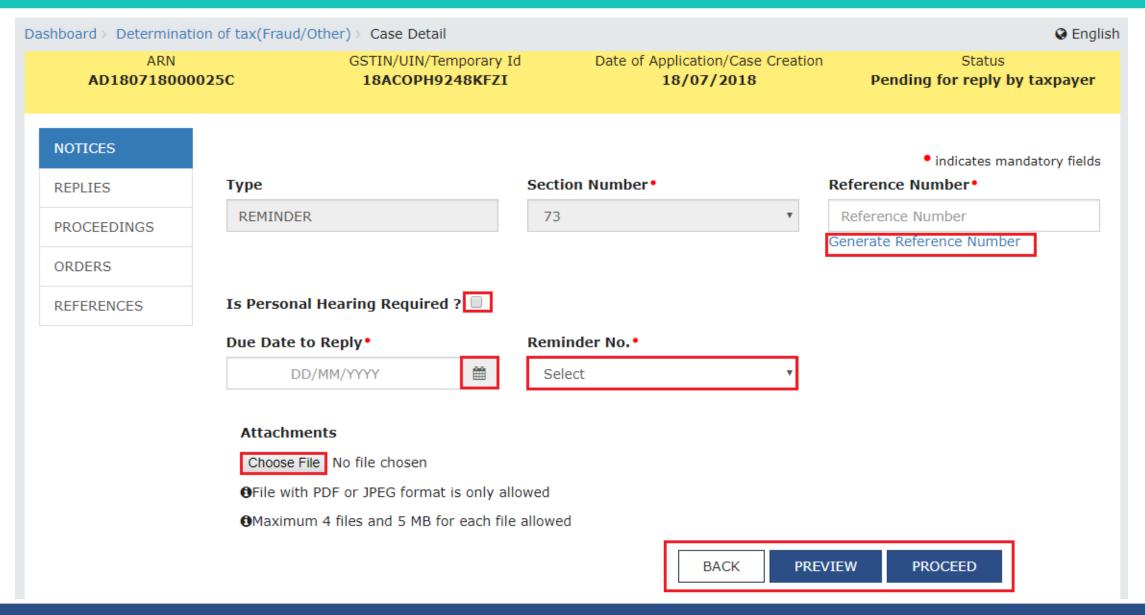




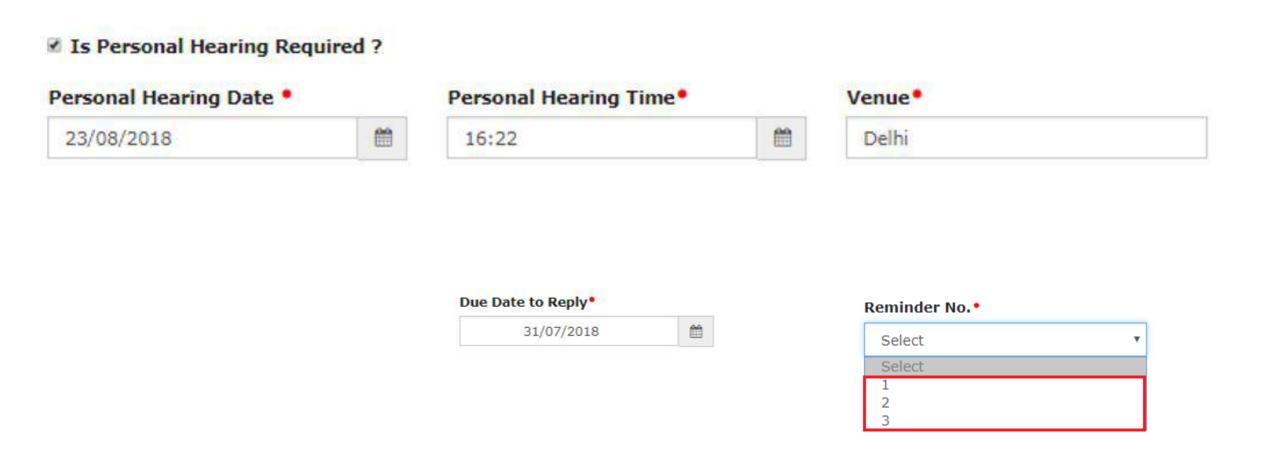














REFERENCES

Assessment & Adjudication and Appeal

Assessment U/s 73 & 74

Dashboard > Determination of tax(Fraud/Other) > Case Detail English Status ARN GSTIN/UIN/Temporary Id Date of Application/Case Creation AD180718000025C 18ACOPH9248KFZI 18/07/2018 Reminder No. 1 Issued ADD NOTICE ▼ NOTICES REPLIES **Due Date** Reference Section Issue to Reply/PH **Attachments** PROCEEDINGS Number Number **Type** Date REMINDER 29/08/2018 29/08/2018 73 ZA180818000204R ORDERS DOT_REMINDER_ZA180818000204R_20180829102



Assessment U/s 73 & 74

Dashboard > Determination of tax(Fraud/Other) > Case Detail

ARN GSTIN/UIN/Temporary Id Date of Application/Case Creation Status

AD180718000042G 18AJIPA1572EAZB 20/07/2018 Reply furnished, pending for order by tax officer

