

Appeal & Revisions 3 Hours 30 Minutes





Appeal & Revisions > Module Objectives

By the end of this course, you will be able to:

- File an appeal as a Taxpayer/ unregistered person against an Order issued by Tax Official
- File an appeal as a Tax Official against any Order issued under the act by an adjudicating authority
- Review appeal application submitted by Tax Department & Tax payer to Appellate Authority
- Understand the role of Internal Review Cell





Appeal & Revisions

Appeal & Revisions

- File an appeal as a Taxpayer/ unregistered person against an Order issued by Tax Official. (APL-01)
- File an appeal as a Tax Official against any Order issued under the act by an adjudicating authority. (APL-03)
- Review appeal application submitted by Tax Department & Tax payer to Appellate Authority. (APL-02, APL-04)
- Understand the role of Internal Review Cell



Forms of First Appeal



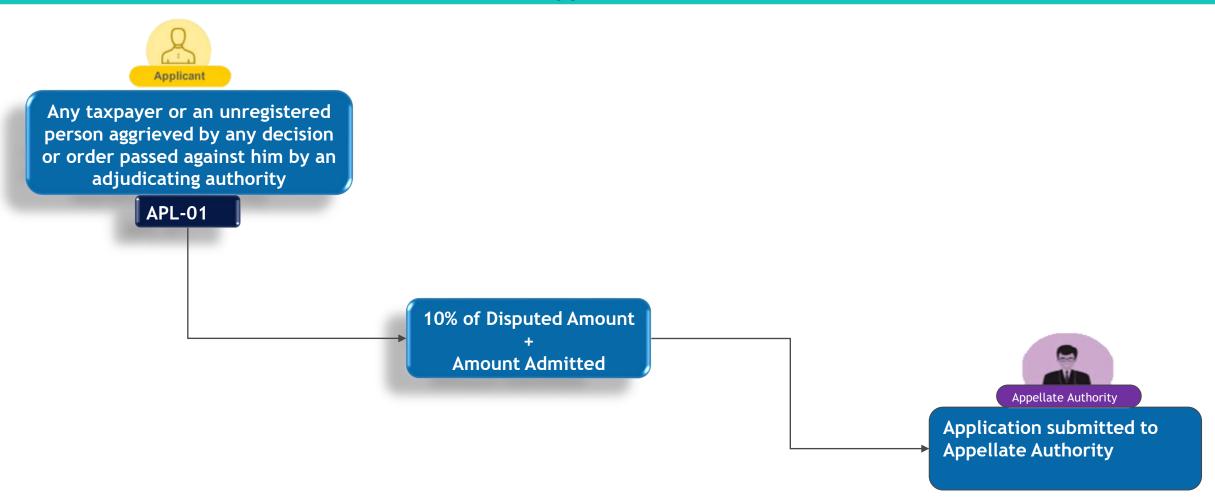
Assessment & Adjudication and Appeal

Forms of First Appeal

GST Form Number	Description	Rule
FORM GST APL-01	Appeal to Appellate Authority	Rule 108(1)



First Appeal-Flow chart





Important Information:-First Appeal by Taxpayer/Unregistered Applicant





Important Information:-First Appeal by Taxpayer/Unregistered Applicant

- An assessee, aggrieved by any decision or order may prefer an appeal within a period of 3
 months from the date of communication of decision or order in Form GST APL-01 along with
 relevant documents either electronically or otherwise as notified by the Commissioner against
 which a provisional acknowledgement will be issued
- If the grounds of appeal and form of verification must be duly signed and a certified copy of the decision or order is to be filed before the Appellate Authority within 7 days of filing the appeal then the appeal shall be deemed to be filed on the date on which the provisional acknowledgement stands issued. In case the said certified copy is submitted after a period of 7 days, the date of filing of appeal shall be the date of submission of such copy.
- On payment of above amount, the recovery proceedings for balance amount are deemed to be stayed.

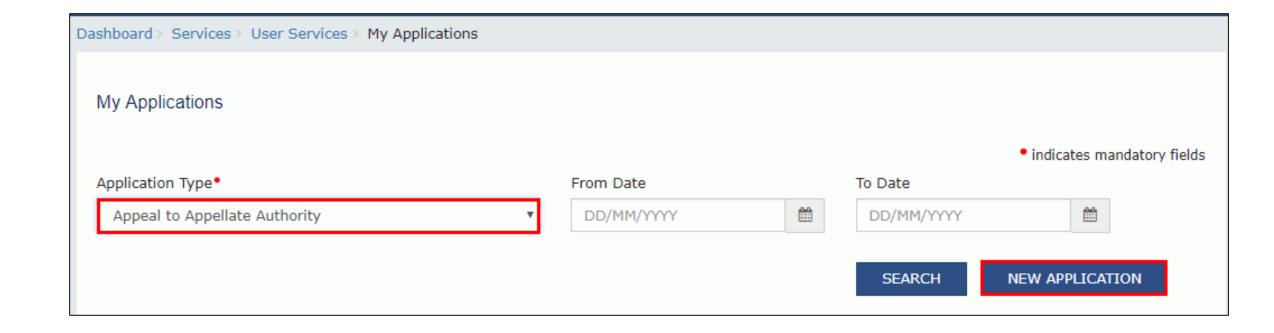


Screenshots of First Appeal

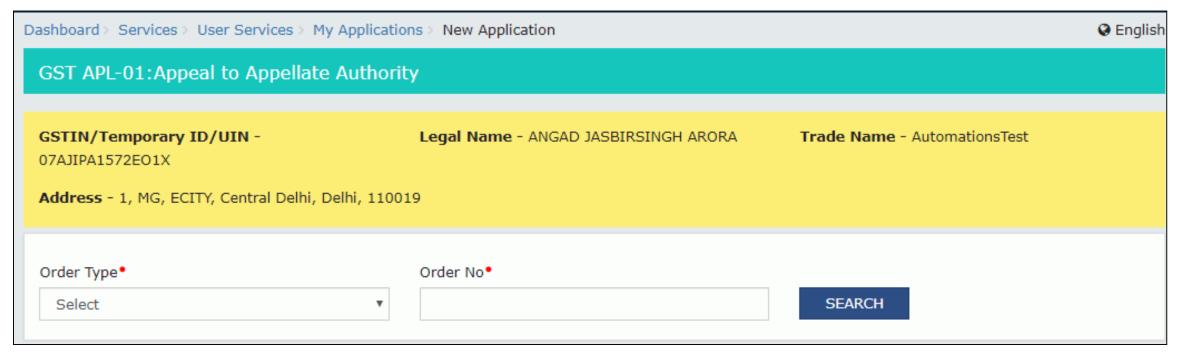


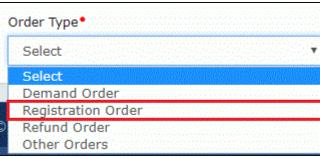
Dashboard	Services ▼	GST Lav	w Search	Taxpayer ▼	Help ▼	e-Way Bill System	
Registration	Ledgers	Returns	Payments	User Service	es Refu	nds	
My Saved Applications				My Application	ons		
View/Download Certificates			View Notices and Orders				
View My Submissions			Contacts				
Search HSN / Service Classification Code			Holiday List				
Feedback			Grievance / Complaints				
Locate GST Practitioner (GSTP)			Engage / Disengage GST Practitioner (GSTP)				



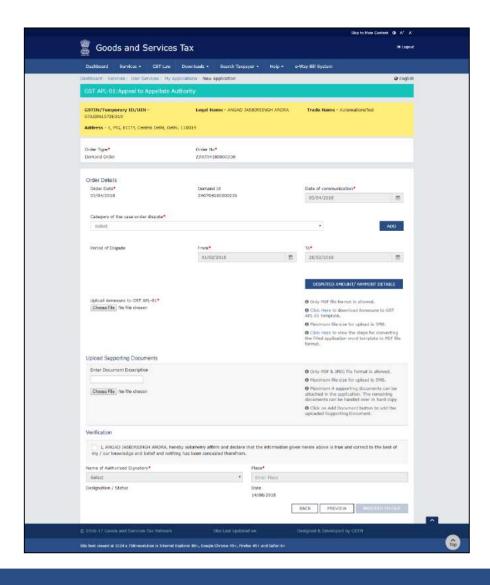


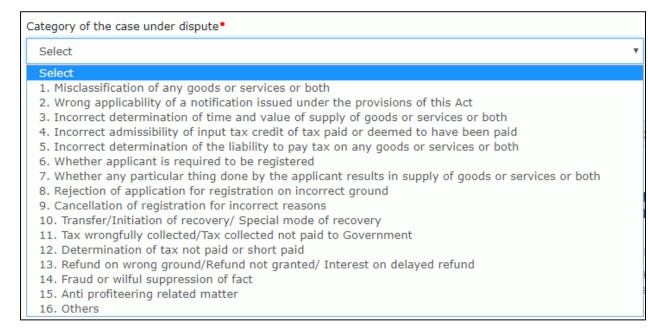












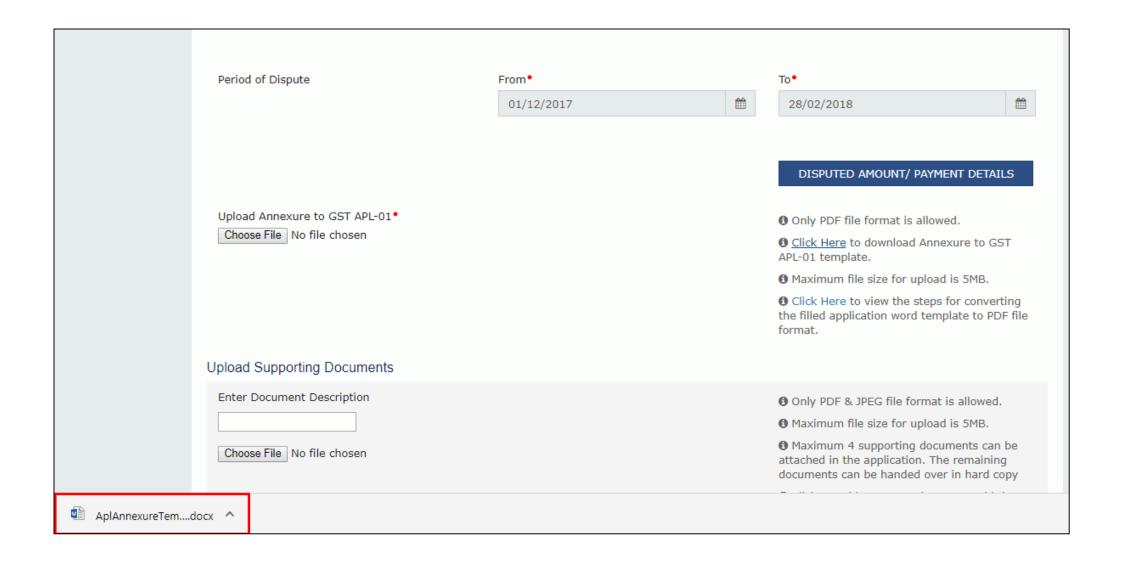


Upload Annexure to GST APL-01*

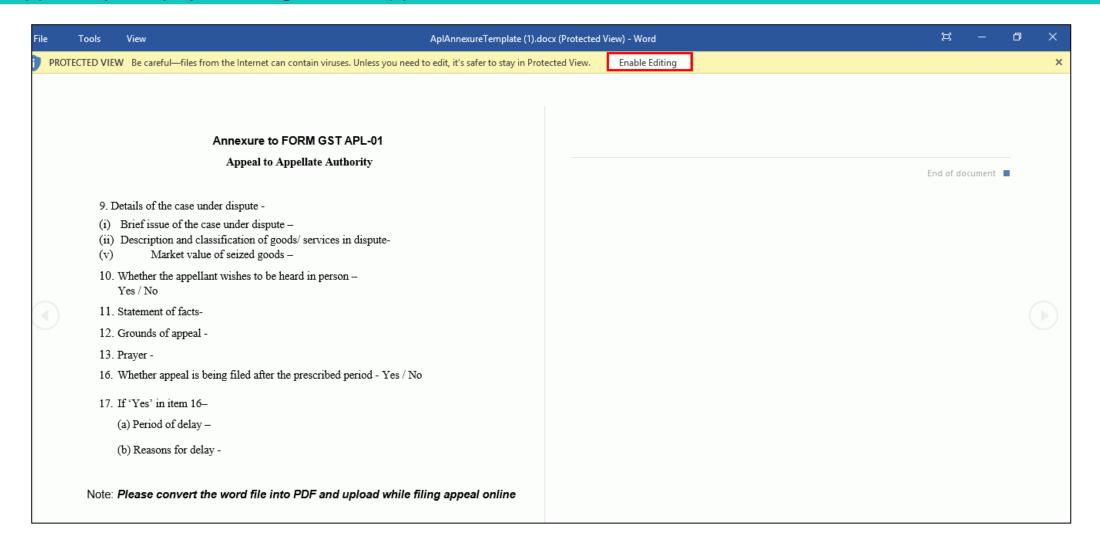
Choose File No file chosen

- 1 Only PDF file format is allowed.
- Click Here to download Annexure to GST APL-01 template.
- 1 Maximum file size for upload is 5MB.
- Click Here to view the steps for converting the filled application word template to PDF file format.











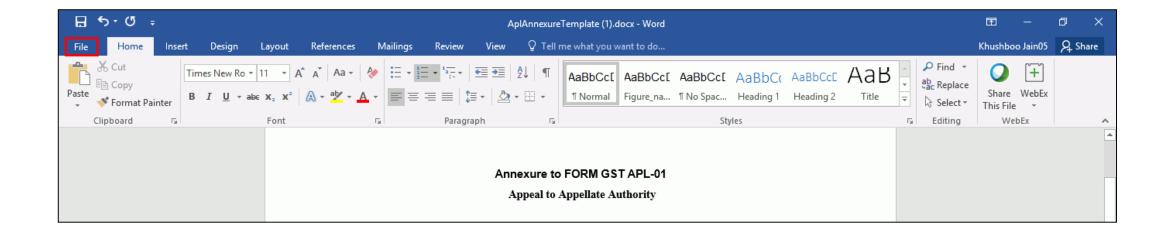
Annexure to FORM GST APL-01

Appeal to Appellate Authority

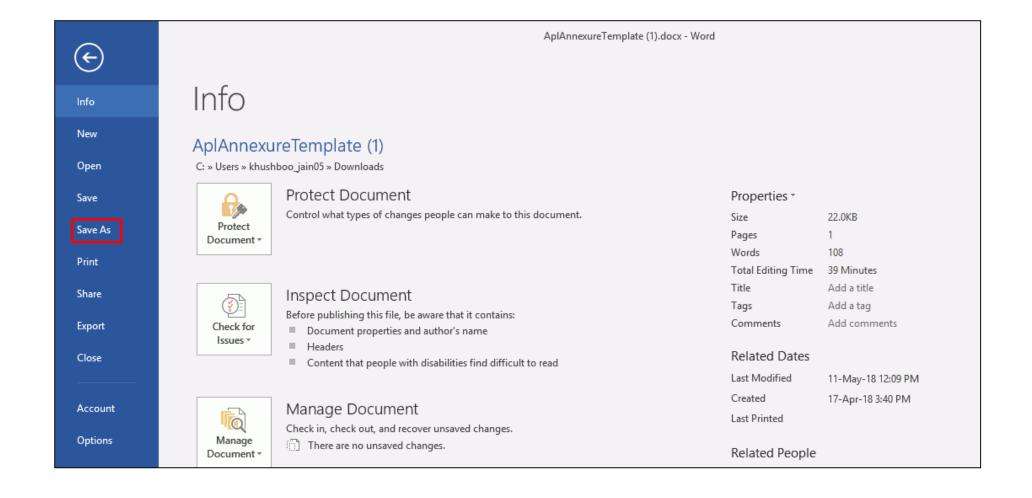
- 9. Details of the case under dispute -
- (i) Brief issue of the case under dispute -
- (ii) Description and classification of goods/ services in dispute-
- (v) Market value of seized goods -
- 10. Whether the appellant wishes to be heard in person Yes / No
- 11. Statement of facts-
- 12. Grounds of appeal -
- 13. Prayer -
- 16. Whether appeal is being filed after the prescribed period Yes / No
- 17. If 'Yes' in item 16-
 - (a) Period of delay -
 - (b) Reasons for delay -

Note: Please convert the word file into PDF and upload while filing appeal online











Upload Annexure to GST APL-01

Choose File No file chosen

- 1 Only PDF file format is allowed.
- Click Here to download Annexure to GST APL-01 template.
- 1 Maximum file size for upload is 5MB.
- Click Here to view the steps for converting the filled application word template to PDF file format.



Upload Annexure to GST APL-01*



AplAnnexureTemplate.pdf



- 1 Only PDF file format is allowed.
- Olick Here to download Annexure to GST APL-01 template.
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- Click Here to view the steps for converting the filled application word template to PDF file format.