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REPLIES

PROCEEDINGS

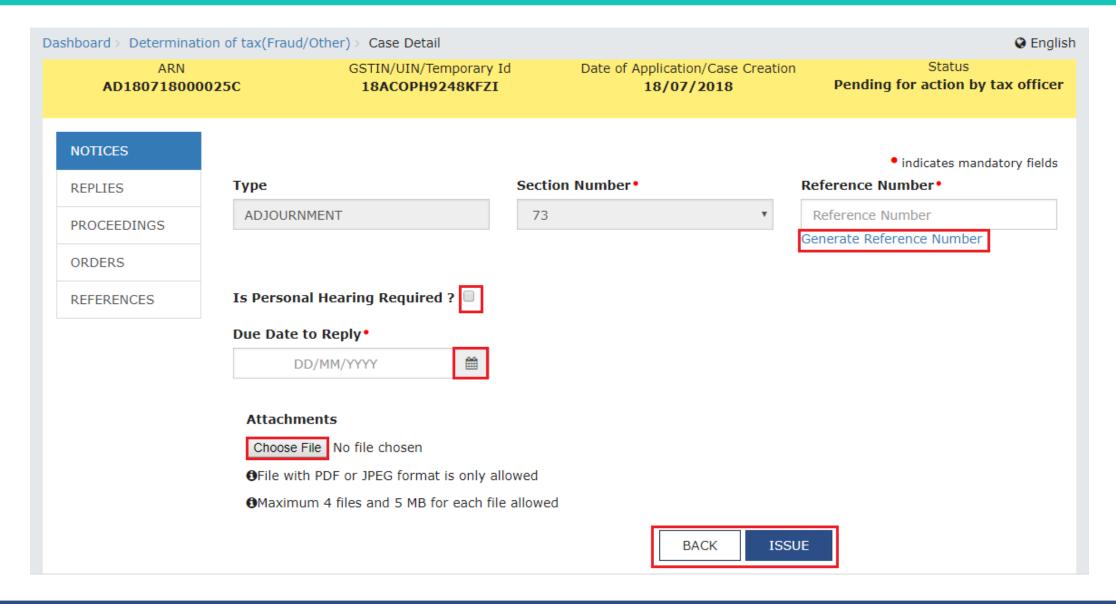
ORDERS

REFERENCES

ADD NOTICE ▼

REMINDER	eference	Issue	Due Date to	Section	
ADJOURNMENT	lumber	Date	Reply/PH	Number	Attachments
Statement u/s 73/74 and DRC- 02	7180001170	20/07/2018	24/07/2018	74	20180625ZA2306180002440 (1).pdf DOT_NOTICE_ZA1807180001170_20180720080426.pd
SCN u/s 73/74 and GST DRC-01					







Assessment U/s 73 & 74



Adjournment has been saved successfully





Assessment U/s 73 & 74

Dashboard > Determination of tax(Fraud/Other) > Case Detail

English

ARN AD1807180000385 GSTIN/UIN/Temporary Id
18AJIPA1572EAZB

Date of Application/Case Creation 20/07/2018

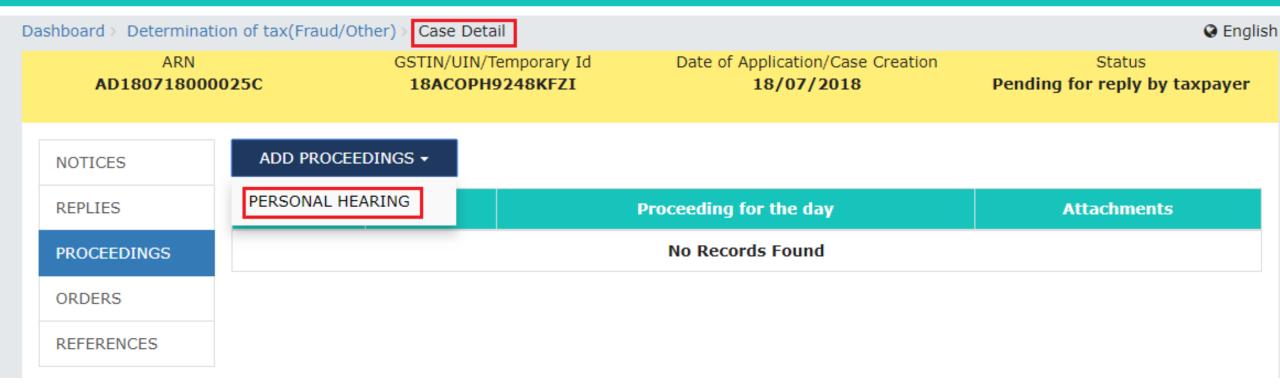
Status
Reply furnished, pending for
order by tax officer

NOTICES

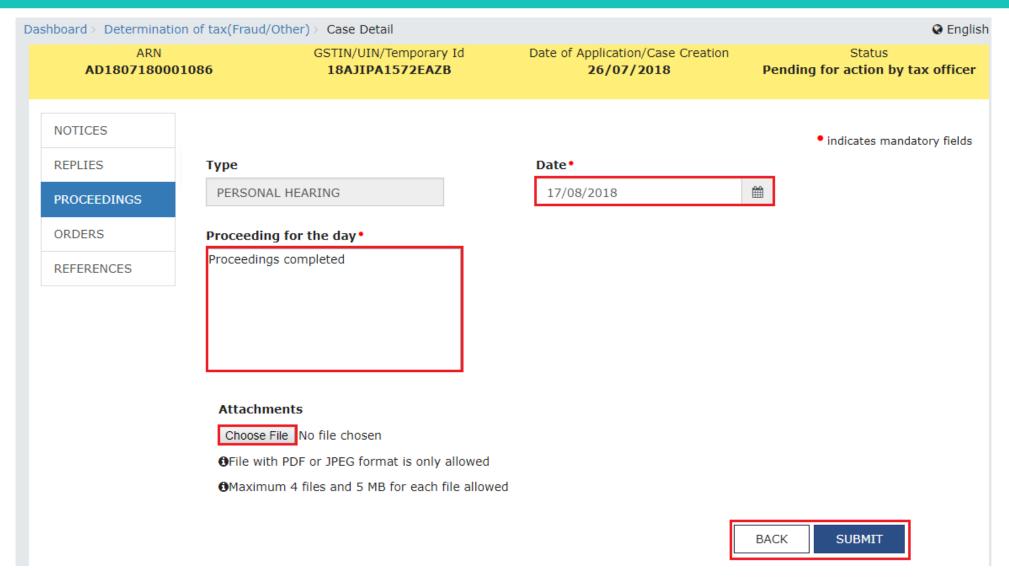
REPLIES

Notice Type	Reply filed Against	Reply Date	Option for Personal Hearing	Attachments
SCN u/s 73/74 and GST DRC- 01	ZA1807180001102	20/07/2018	Υ	ADJDT_REPLY_ZA180718000110220180720062103.pdf

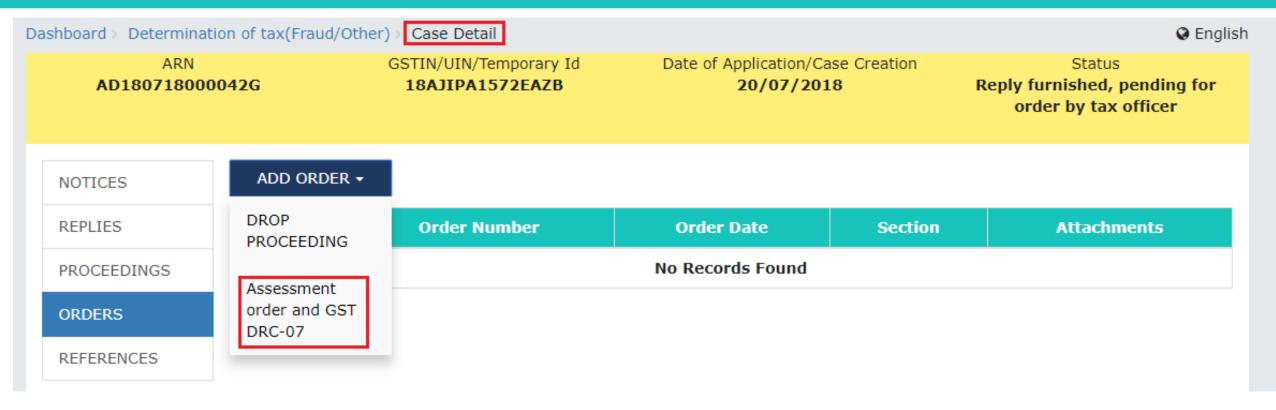






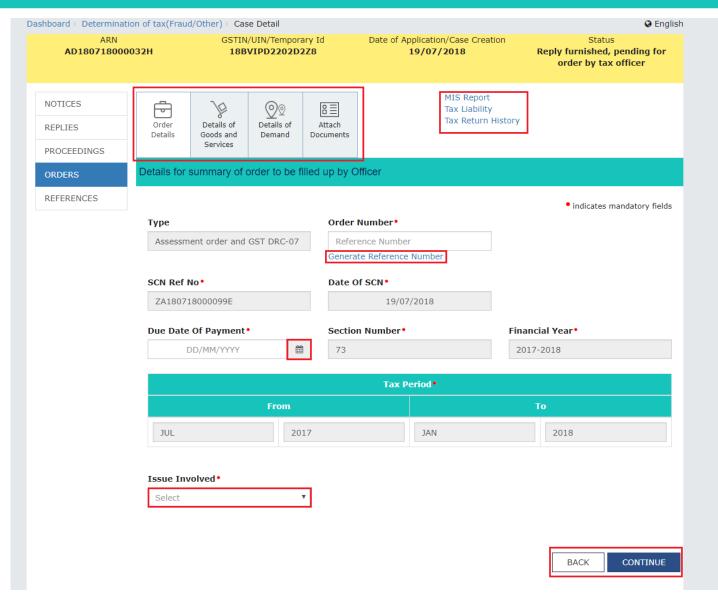








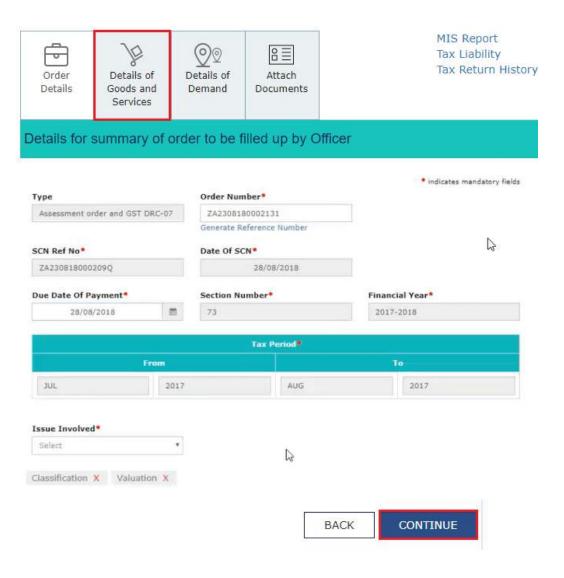
Assessment U/s 73 & 74



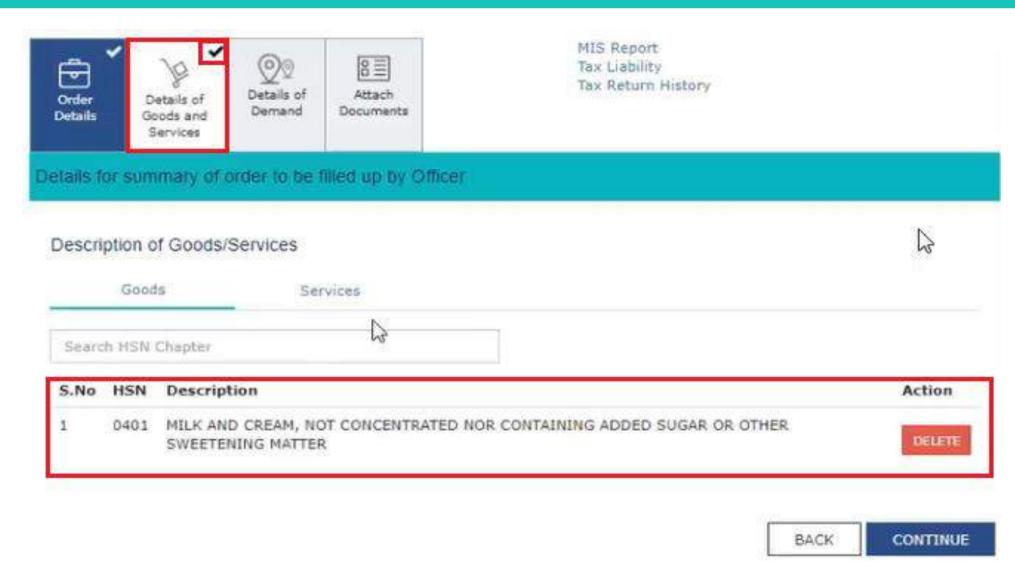
Issue Involved•

Select	•
Classification	^
☐ Valuation	
Rate of tax	
Suppression of turnover	
Excess ITC claimed	-



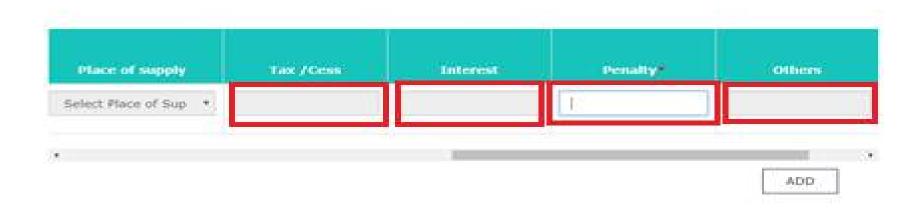














Tax P	eriod •			
From	То	Tax Rate(%)	Turnover (₹)	Act•
Month ▼ Year ▼	Month ▼ Year ▼			
Month ▼ Year ▼	Month ▼ Year ▼			
				•
				ADD



Assessment U/s 73 & 74



MIS Report Tax Liability Tax Return History

Details for summary of order to be filled up by Officer