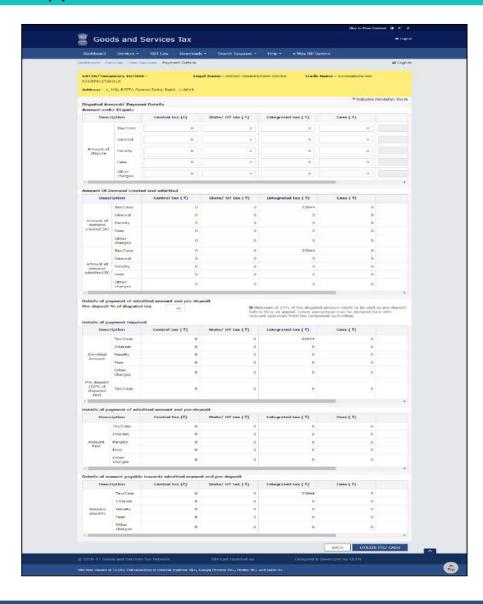


Upload Annexure to GST APL-01*

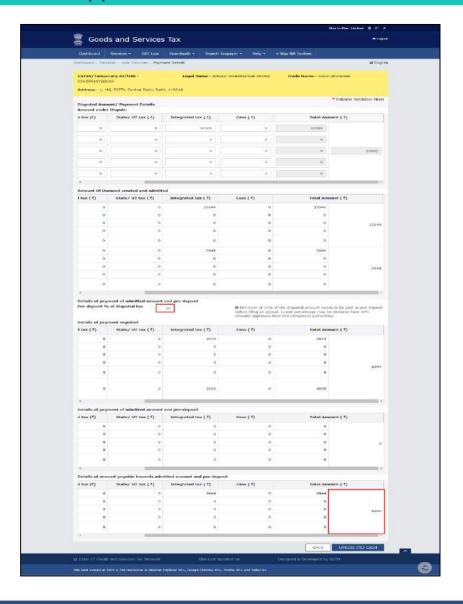
Choose File No file chosen

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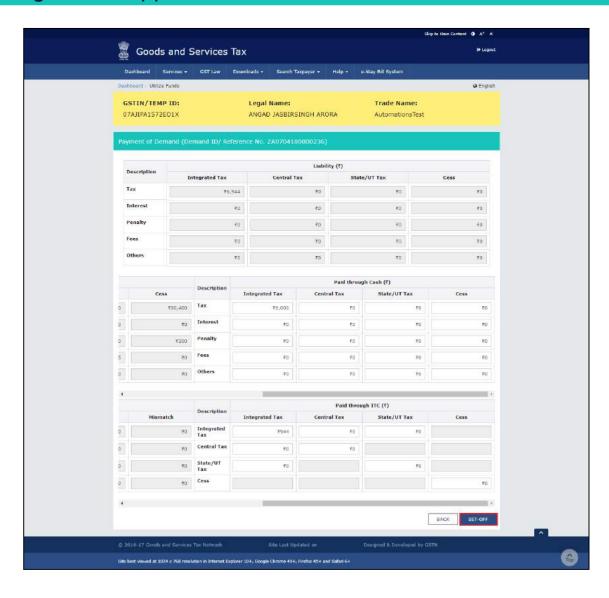




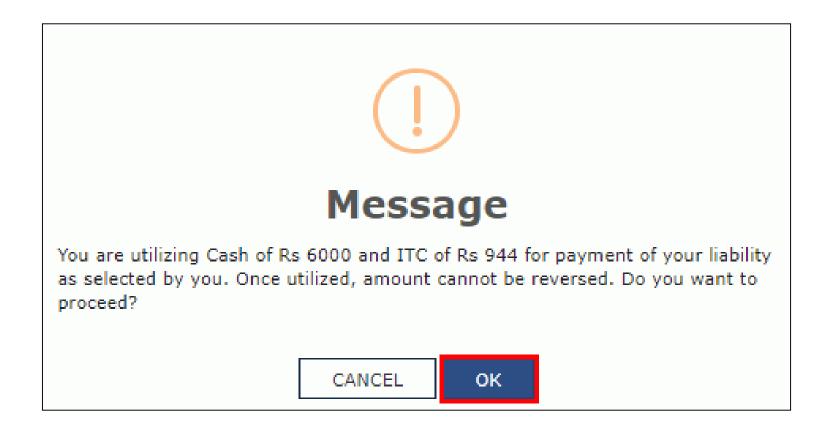




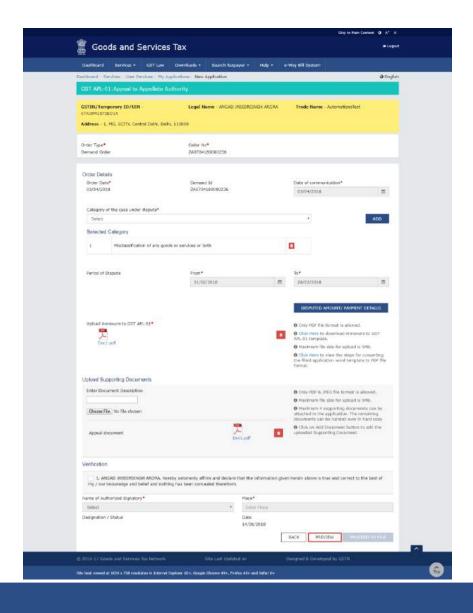


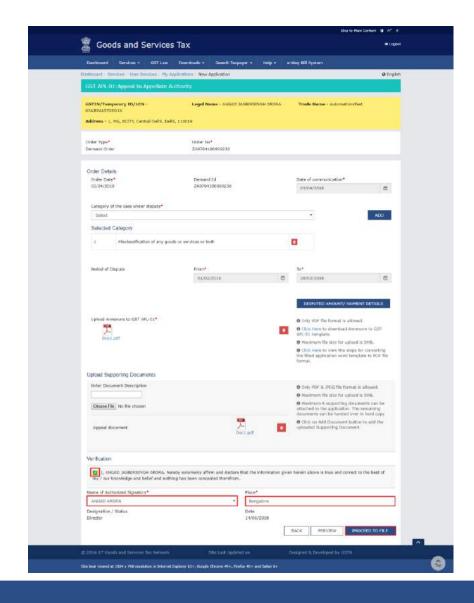














GSTIN/Temporary ID/UIN Legal Name Trade Name

07AJIPA1572E01X ANGAD JASBIRSINGH ARORA AutomationsTest



Warning

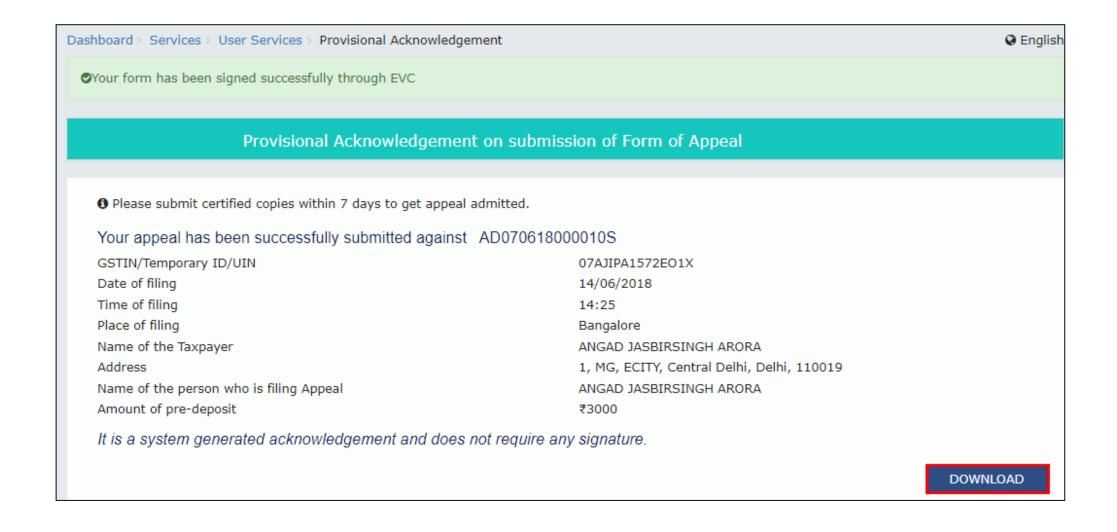
Digital signatures are governed by the provisions of Information Technology Act, 2000 ("IT Act") and rules made thereunder. It is a mode of authenticating electronic records [Section 2(p) of IT Act]. Affixing digital signature on any document herein is deemed to be equivalent to affixing hand written signature/mark on such information/document (Section 5 of IT Act). Fraudulently/Dishonestly making use of any other person's digital signature is a punishable offence under IT Act (Section 66 C). Before attaching your digital signature certificate, please be certain that you wish to authenticate this electronic record.

- 1 DSC is compulsory for Companies & LLP
- Facing problem using DSC? Click here for help

SUBMIT WITH DSC

SUBMIT WITH EVC







Appeal by Tax Department

Important Points

Once an appeal against a demand order is filed, an email and SMS is sent to the taxpayer (or an unregistered person, as the case may be).

However, final acknowledgement of the appeal filed is issued, when after electronic filing of appeal, the documents as well as Appeal with verification part is submitted to the Appellate authority, within 7 days from the electronic filing.



Appeal by Tax Department

Action Description	Status
Appeal Form successfully filed	Appeal Submitted
Appeal Form successfully admitted	Appeal admitted
Appeal Form is Rejected	Appeal Rejected
When Hearing Notice is issued	Hearing Notice issued
When Counter Reply received against notice	Counter reply received
When Show cause notice is issued	Show cause notice issued
Appeal is confirmed/modified/rejected	Appeal order passed
When hearing is adjourned and next date is issued	Adjournment granted
When application is filed for Rectification	Rectification request received
When application for Rectification is rejected	Rectification request rejected
Appeal is order is rectified	Rectification order passed



Appeal & Revisions

Appeal & Revisions

- File an appeal as a Taxpayer/ unregistered person against an Order issued by Tax Official. (APL-01)
- File an appeal as a Tax Official against any Order issued under the act by an adjudicating authority. (APL-03)
- Review appeal application submitted by Tax Department & Tax payer to Appellate Authority. (APL-02, APL-04)
- Understand the role of Internal Review Cell



Forms of Appeal by tax department



Assessment & Adjudication and Appeal

Forms of Appeal by tax department

GST Form Number	Description	Rule
FORM GST APL-03	Application to the Appellate Authority under sub-section (2) of Section 107	Rule 109(1)



Appeal by Tax Department



Commissioner of Central / State with a view to satisfy himself about the legality or propriety of any order or decision, direct a subordinate officer to file an application

APL-03





Important Points:- Appeal by Tax Department

- Commissioner of Central / State or any Union territory can, with a view to satisfy himself about the legality or propriety of any order or decision, direct a subordinate officer to file an application before the Appellate Authority within 6 months from the date of communication of decision or order in Form GST APL-03, along with relevant documents either electronically or otherwise as notified against issue of an acknowledgement.
- A certified copy of the decision or order of the appeal is to be filed before the Appellate
 Authority within 7 days of filing the application and an appeal number shall be generated
 accordingly.



Important Points:- Appeal by Tax Department

Pre-conditions to file an appeal before the First Appellate Authority

Order has been issued by Adjudicating Authority.

Review Proposal is received by the Commissioner by Internal Review Cell Commissioner directs, Legal Officer to file appeal before the First Appellate Authority.



Important Points:- Appeal by Tax Department

Appeal by the Department can be filed within 6 months from the date of communication of the Order.

However on sufficient grounds, the Appellate Authority can allow it to be presented within a further period of one month and thus can condone the delay in filing to the extent of one month.

If the appeal is not filed within 7 months, a message appears on screen that "prescribed time is lapsed do you still want to file an appeal". You can click Yes and continue to file an appeal.



Screenshots of Appeal by tax department



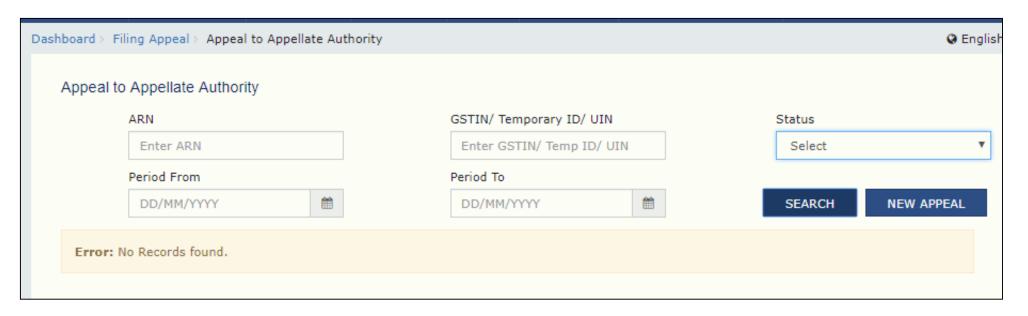
Steps: To file an appeal before the First Appellate Authority, in the role of Legal Officer assigned for a jurisdiction.