Attachments •

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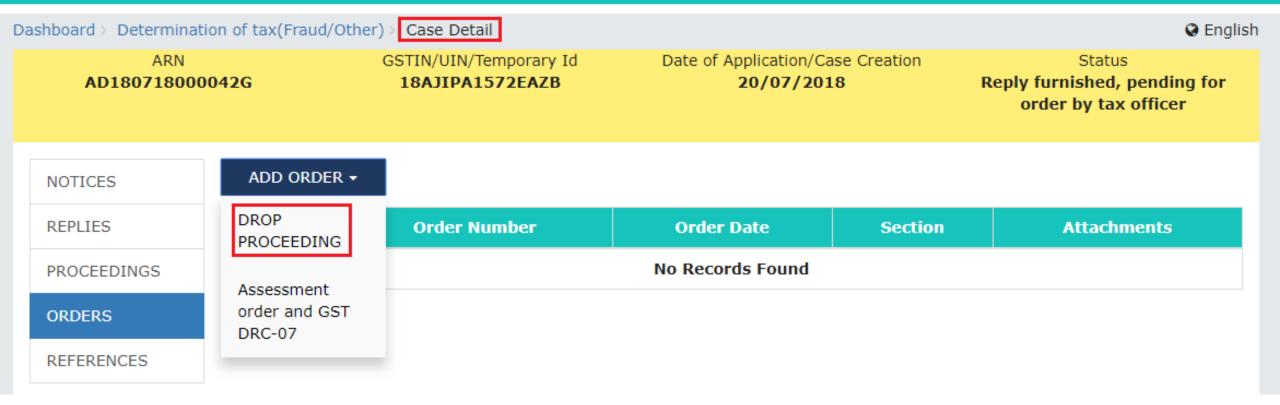


Maximum 4 files and 5 MB for each file allowed



BACK PREVIEW PROCEED







Assessment U/s 73 & 74

NOTICES indicates mandatory fields REPLIES Order Number • Type DROP PROCEEDING Reference Number PROCEEDINGS Generate Reference Number **ORDERS** SCN Ref No • Financial Year • Date Of SCN• REFERENCES ZA180718000093Q 18/07/2018 2017-2018

Attachments •

Choose File No file chosen

- File with PDF or JPEG format is only allowed
- Maximum 4 files and 5 MB for each file allowed