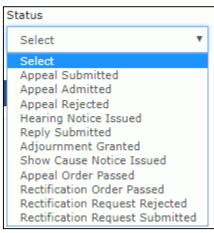










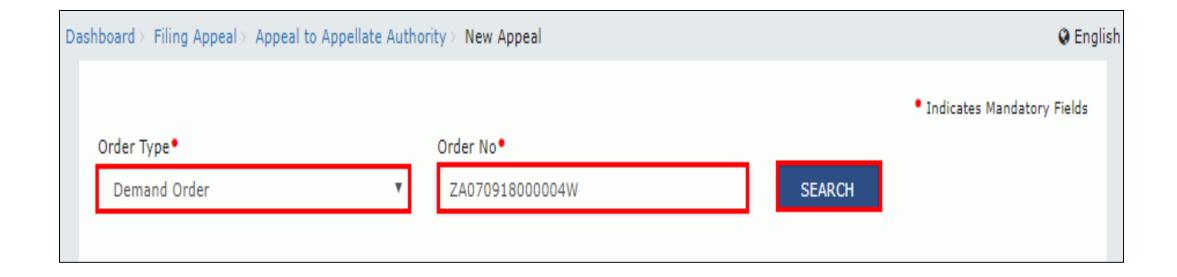




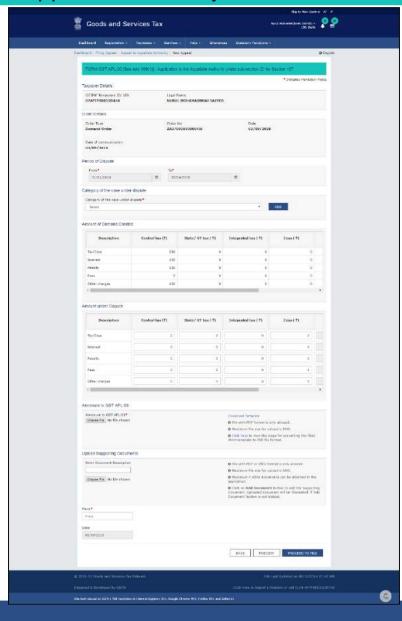










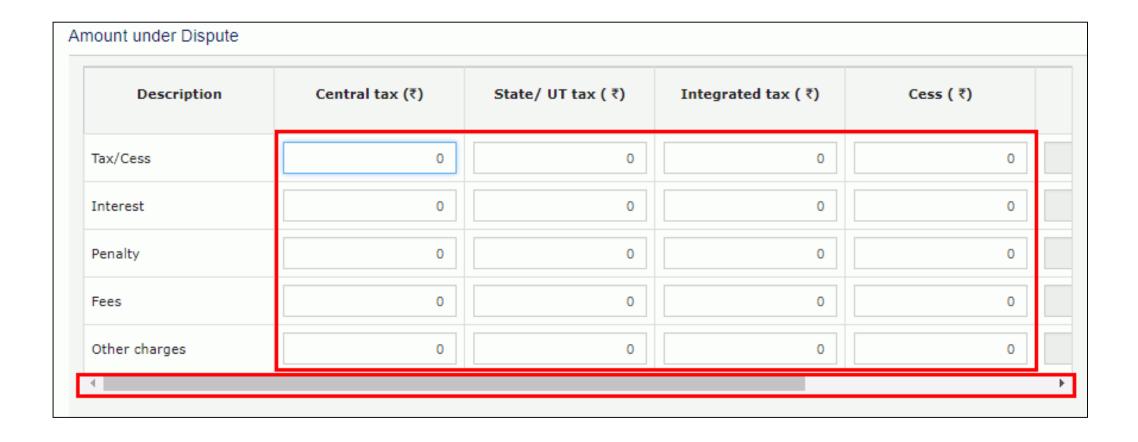






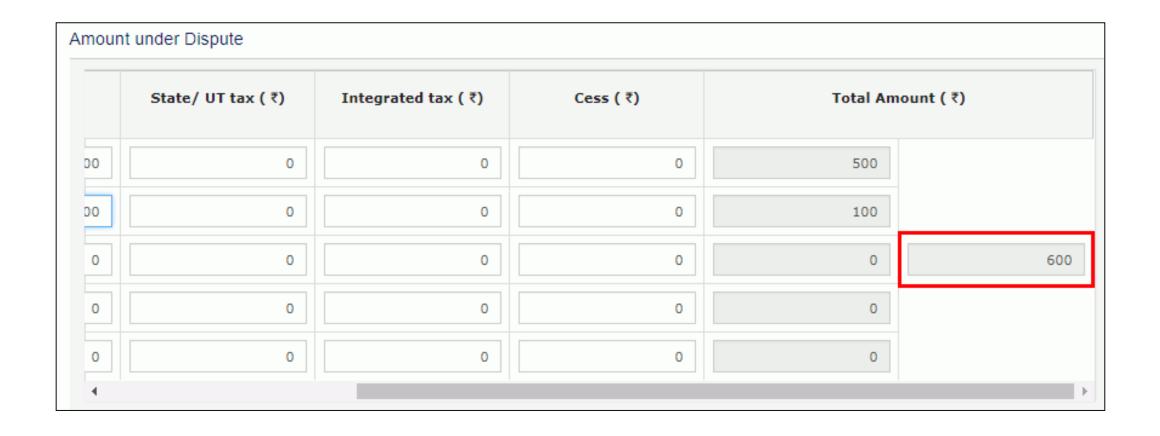








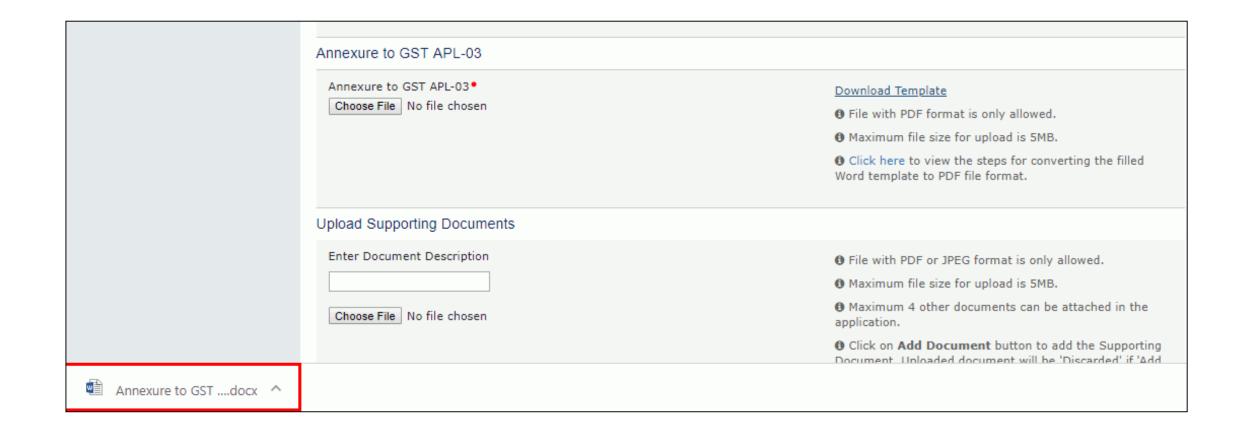




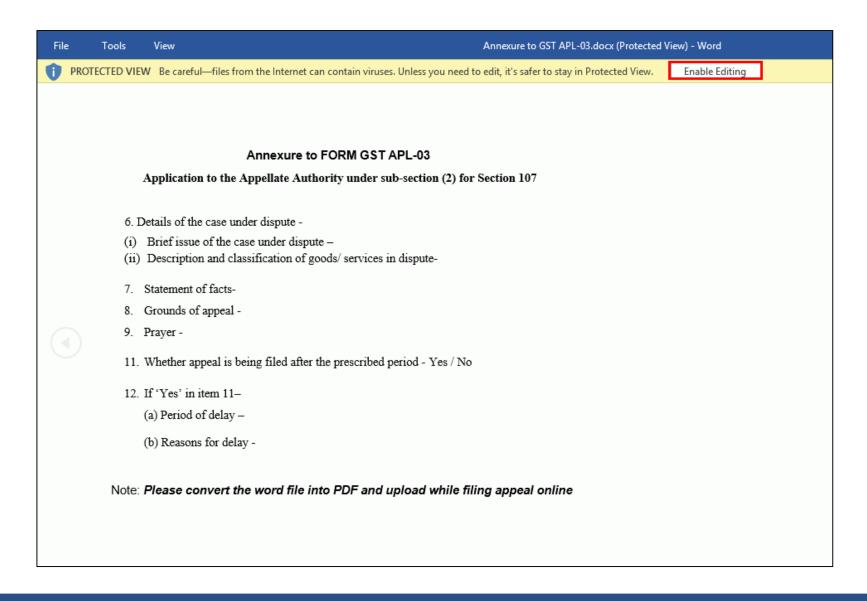














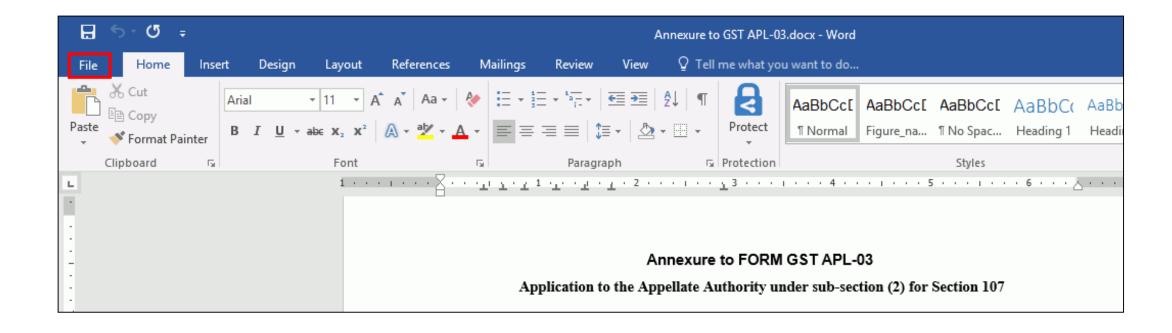
Annexure to FORM GST APL-03

Application to the Appellate Authority under sub-section (2) for Section 107

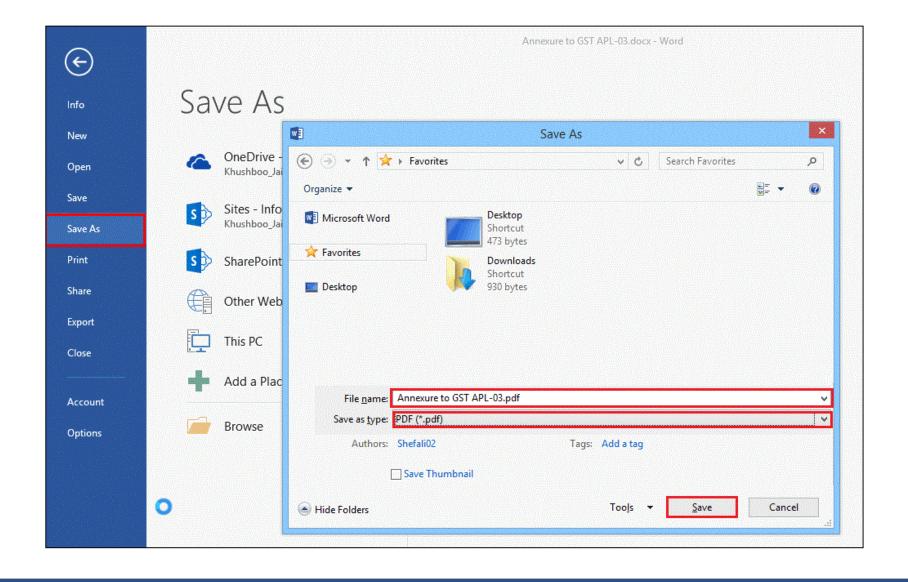
- Details of the case under dispute -
- (i) Brief issue of the case under dispute -
- (ii) Description and classification of goods/ services in dispute-
- 7. Statement of facts-
- 8. Grounds of appeal -
- 9. Prayer -
- 11. Whether appeal is being filed after the prescribed period Yes / No
- 12. If 'Yes' in item 11-
 - (a) Period of delay -
 - (b) Reasons for delay -

Note: Please convert the word file into PDF and upload while filing appeal online





















Assessment & Adjudication and Appeal

File an appeal before the First Appellate Authority

FORM GST APL-03

[Refer Rule 109(1)]

Application to the Appellate Authority under sub-section (2) for Section 107

1. Name and designation of the Appellant

Nurul MOHAMADBHAI SAIYED Designation Assistant Commissioner Jurisdiction 100:Zone 9:Delhi

State/ Centre State Name of the State Delhi

2. GSTIN/ Temporary ID/ UIN 07APIPS0052D410

Type of Order Demand Order 03/09/2018 Order No. ZA070918000004W

ZA070918000004W Demand Id

Lower Division Clerks 100, Designation and address of the officer passing the order appealed 100:Zone 9:Delhi 5. Date of communication of the order to be appealed against 03/09/2018

Category of the case under dispute -

Misclassification of any goods or services or both

- 6. Details of the case under dispute
 - (i) Brief issue of the case under dispute -

 - (ii) Description and classification of goods/ services in dispute

Refer Annexure to GST APL-03

Refer Annexure to GST APL-03

30/04/2018 (iii) Period of dispute -From - 01/01/2018

(iv) Amount under dispute:

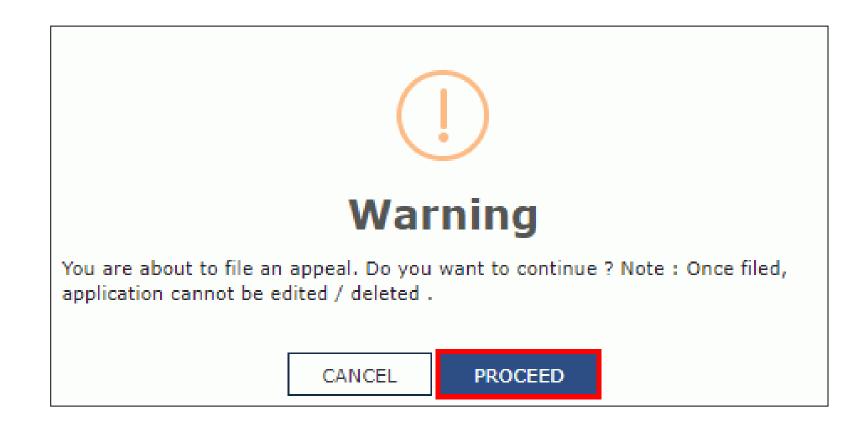
Description		Central tax (₹)	State/UT tax (₹)	Integrated tax (₹)	Cess (₹)	Total Am	ount(₹)
Amount of Dispute	Tax/Cess	500	0	0	0	500	
	Interest	100	0.(0	0	100	
	Penalty	0	0	0	0	0	600
	Fees	0	0	0	0	0	
	Other Charges	0	0	0	0	0	



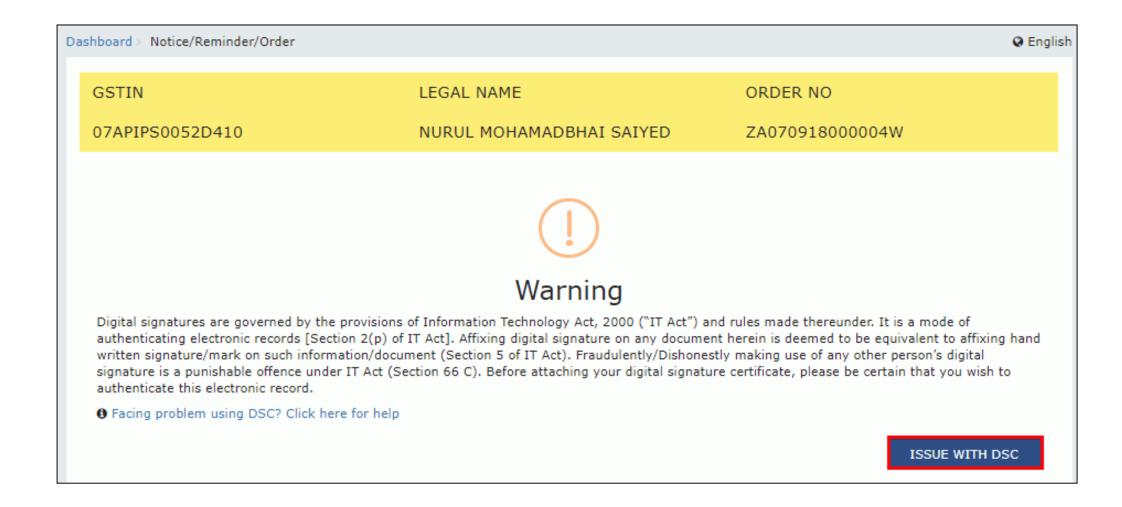




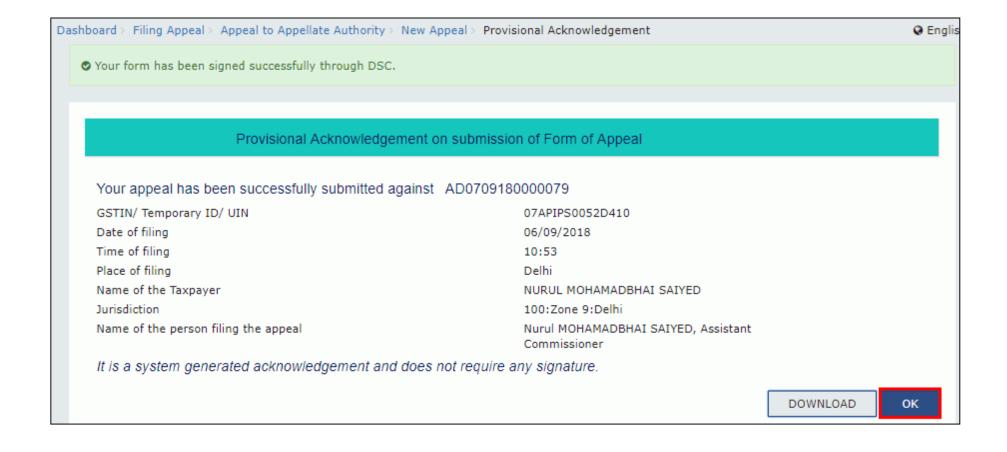






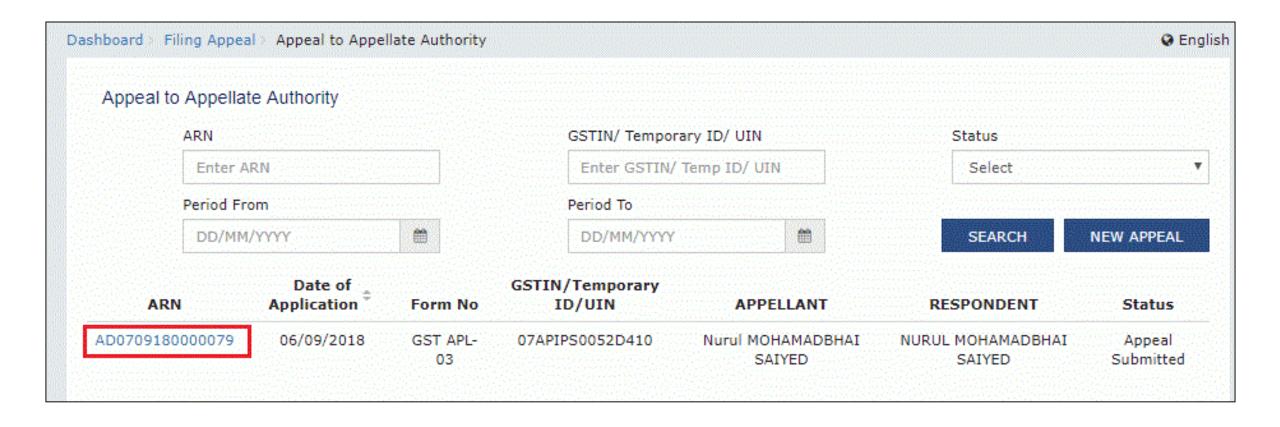




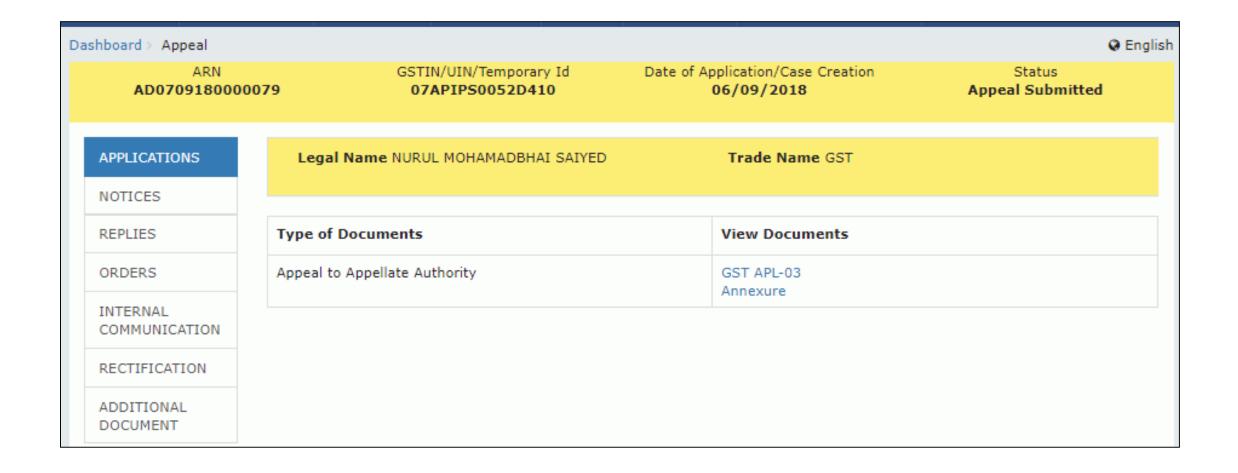














Appeal & Revisions

Appeal & Revisions

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Forms of Appeal to Appellate Authority

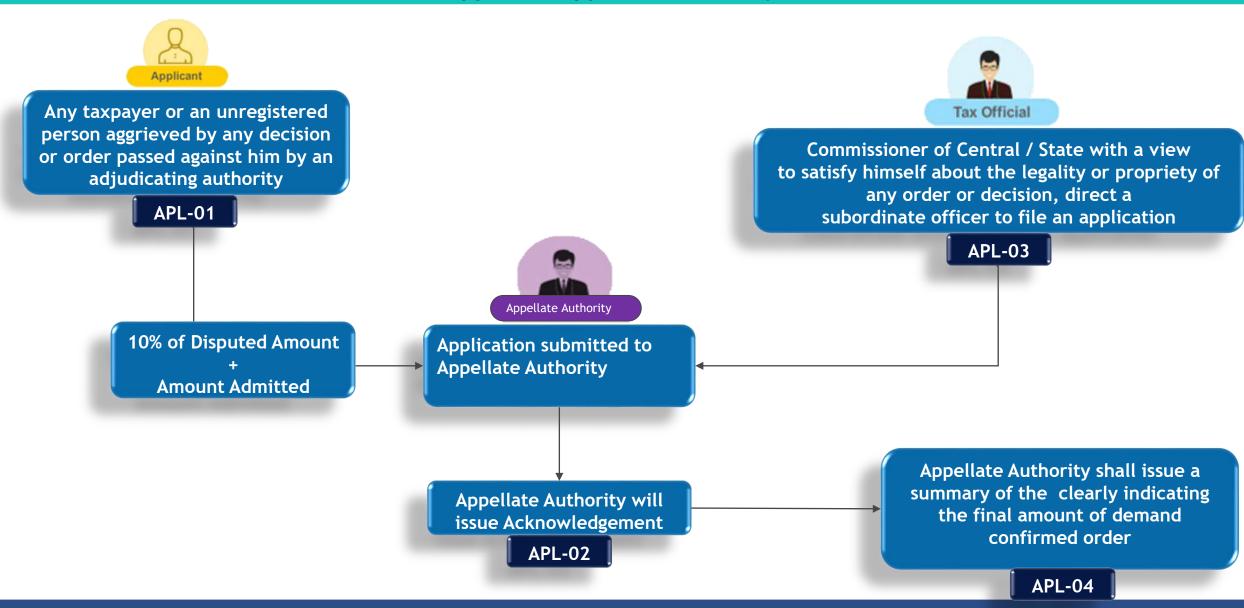


Forms of Appeal to Appellate Authority

GST Form Number	Description	Rule
FORM GST APL-01	Appeal to Appellate Authority	Rule 108(1)
FORM GST APL-02	Acknowledgment for submission of appeal	Rule 108(3)
FORM GST APL-03	Application to the Appellate Authority under sub-section (2) of Section 107	Rule 109(1)
FORM GST APL-04	Summary of the demand after issue of order by the Appellate Authority, Tribunal or Court	Rule 113(1) & 115



Appeal to Appellate Authority





Assessment & Adjudication and Appeal

Status:- Appeal to Appellate Authority

Action Description	Status	
Appeal application Form is successfully admitted by First Appellate Authority	Appeal admitted	
When notice for hearing is issued by First Appellate Authority	Hearing notice issued	
When Counter Reply from taxpayer is received against notice	Counter reply received	
When Show cause notice is issued to taxpayer or concerned person	Show cause notice issued	
Appeal is confirmed/modified/rejected by First Appellate Authority	Appeal order passed	
When hearing is adjourned and next date of hearing is issued	Adjournment granted	
When application is filed for Rectification of order	Rectification request received	
When application for Rectification is rejected by First Appellate Authority	Rectification request rejected	
When application for Rectification is passed by First Appellate Authority	Rectification order passed	



Assessment & Adjudication and Appeal

Appea	I to A	ppell	late A	\uth	nority

Appear to Appeliate Authority		
Proposal Tab Name	Action on Each Tab	
Application	You can download the application & it's annexures	
Notices	 Show Cause Notice Personal Hearing Adjournment 	
Replies	You can download the replies & it's annexures	
Orders	 Appeal Order Admit Appeal Application Reject Appeal Application 	
Internal Communication		
Rectification		
Additional Document	Add documents	



Important Points:- Appeal to Appellate Authority

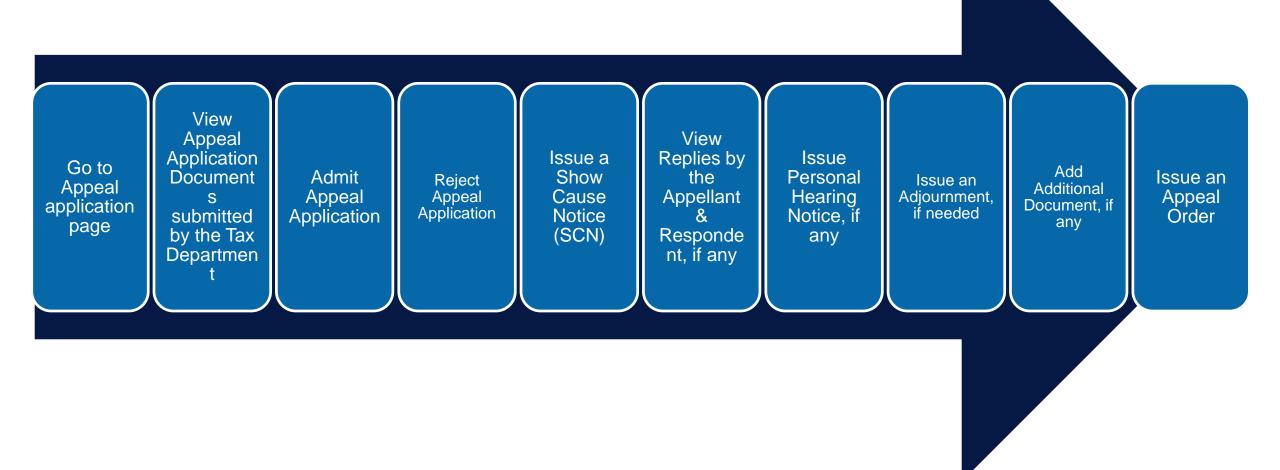
When appeal application is filed by the Legal Officer:

Form of Appeal as submitted by Legal Officer lands in the Dashboard of First Appellate Authority's queue of Appeal's received.

Admission & Rejection of Application for Appeal & First Appeal Proceedings/ Hearing use case for appeal procedure will be followed.



Important Points:- Appeal to Appellate Authority





Important Points:- Appeal to Appellate Authority

When Appellate Authority passes the Order with status as "Modified":

- Debit entry against a new demand Id for demand raised through Appeal order
- Credit entry against old demand Id for the amount under dispute.
- In DCR, existing demand status will be updated and new demand creation will be done.

When Appellate Authority passes the Order with status as "Rejected" (Demand Confirmed):

- The GST Portal will create no entries in the Part-II of the Liability Register.
- In DCR, existing demand status will be updated and new demand creation will be done.

When Appellate Authority passes the Order with status as "Confirmed" (Demand Rejected):

- Credit entry against old demand Id to the extent of amount under dispute.
- In DCR, existing demand status will be updated.



Screenshots of Appeal to Appellate Authority



Go to Appeal application page by either searching for the ARN (Application Reference Number)/ GSTIN/ Status/ Period