1 Note: Preview and Proceed will be available only after filling the mandatory fields



Assessment U/s 73 & 74

Dashboard > Determination of tax(Fraud/Other) > Case Detail

English

ARN **AD180718000025C**

GSTIN/UIN/Temporary Id
18ACOPH9248KFZI

Date of Application/Case Creation 18/07/2018

Status
Order for dropping proceedings
issued

NOTICES

REPLIES

PROCEEDINGS

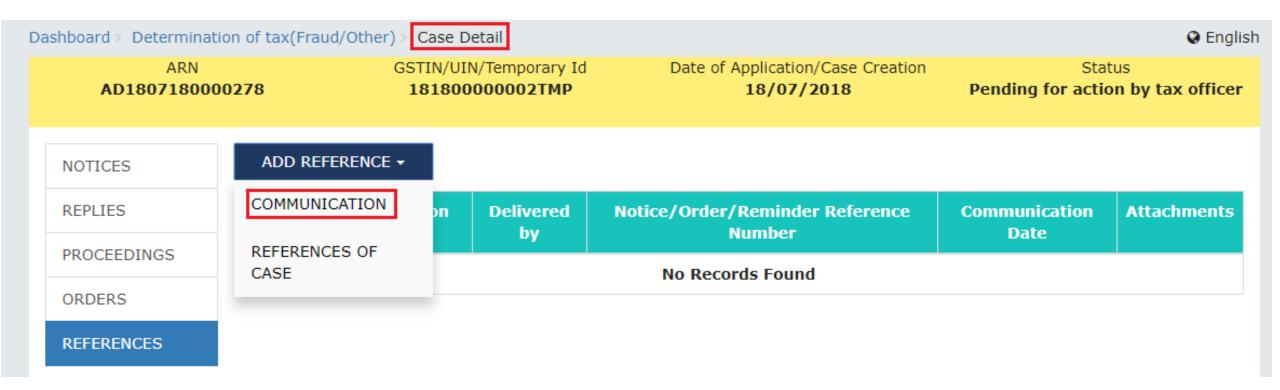
ORDERS

REFERENCES

ADD ORDER ▼

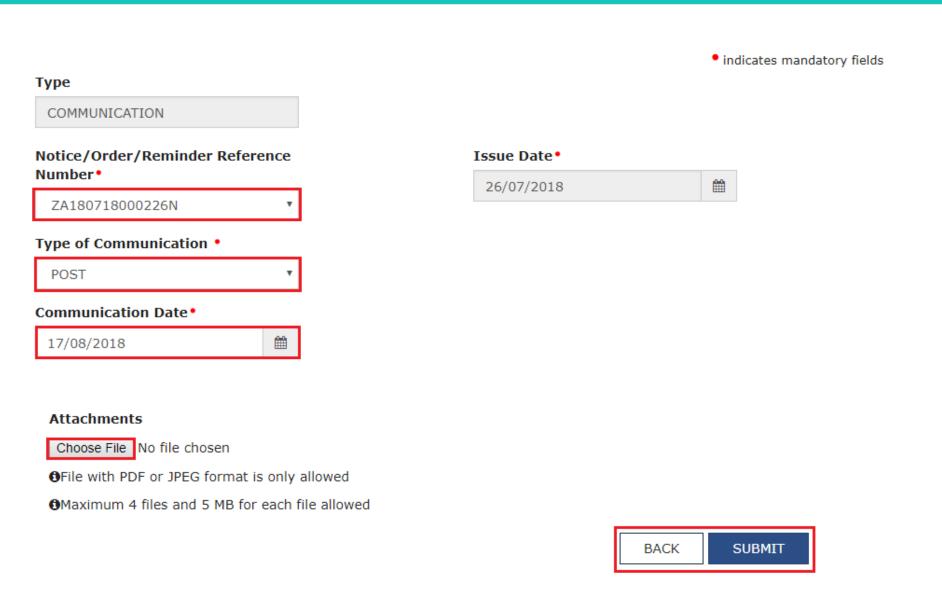
Туре	Order Number	Order Date	Section Number	Attachments
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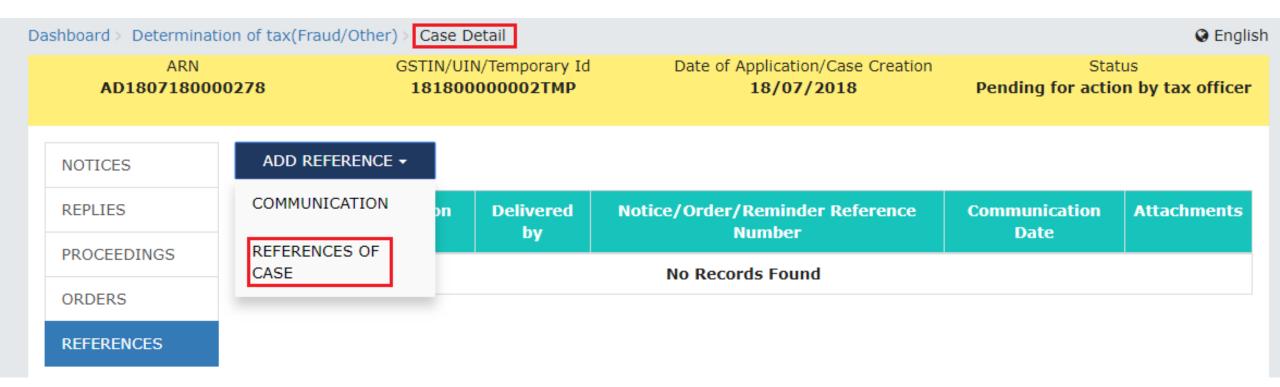




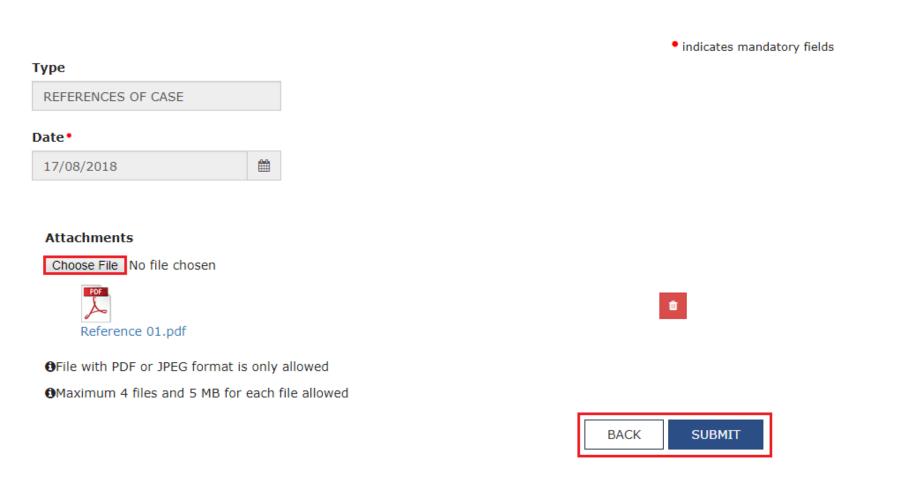
Retur Ass fests Tax pt fee Asd judication and Appeal













Assessment U/s 73 & 74

Dashboard > Determination of tax(Fraud/Other) > Case Detail

English

ARN AD180718000104E GSTIN/UIN/Temporary Id
18AJIPA1572EAZB

Date of Application/Case Creation 26/07/2018

Status
Pending for reply by taxpayer

NOTICES

REPLIES

PROCEEDINGS

ORDERS

REFERENCES

ADD REFERENCE ▼

Туре	Communication Type	Delivered Notice/Order/Reminder Reference by Number		Date	Attachments
REFERENCES OF CASE	-NA-		NANA-		Reference 01.pdf
COMMUNICATION	SPECIAL MESSENGER	Hitesh Nagpal	ZA180718000226N	17/08/2018	-NA-



Assessment & Adjudication - Determination of Tax

Assessment & Adjudication -Determination of Tax

- Scrutiny of Returns (ASMT-10, ASMT-11, ASMT-12)
- Determination of Tax(Fraud/Others) (Section 73, 74) (DRC-01, DRC-02, DRC-03, DRC-05, DRC-06, DRC-07)
- Payment on voluntary basis by Taxpayer; (DRC-03, DRC-04) and Intimation of voluntary payment to Tax Official
- Determination of Tax(Fraud/Others)-DRC 07 (Quick update addition of Other column in pdf of DRC-07 and removal of validation on tax rate)

Assessment & Adjudication -Other Assessments

- Provisional Assessment (ASMT-01, ASMT-02, ASMT-03, ASMT-04, ASMT-05, ASMT-06, ASMT-07)
- Assessment of unregistered persons (GST ASMT- 14 and GST ASMT- 15)
- Summary Assessment (GST ASMT- 16, GST ASMT- 17 and GST ASMT- 18)
- Assessment of non-filers of Returns
- Rectification of Orders and Mistakes (GST DRC- 08)
- Provisional Attachment (GST DRC- 22)
- Restoration of Provisional Attachment (GST DRC- 23)
- General Penalty (not covered under any other section)



Forms of Voluntary Payment

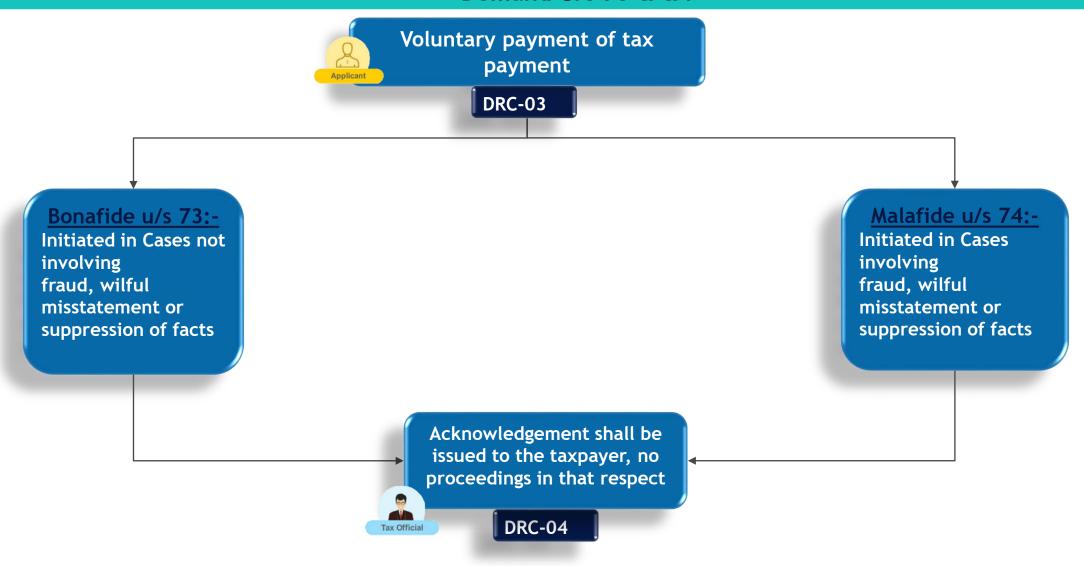


Forms of Demand U/s 73 & 74

GST Form Number	Description	Rule
FORM GST DRC-03	Intimation of payment made voluntarily or made against the show cause notice (SCN) or statement	Rules 142(2) &142(3)
FORM GST DRC-04	Acknowledgement of acceptance of payment made voluntarily	Rule 142(2)



Demand U/s 73 & &4





Important points:-Intimation of voluntary payment to Tax Official

Issue Acknowledgements

- If Tax Official is satisfied with intimation of payment before SCN is issued
- On issuance of Acknowledgements, Taxpayer will receive two documents, i.e. Form GST DRC-04 generated by system and annexure uploaded by Tax Official

Issue SCN

• Issue a Show Cause Notice (SCN)

Drop Proceedings

- Tax Official can drop proceeding on a person who has satisfactorily made the payment against SCN or Statement
- Tax Official cannot drop proceedings for voluntary payments made without SCN. Only acknowledgement can be issued.
- Taxpayer will receive two documents, i.e. Form GST DRC-05 generated by system and annexure uploaded by you, if any.