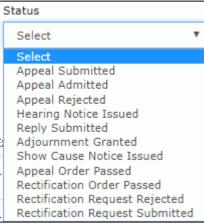




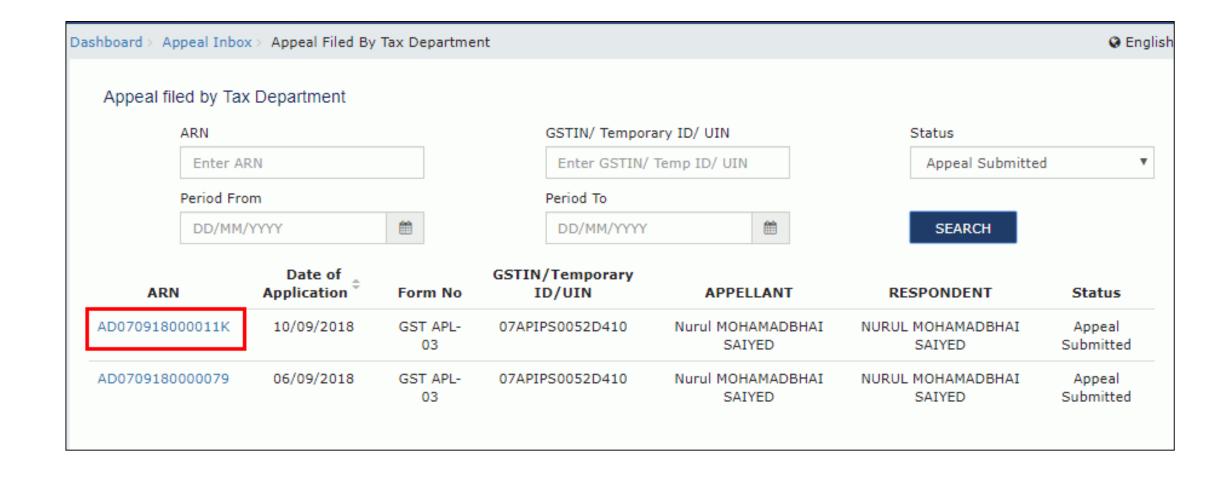




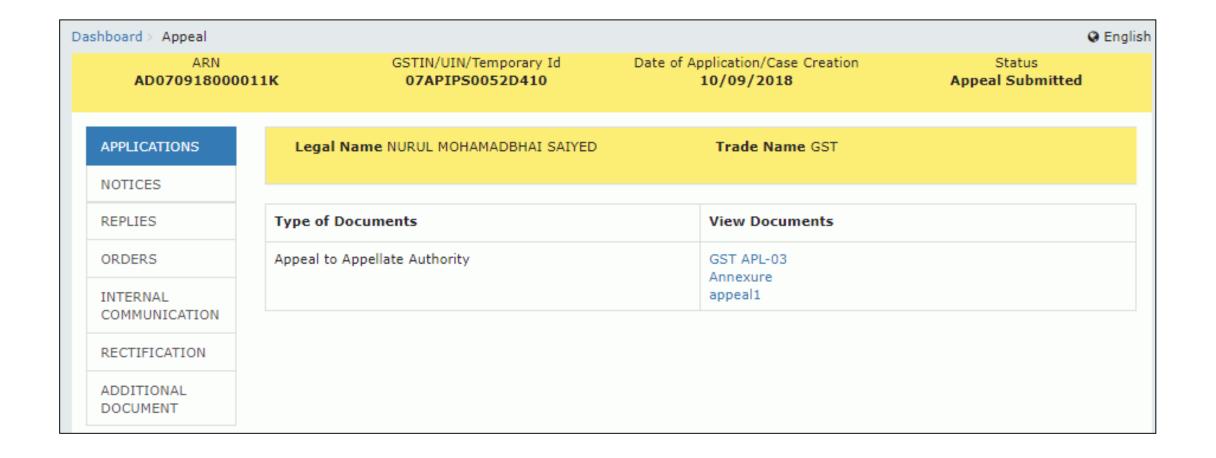






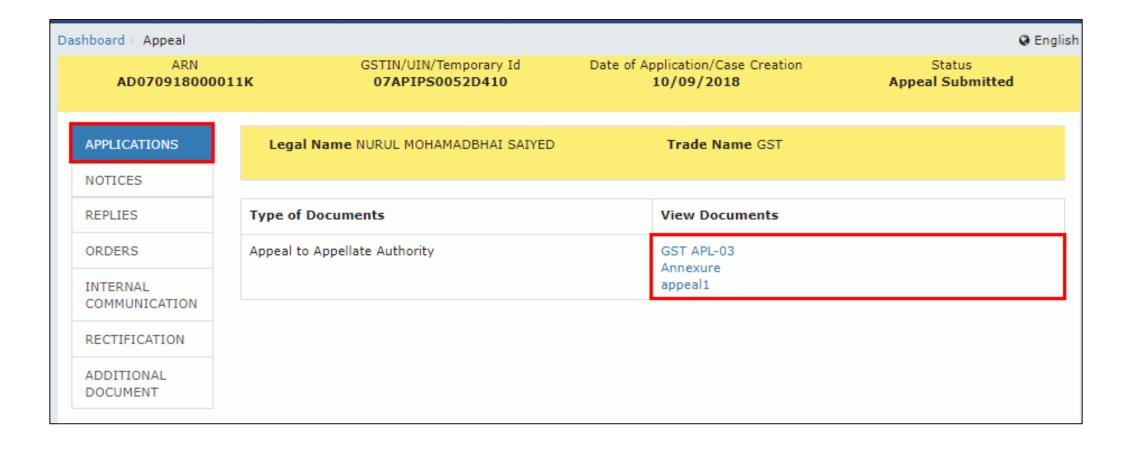






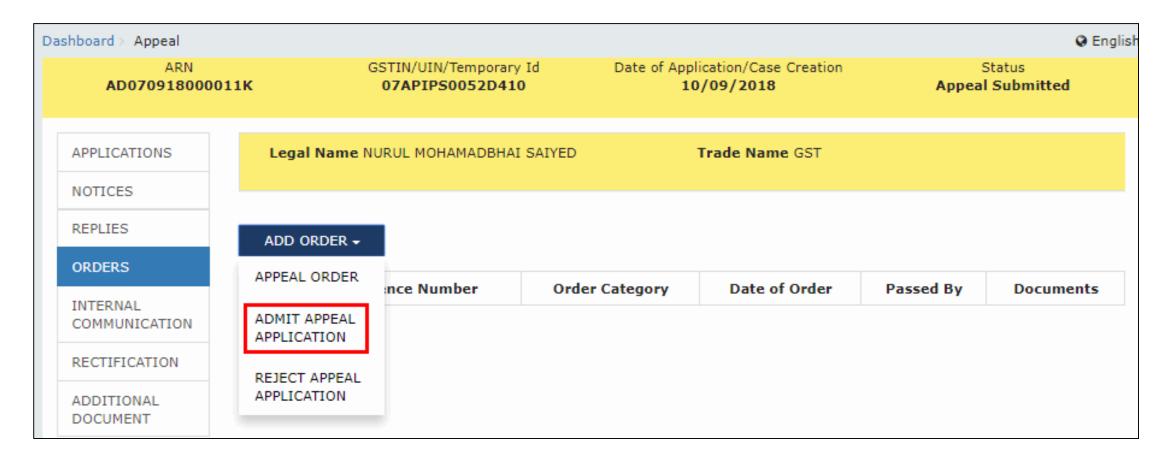


View Appeal application document submitted by the Tax Department

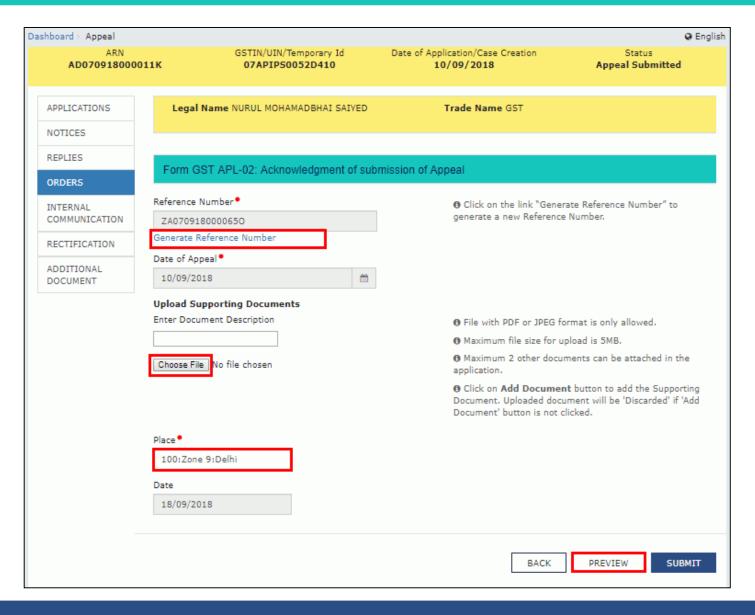




Admit an Appeal Application



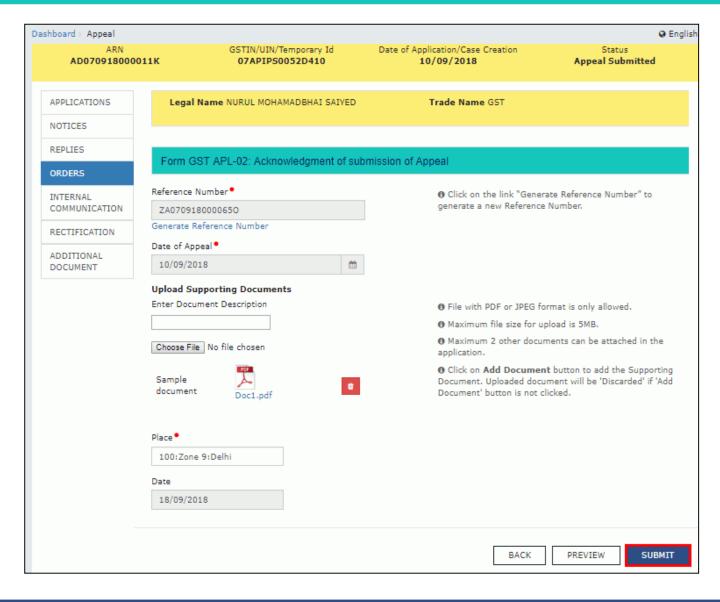








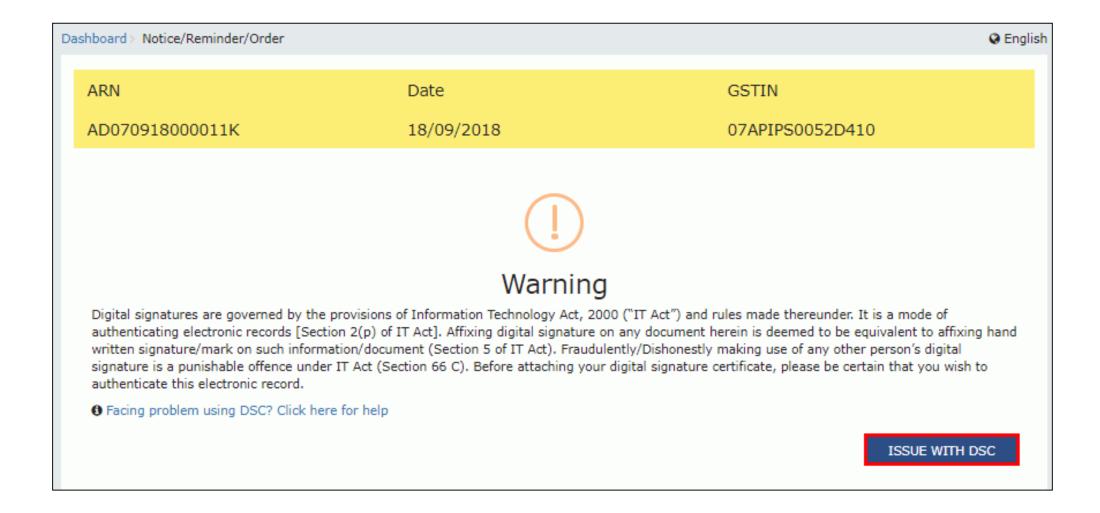




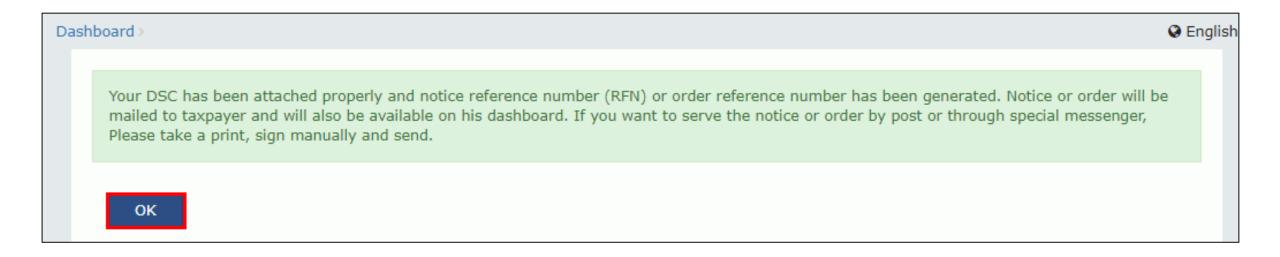




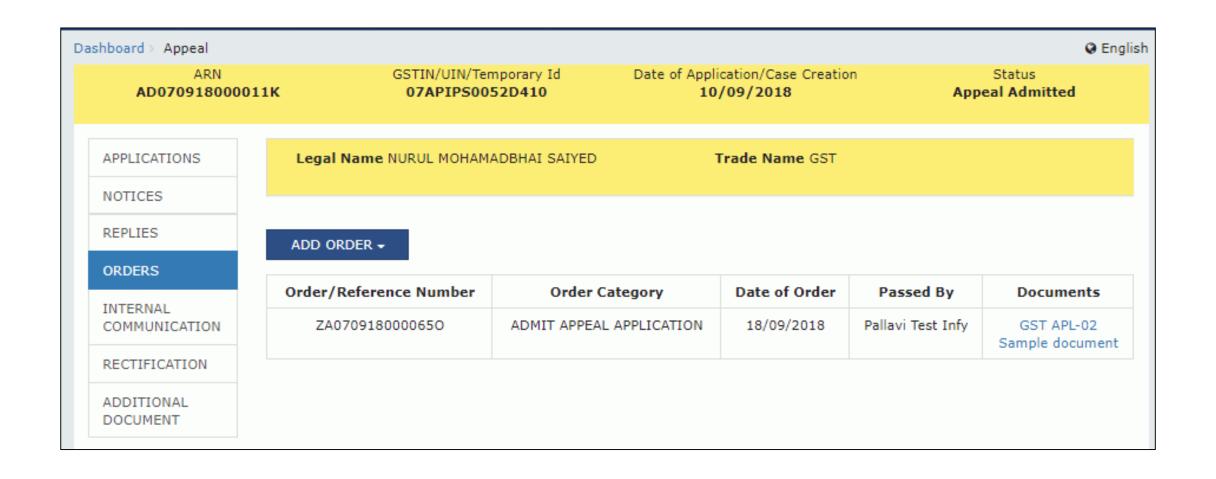






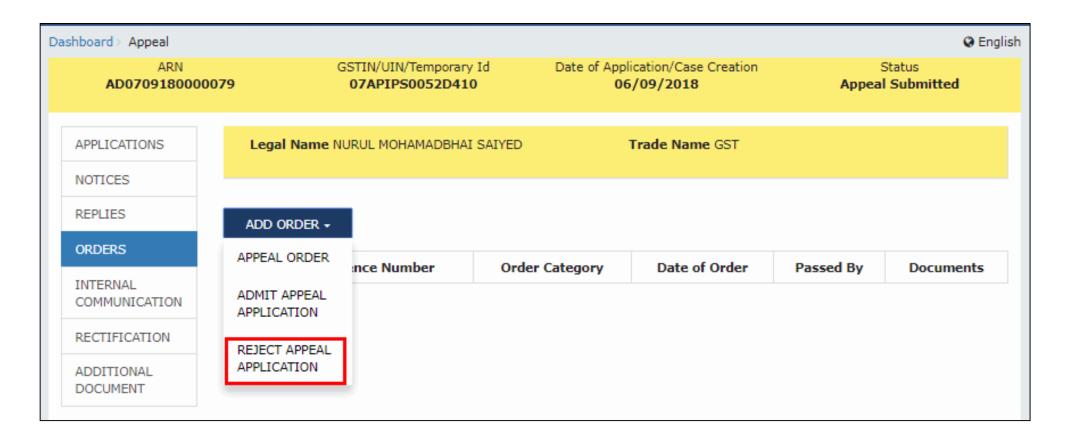




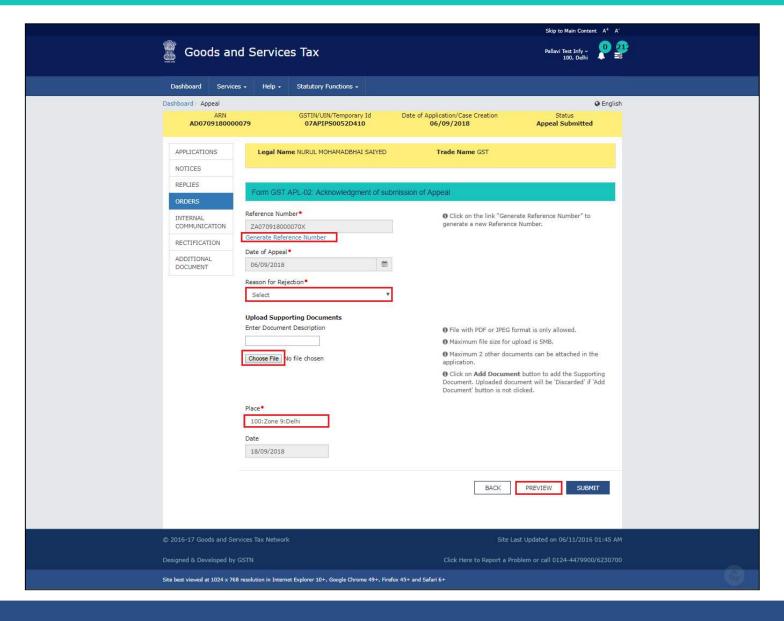




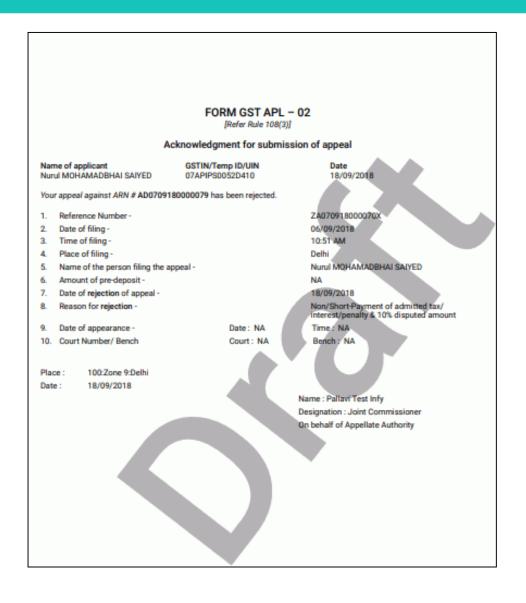
Reject an Appeal Application



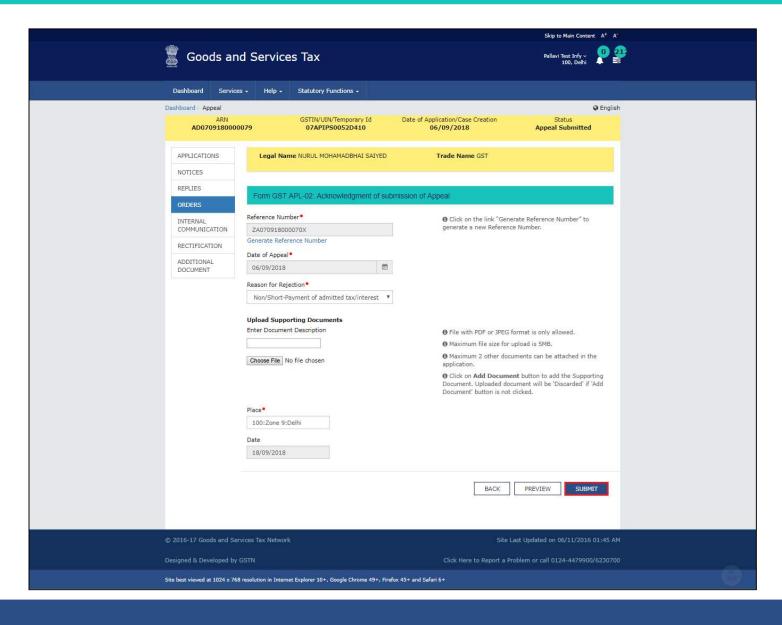




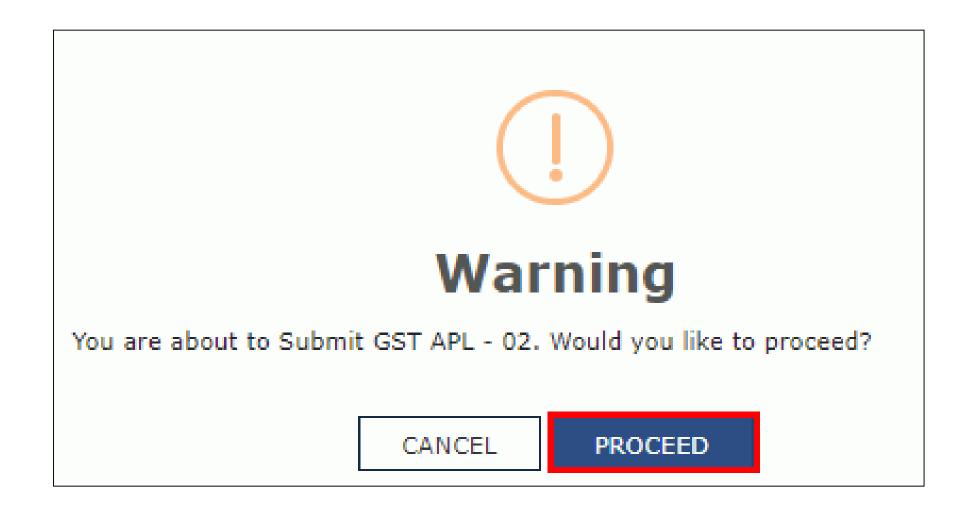




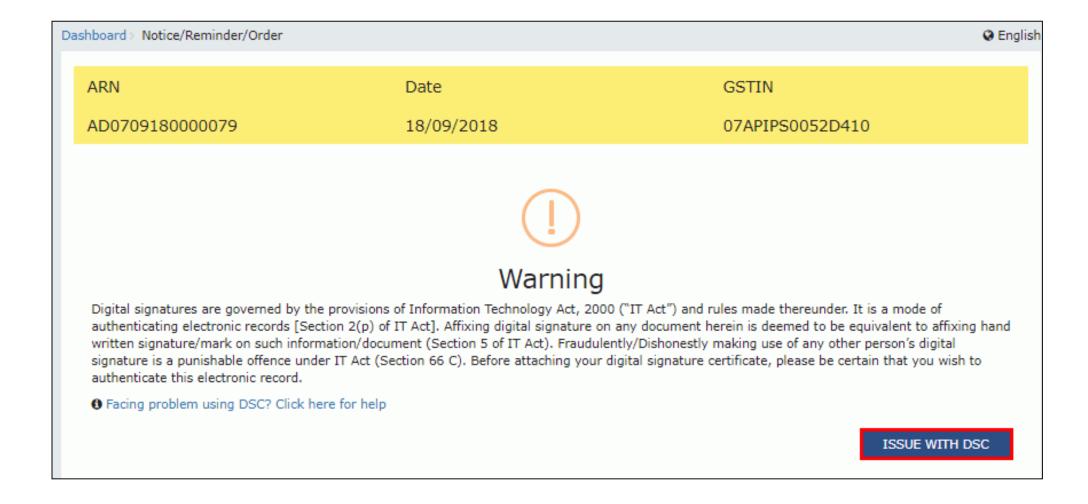




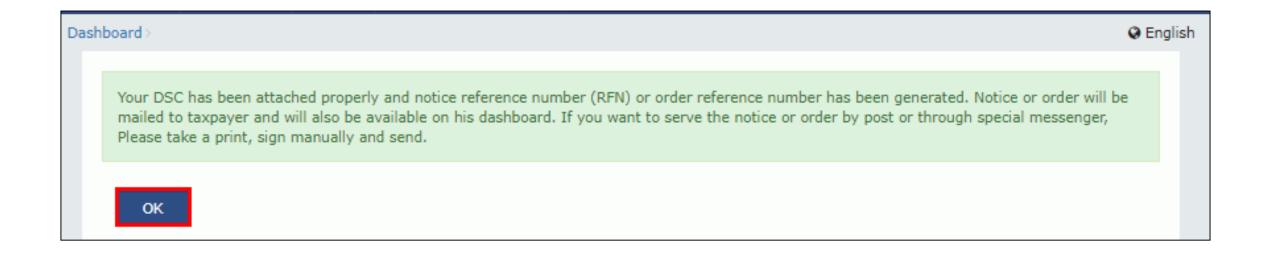




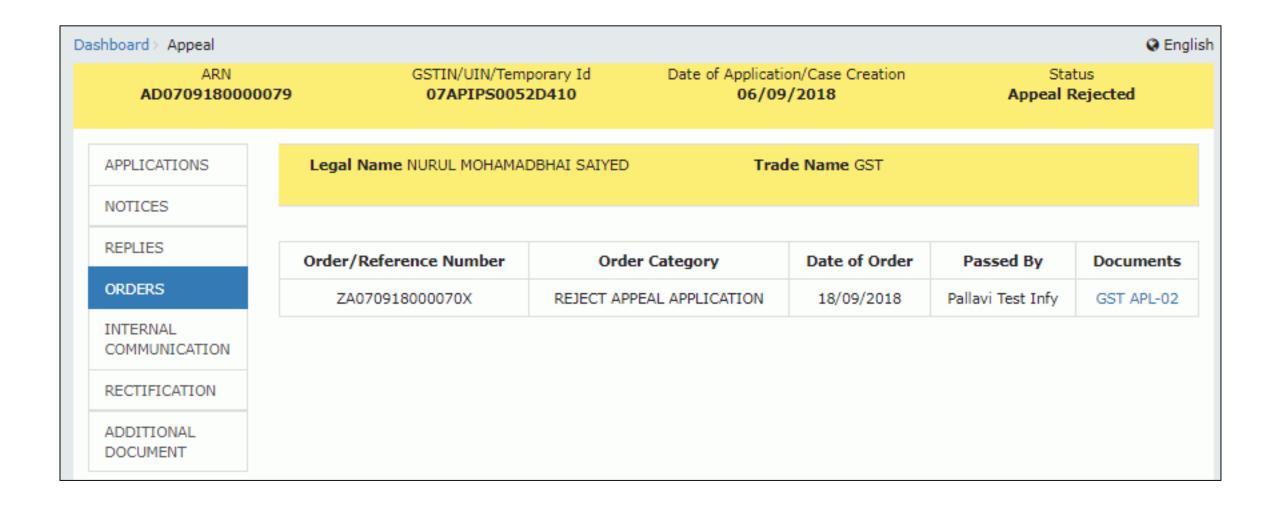






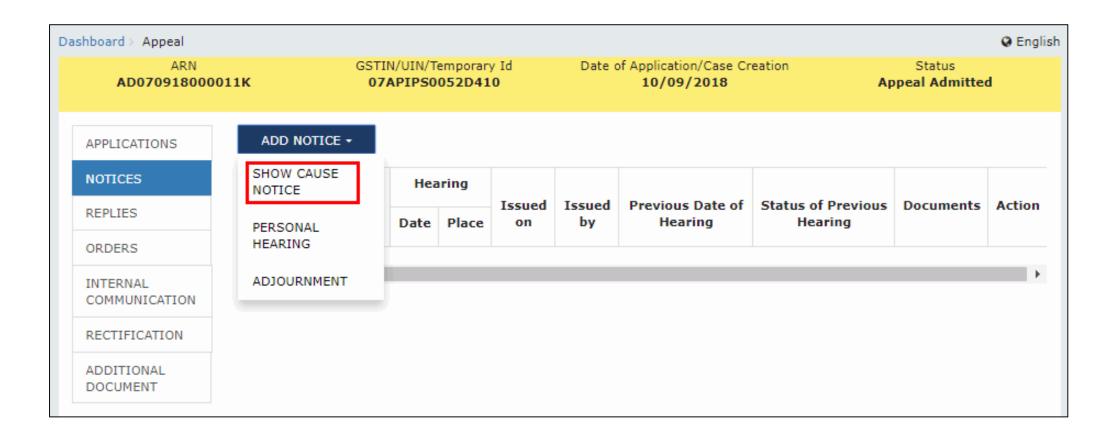




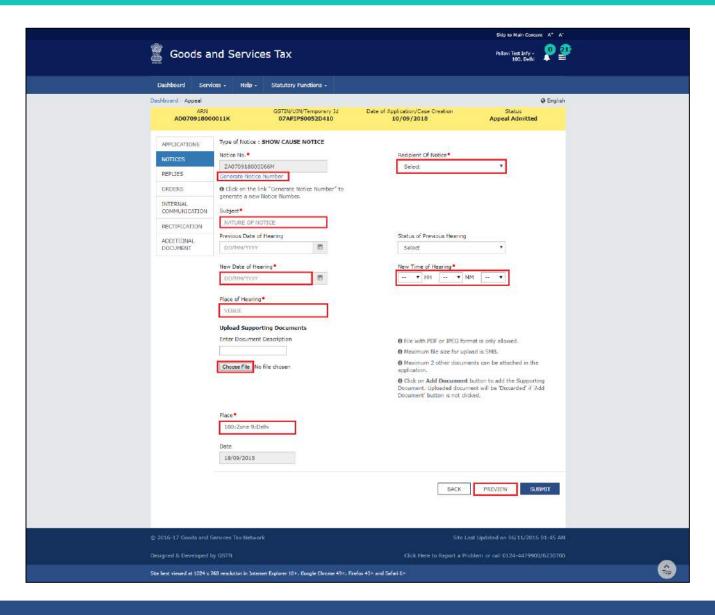




Issue a Show Cause Notice (SCN)









Office of the Appellate Authority, Delhi

100:Zone 9:Delhi

Show Cause Notice

Notice Number: ZA070918000066M Date: 18/09/2018 A

Date of Appeal: 10/09/2018 Appeal No : AD070918000011K

As per the information available on record of hearing in this matter and the reasons mentioned in the attached Annexure, it appears that either or all of following have taken place

- (i) You have not paid tax dues completely; or
- (ii) Refund has been released erroneously; or
- (iii) Input tax credit has been wrongly availed for the order in appeal

Therefore, you are hereby directed to show cause as to why the appropriate order, as described under subsection (11) of Section 107 of the CGST/SGST Act, should not be passed in this matter. You may furnish your reply along with relevant documents to the undersigned by the date and time specified below:-

S. No.	Particulars	Details
1	Date of Personal Hearing	21/09/2018
2	Time of Personal Hearing	10:00 AM
3	Place where Personal Hearing will be held	Delhi

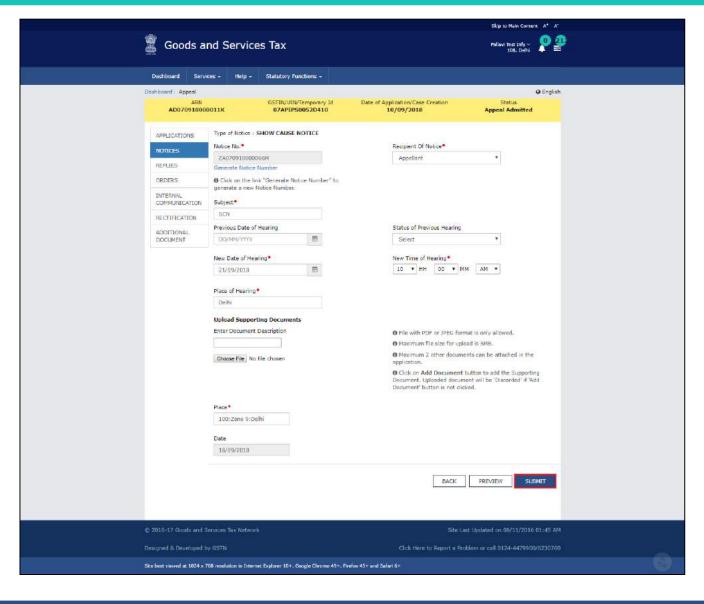
You may appear before the undersigned for personnel hearing either in person or through authorized representative for representing your case on the above mentioned date and time.