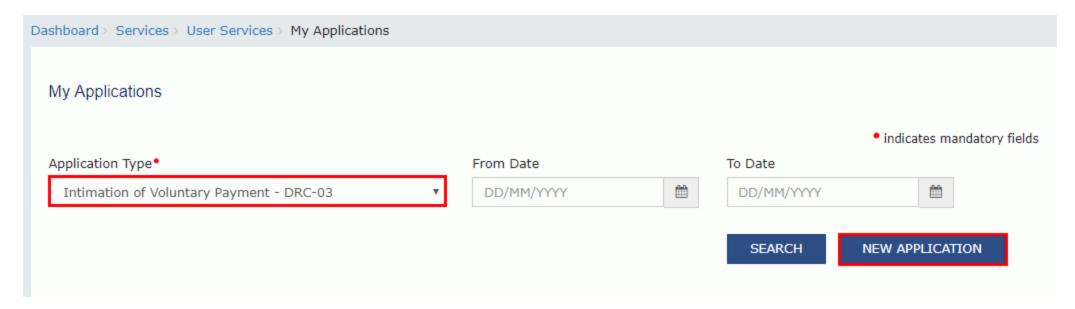


Screenshots of Voluntary Payment



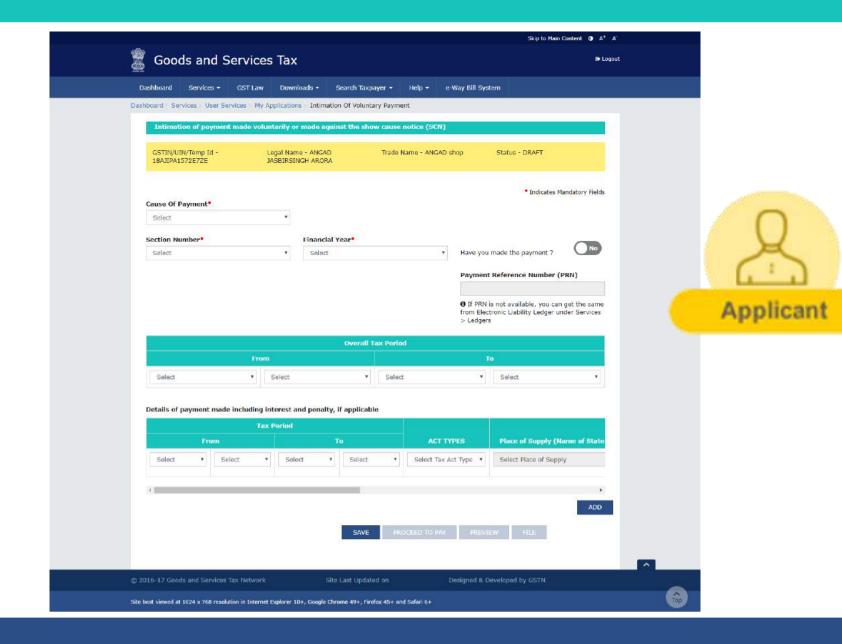
Dashboard Services ▼ GST Law Search Taxpayer ▼ Help ▼ e-Way Bill System
Registration Ledgers Returns Payments User Services Refunds
My Saved Applications My Applications
View/Download Certificates View Notices and Orders
View My Submissions Contacts
Search HSN / Service Classification Code Holiday List
Feedback Grievance / Complaints
Generate User Id for Advance Ruling Furnish Letter of Undertaking (LUT)
View My Submitted LUTs Locate GST Practitioner (GSTP)
Engage / Disengage GST Practitioner (GSTP) ITC02-Pending for action



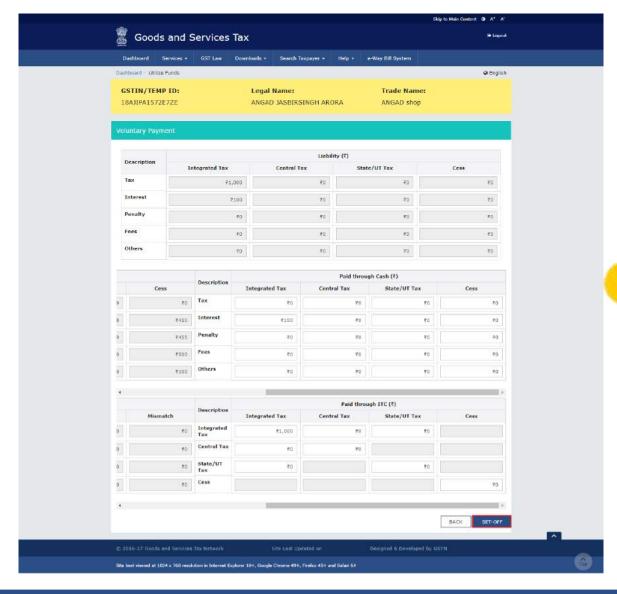














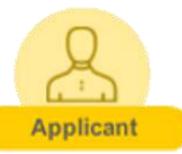


FORM GST DRC - 03

[See rule 142(2)&142(3)]

Intimation of payment made voluntarily or made against the show cause notice (SCN) or statement

1.	GSTIN				18AJIPA1572E7ZE						
2.	Name				ANGAD JASBIRSINGH ARORA						
3.	Cause of Payment				Voluntary						
4.	Section under which voluntary payment is made				73(5) Voluntary						
5.	Details of show cause notice, if payment is made within 30 days of its issue				Reference No.: N.A. Date Of is			Date Of iss	sue : N.A.		
6.	Financial Year				2017-2018			4			
7.	Details of payment made including interest and penalty, if applicable (Amount in Rs.)										
Sr. No	Tax Period	Act	Place of supply (POS)	Tax/ Cess	Interest	Penalty, if applicable	Others	Total	Ledger utilised (Cash / Credit)	Debit entry no.	Date of debit entry
1	SEP 2017- NOV 2017	IGST	Karnataka	1,000.00	100.00	0	0	1,100.00	cash/ credit	DC180518000000 D1180518000000	100



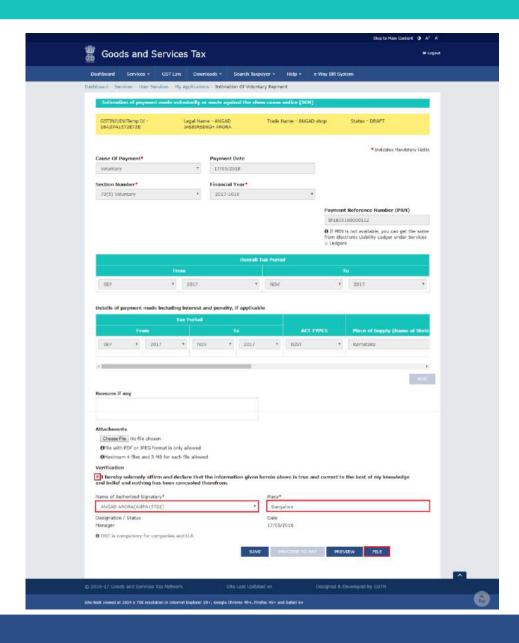
8.Reasons, if any-

9. Verification-

I hereby solemnly affirm and declare that the information given hereinabove is true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

Signature of Authorized Signatory







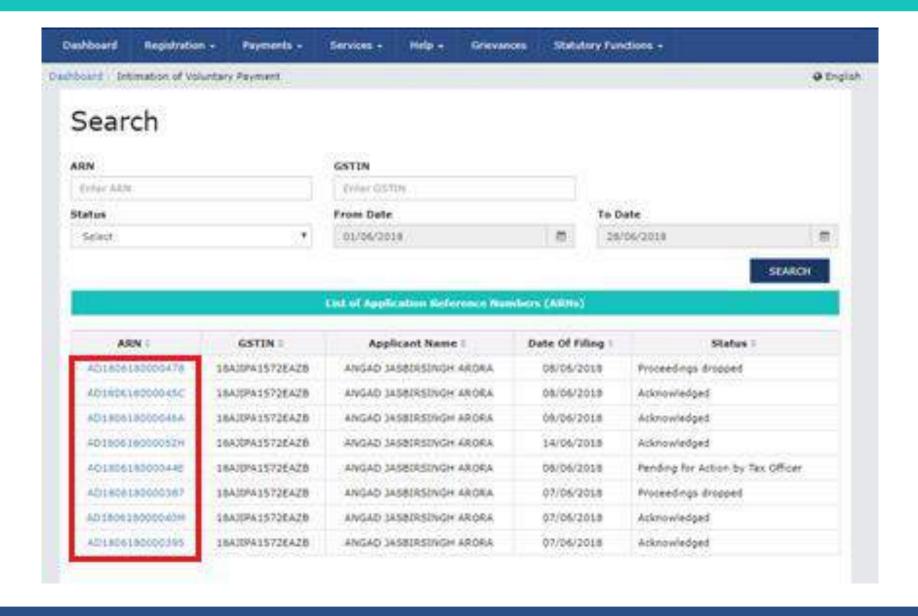


Screenshots of Intimation of Voluntary Payment











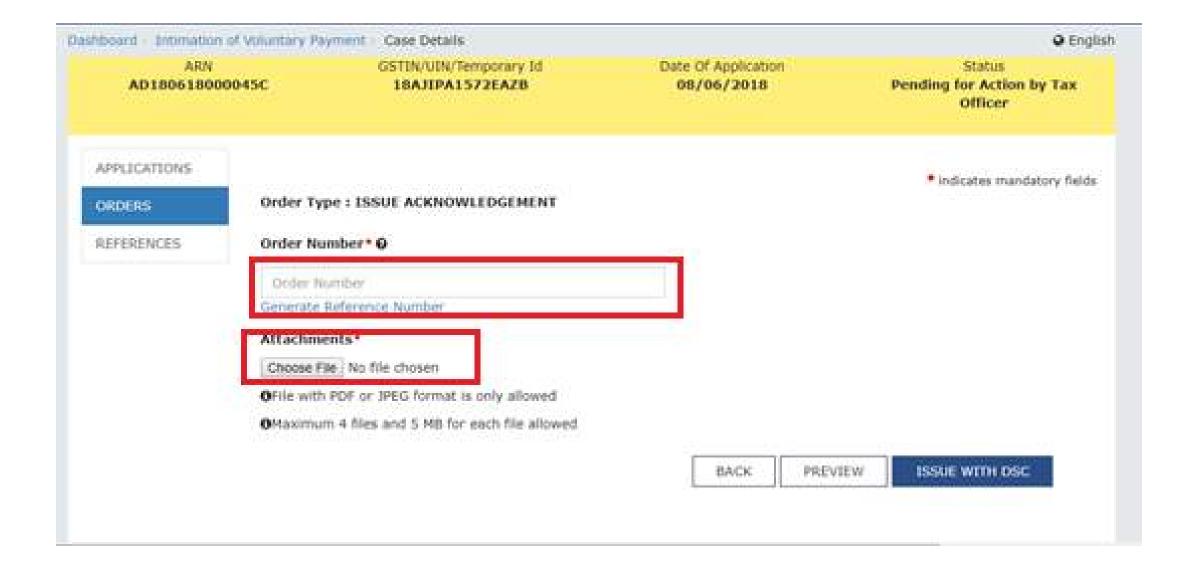
Case Details Page













Assessment & Adjudication - Determination of Tax

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DRC 07 - Quick update

DRC 07 - Quick update – (addition of Other column in DRC-07 and removal of validation on tax rate)

Addition of Other column

Vide Notification No. 21/2018 – Central Tax dated 18th April 2018 Govt. notified CGST (Fourth Amendment) Rules, 2018

column-"Others" has been inserted in the details of demand table in Form DRC 07 (it was not there earlier)

Removal of Validation on Tax Rate

The system had a validation on Tax rate whereby if the field was not filled an error was being thrown up.

This validation has since been removed



End of Module - Assessment & Adjudication - Determination of Tax