100:Zone 9:Delhi 18/09/2018

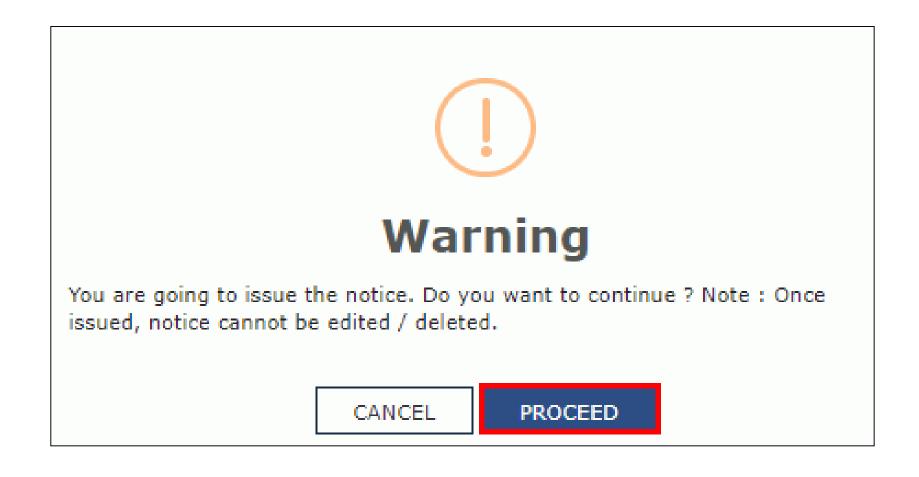
Name: Pallavi Test Infy

Designation: Joint Commissioner Jurisdiction: 100:Zone 9:Delhi

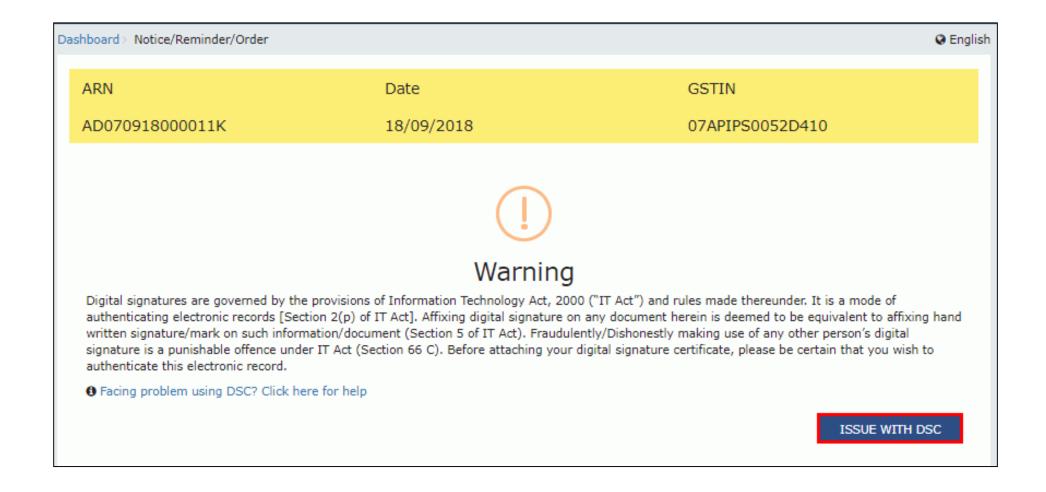




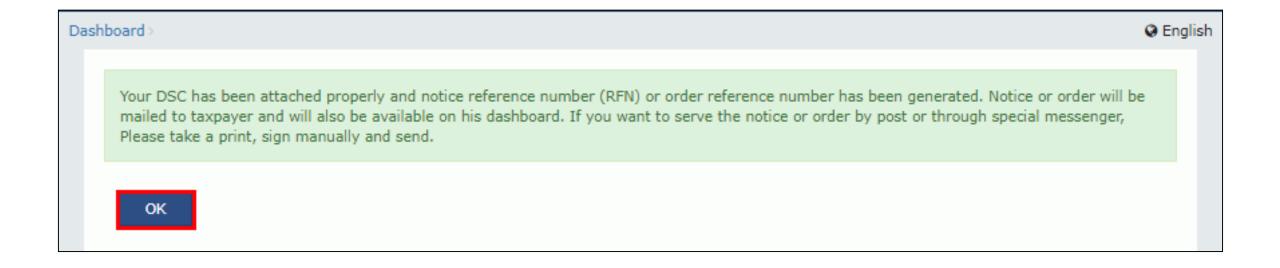




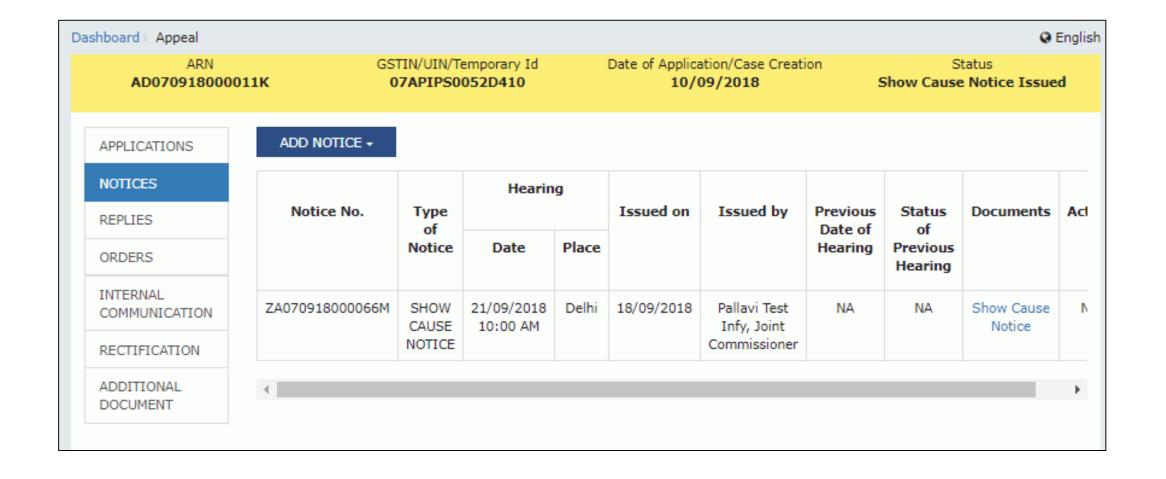






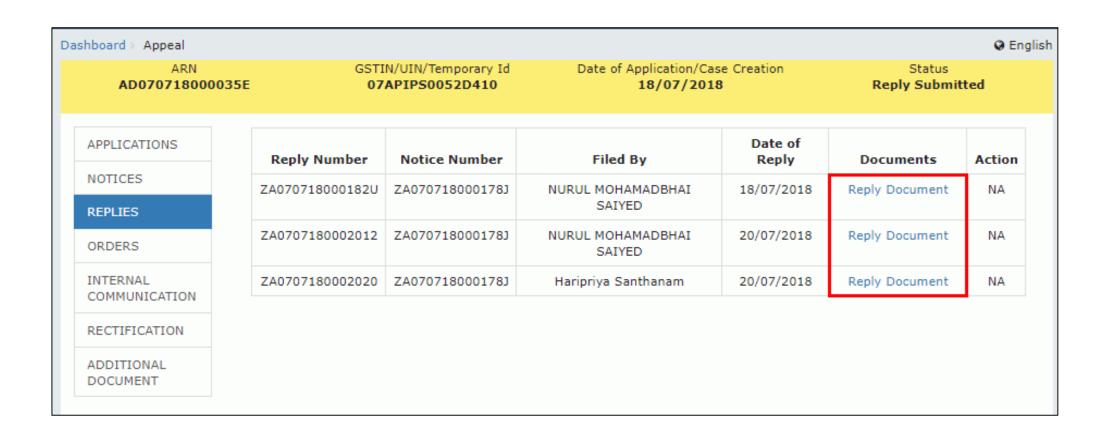






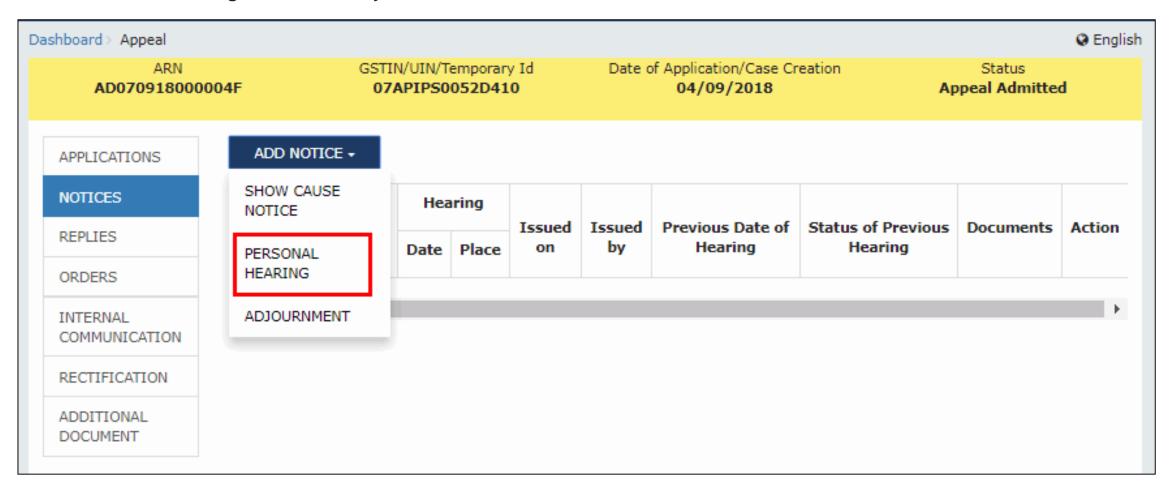


View Replies by the Appellant & Respondent, if any

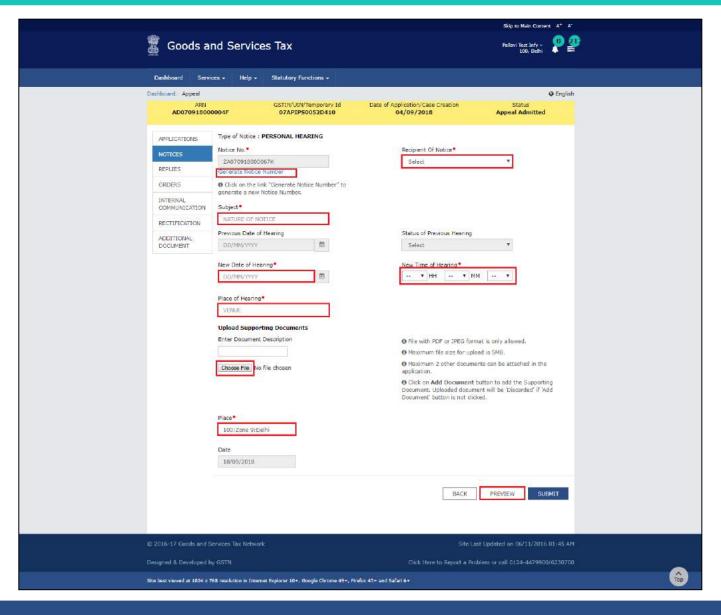




Issue Personal Hearing Notice, if any









Office of the Appellate Authority, Delhi

100:Zone 9:Delhi

Notice of Personal Hearing

Notice Number: ZA070918000067K Date: 18/09/2018

Appeal No : AD070918000004F Date of Appeal : 04/09/2018

This is to inform you that based on the reasons mentioned in the attached Annexure, personal hearing in respect of Appeal filed before the Appellate Authority has been scheduled.

You are required to appear before the Appellate Authority either in person or through authorized representative for representing your case on the date, time and place, as mentioned in table below.

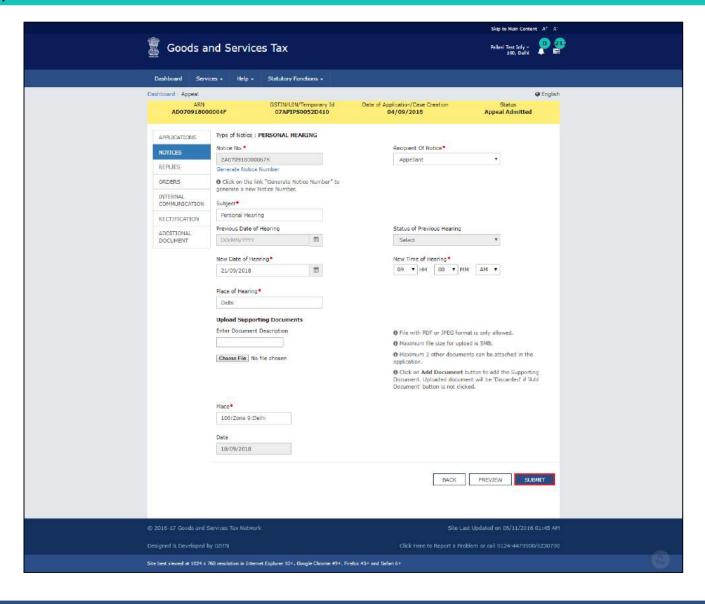
S. No.	Particulars	Details
1	Date of Personal Hearing	21/09/2018
2	Time of Personal Hearing	09:00 AM
3	Place where Personal Hearing will be held	Delhi

Place: 100:Zone 9:Delhi Date: 18/09/2018

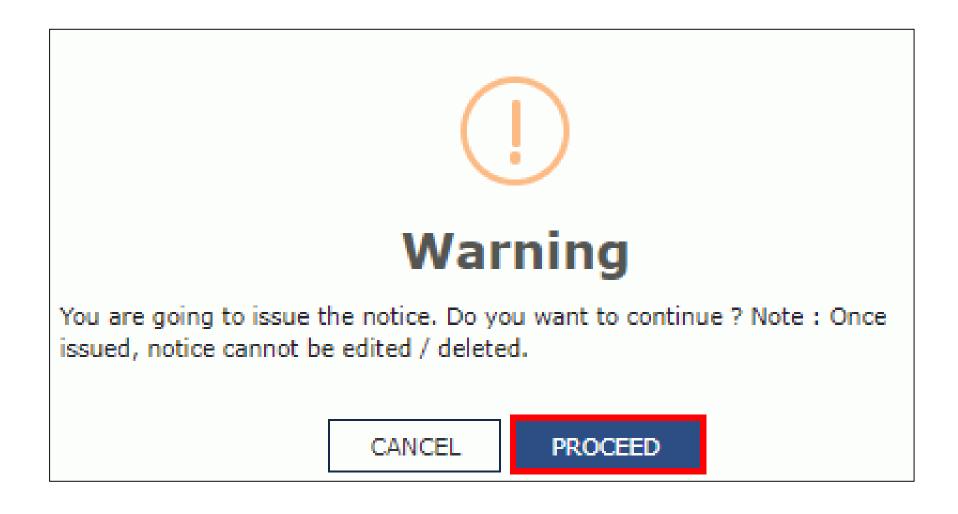
Name: Pallavi Test Infy

Designation : Joint Commissioner Jurisdiction : 100:Zone 9:Delhi

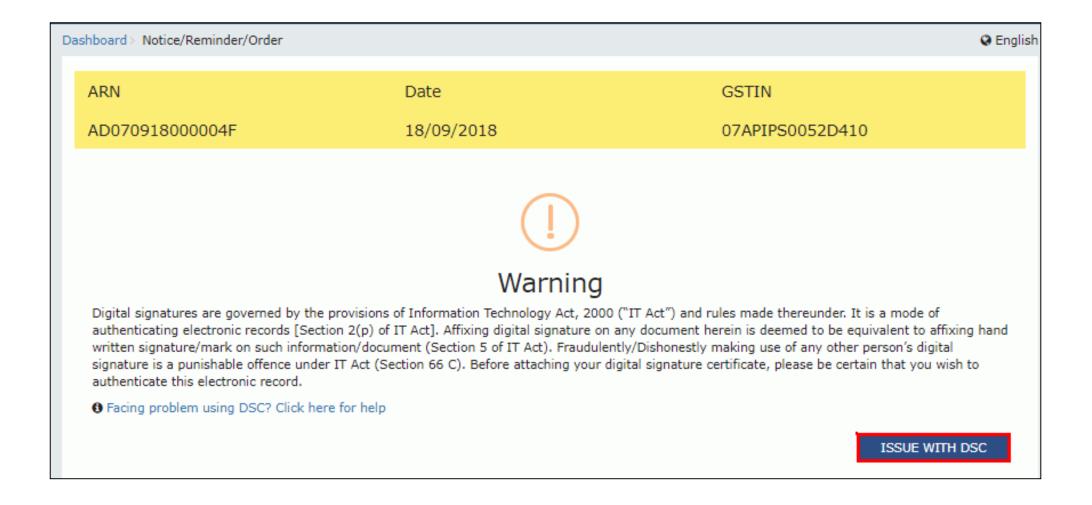




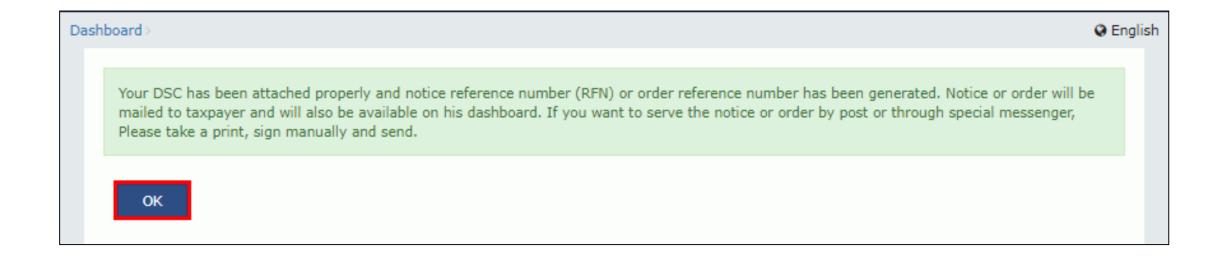




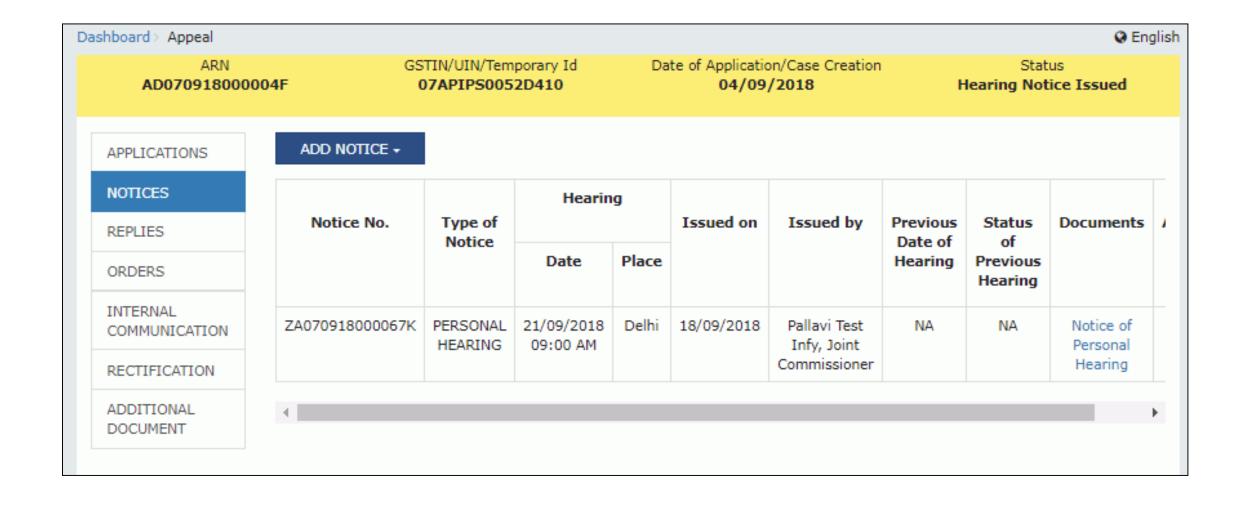






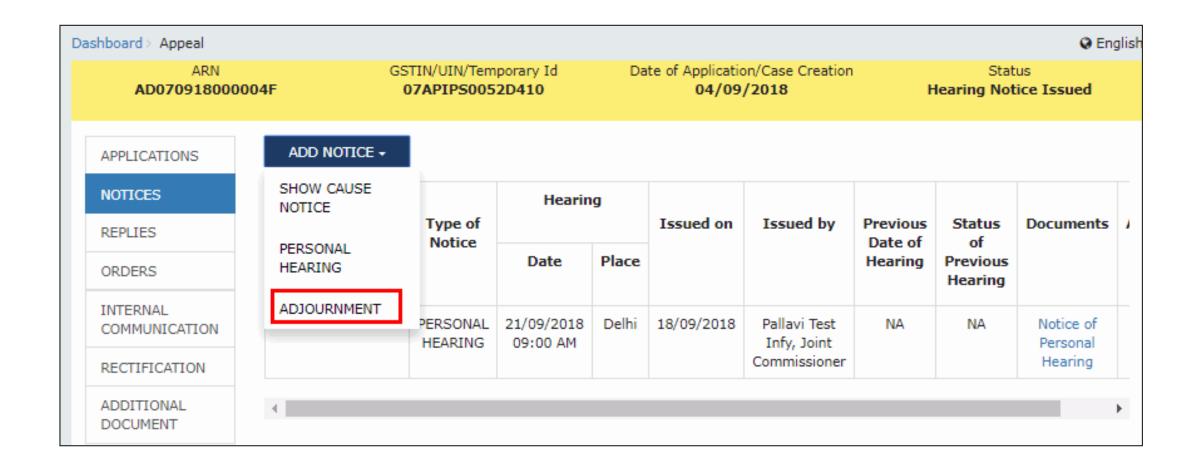




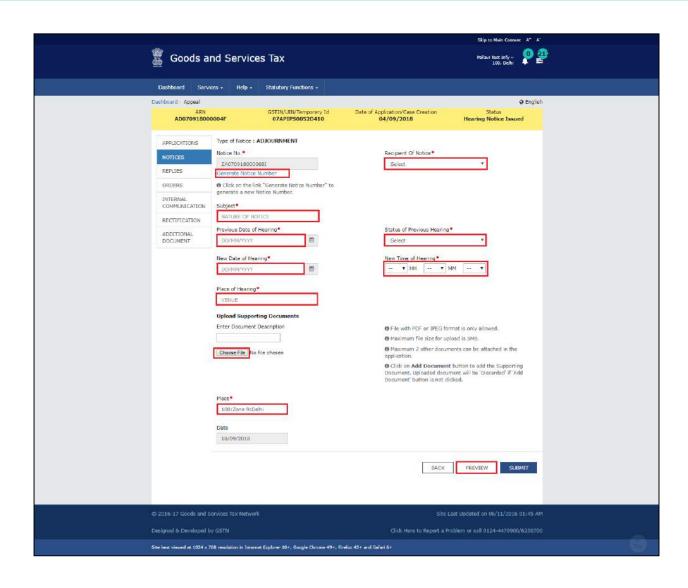




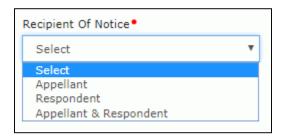
Issue an Adjournment, if needed



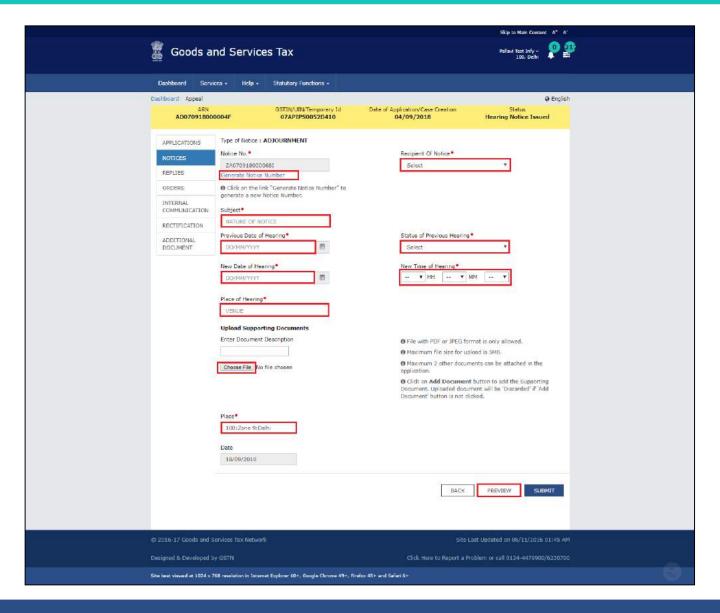
















100:Zone 9:Delhi

Notice of Adjournment

Notice Number : ZA0709180000681

Date: 18/09/2018

Appeal No : AD070918000004F

Date of Appeal : 04/09/2018

On the perusal of Application, the personal hearing proceeding in respect of Appeal is adjourned.

Based on the reasons mentioned in the attached Annexure, you are required to appear before the Appellate Authority either in person or through authorized representative for representing your case on the date, time and place, as mentioned in table below.

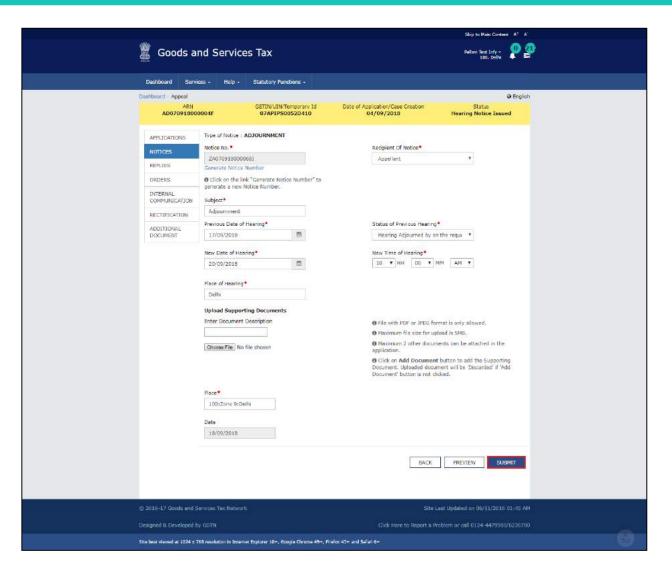
S. No.	Particulars	Details
1	Date of Personal Hearing	20/09/2018
2	Time of Personal Hearing	10:00 AM
3	Place where Personal Hearing will be held	Delhi

Place: 100:Zone 9:Delhi Date: 18/09/2018

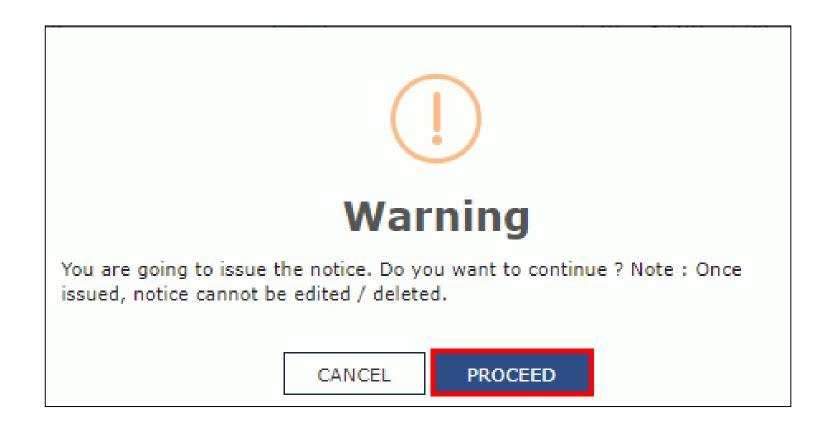
> Name : Pallavi Test Infy Designation : Joint Commissioner

Jurisdiction: 100:Zone 9:Delhi

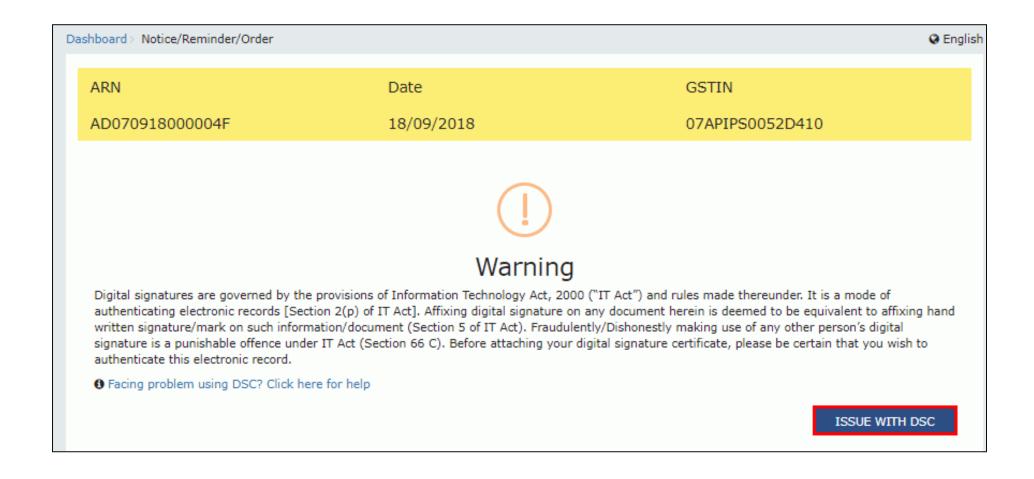




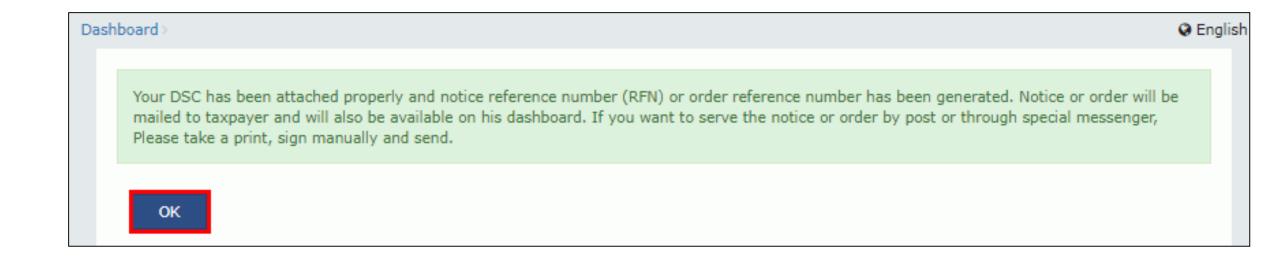




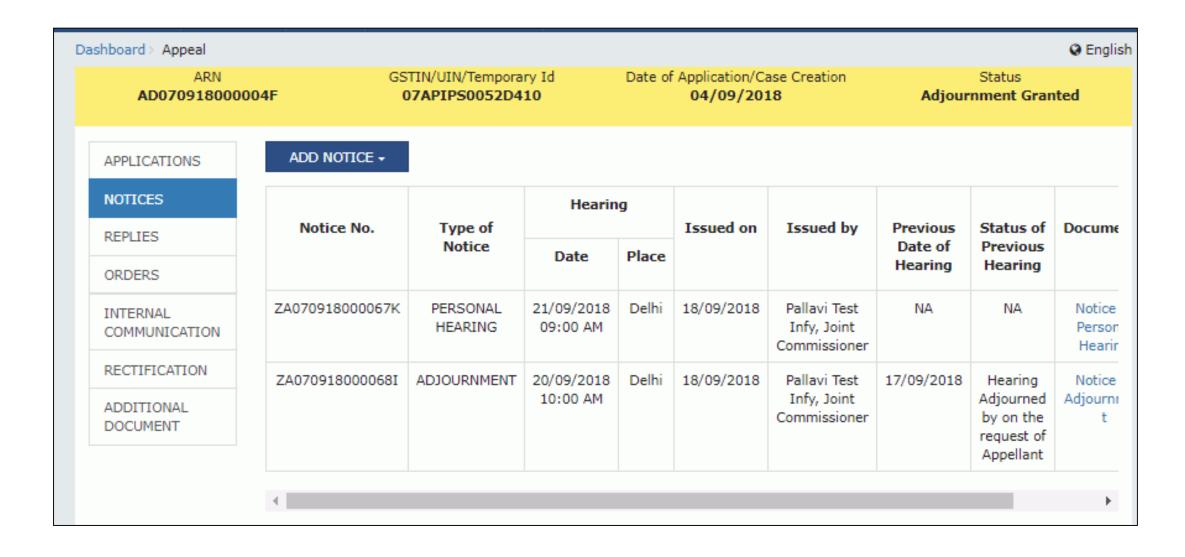






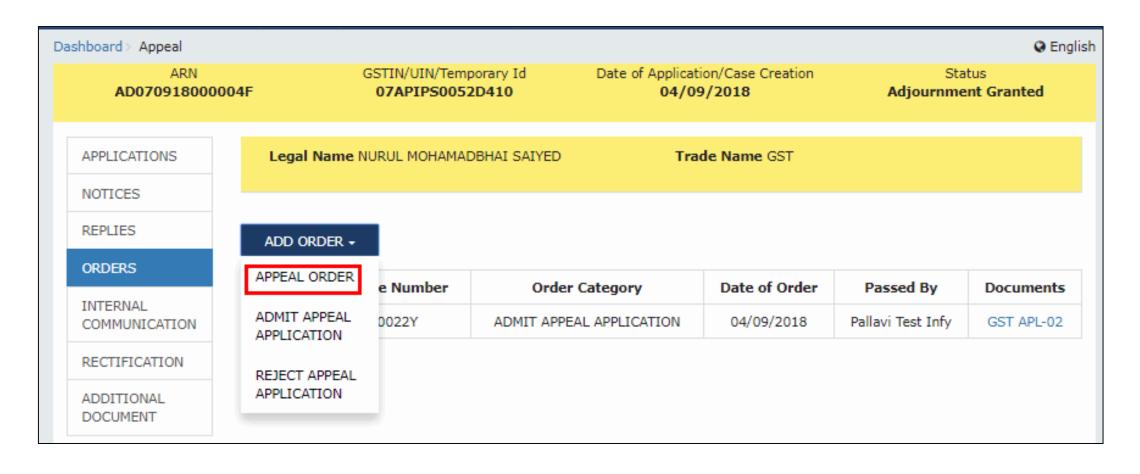




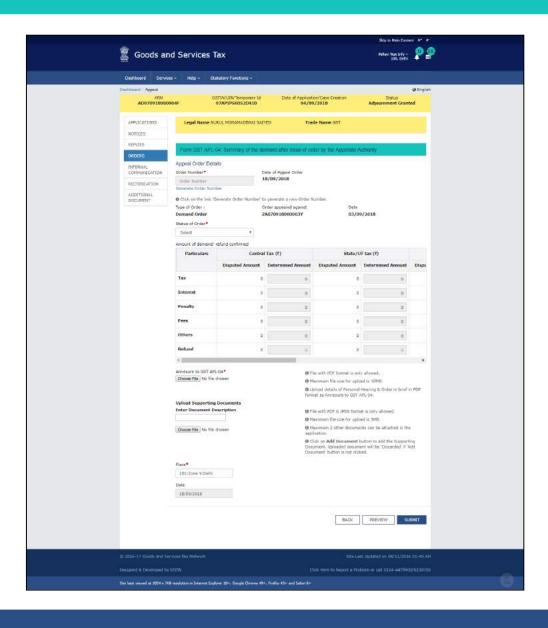




Issue an Appeal Order



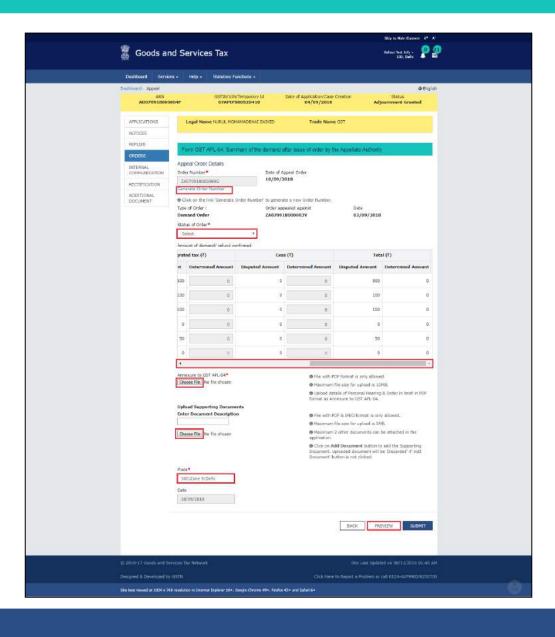






grated tax (₹)		Cess	5 (₹)	Total (₹)		
nt	Determined Amount	Disputed Amount	Determined Amount	Disputed Amount	Determined Amount	
0	0	0	0	500		
0	0	0	0	100		
0	0	0	0	100		
0	0	0	0	0		
0	0	0	0	50		
0	0	0	0	0		







FORM GST APL - 04

[Refer Rule 113(1) & 115]

Summary of the demand after issue of order by the Appellate Authority, Tribunal OR Court

Order no. - ZA070918000069G

Date of Order - 18/09/2018

1. GSTIN/Temporary ID/ UIN -

07APIPS0052D410

2. Name of the appellant -

NURUL MOHAMADBHAI SAIYED

Address of the appellant -

.

Order appealed against - Number - ZA070918000003Y

Date - 03/09/2018 Date - 04/09/2018

Appeal - Number - AD070918000004F
 Personal Hearing -

Refer to Annexure

Order in brief -

8. Status of Order -

Confirmed

9. Amount of demand confirmed:

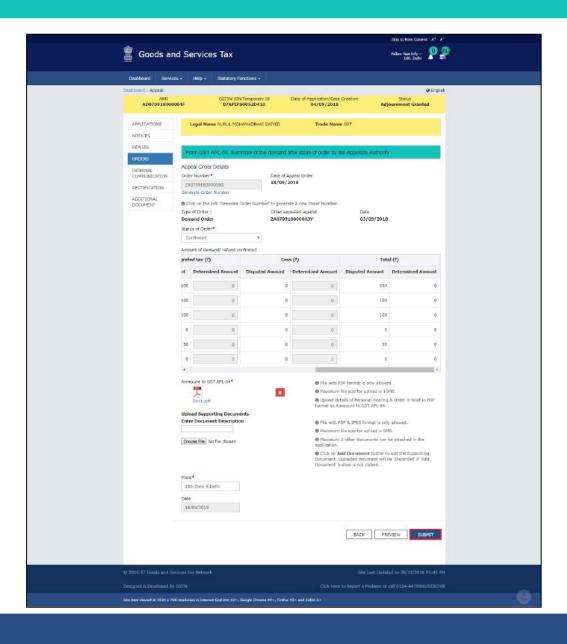
Part	ticulars	Central Tax (₹)	State/ UT Tax (₹)	Integrated Tax (₹)	Cess (₹)	Total (₹)
Tax	Disputed Amount	0	0	500	0	500
	Determined Amount	0	0	0	0	٥
Interest	Disputed Amount	0	0	100	0	100
	Determined Amount	0	0	0	0	0
Penalty	Disputed Amount	0	0	100	10	100
	Determined Amount	0	0	0	0	0
Fees	Disputed Amount	0	0	0	0	0
	Determined Amount	0		0	0	0
Others	Disputed Amount	0	0	50	0	50
	Determined Amount	0		0	0	0

Place: 100:Zone 9:Delhi

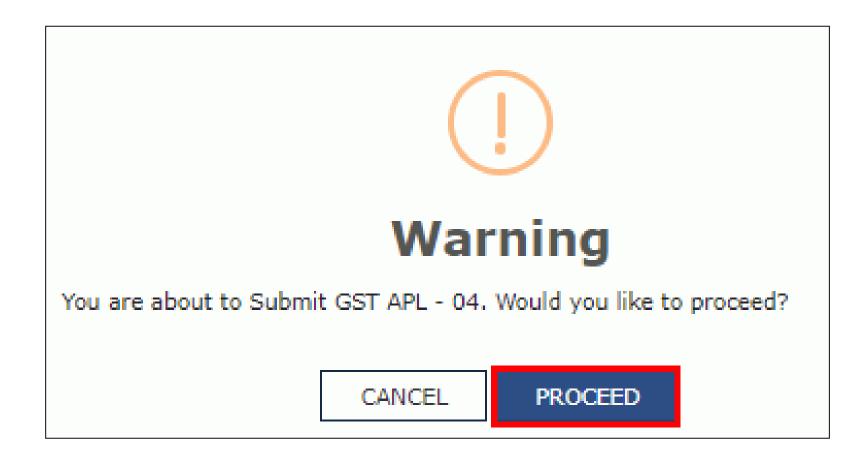
Date: 18/09/2018

Name: Pallavi Test Infy
Designation: Joint Commissioner
Jurisdiction: 100:Zone 9:Delhi

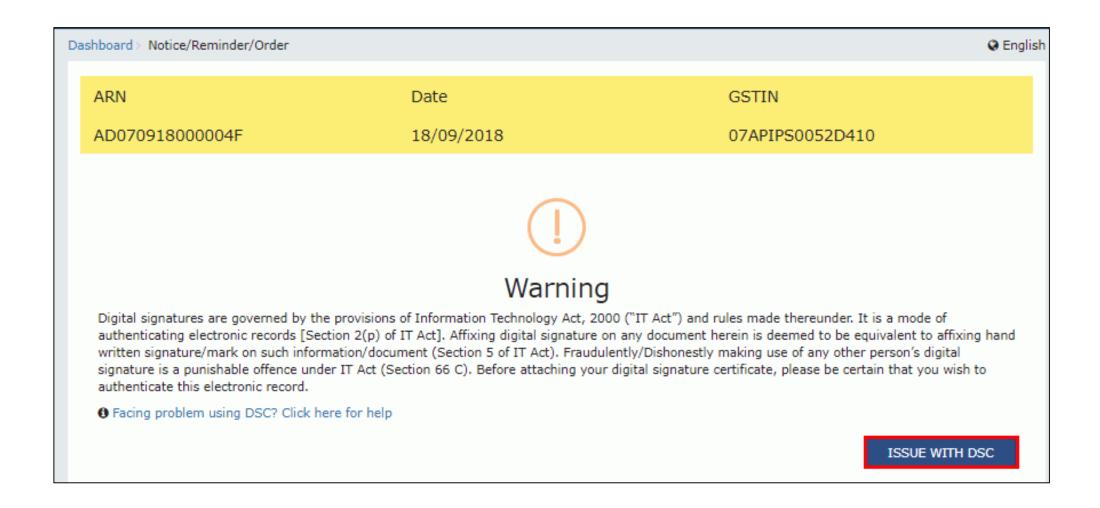




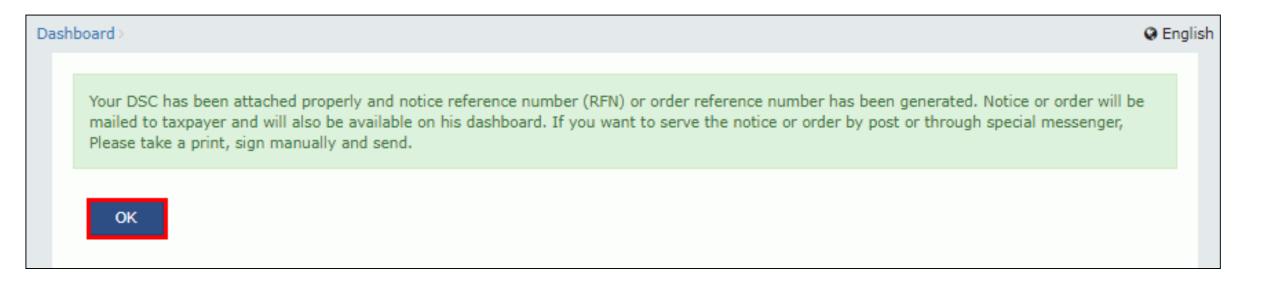




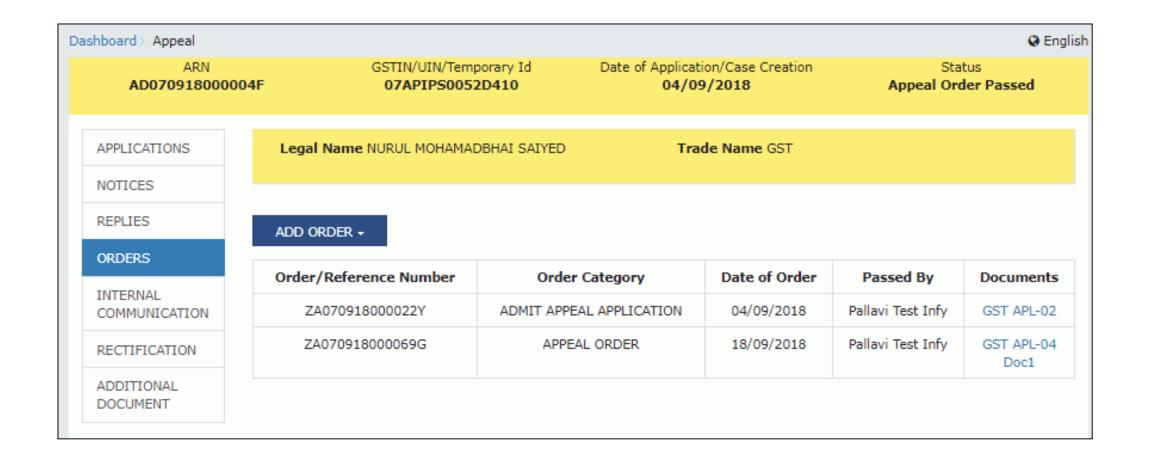






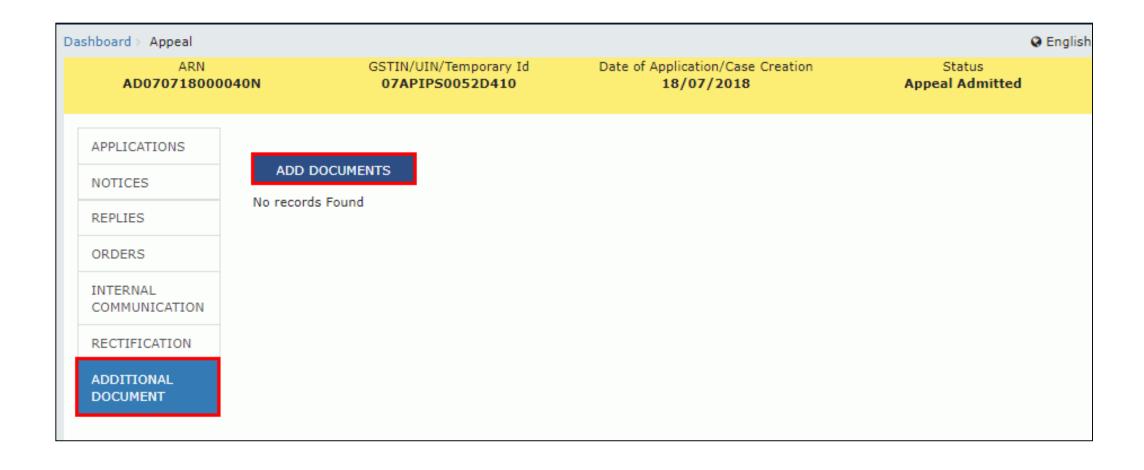




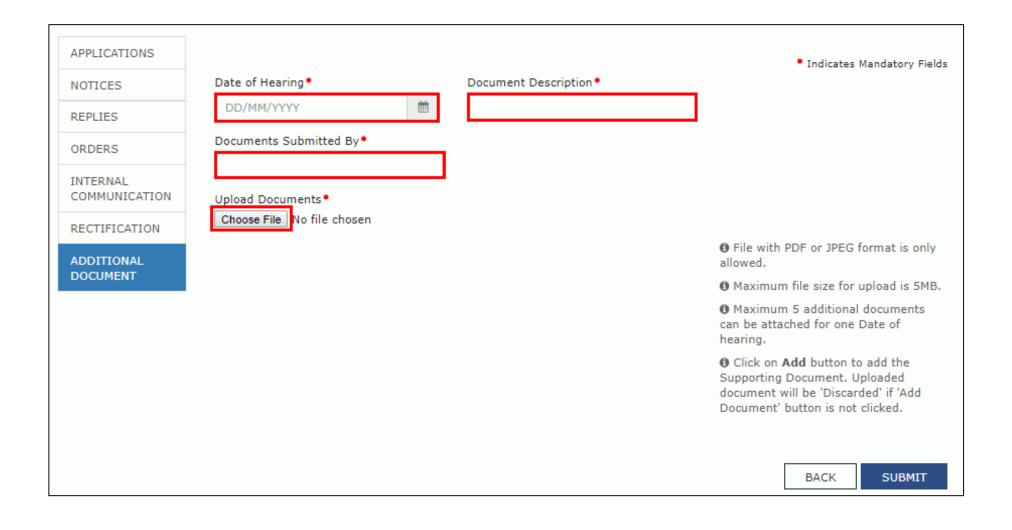




Add Additional Document, if any

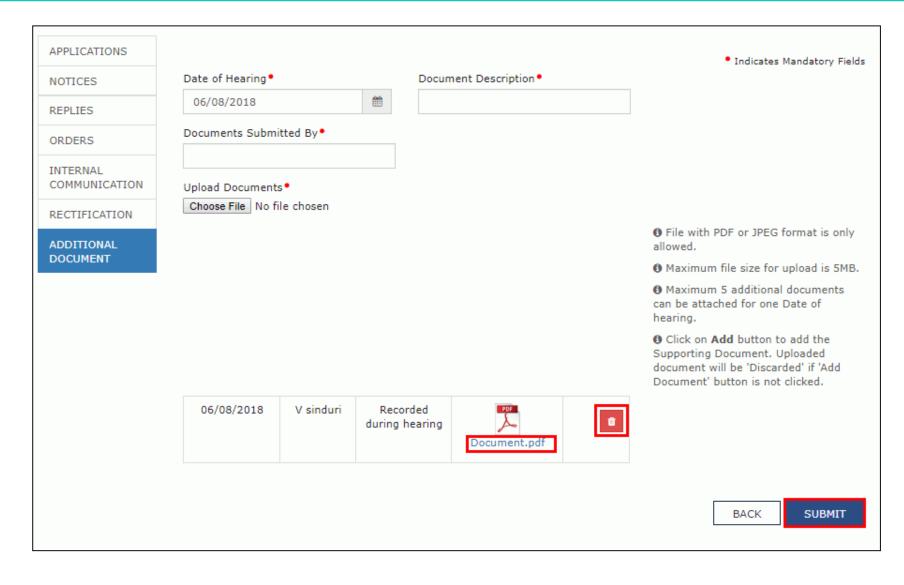




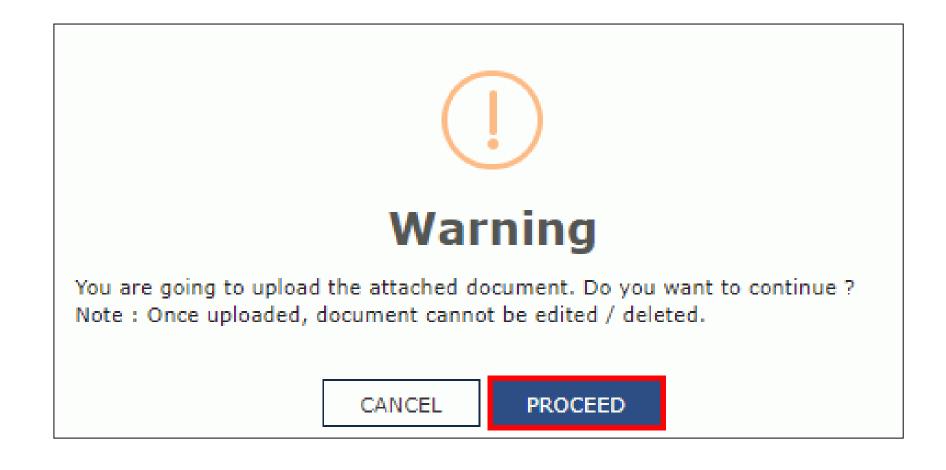














APPLICATIONS

NOTICES

REPLIES

ORDERS

INTERNAL COMMUNICATION

RECTIFICATION

ADDITIONAL DOCUMENT

ADD DOCUMENTS

Date of Hearing	Document Description	Document Submitted By	Updated by (name & designation)	Download Document
06/08/2018	Recorded during hearing	V sinduri	Pallavi Test Infy, Joint Commissioner	Document.pdf

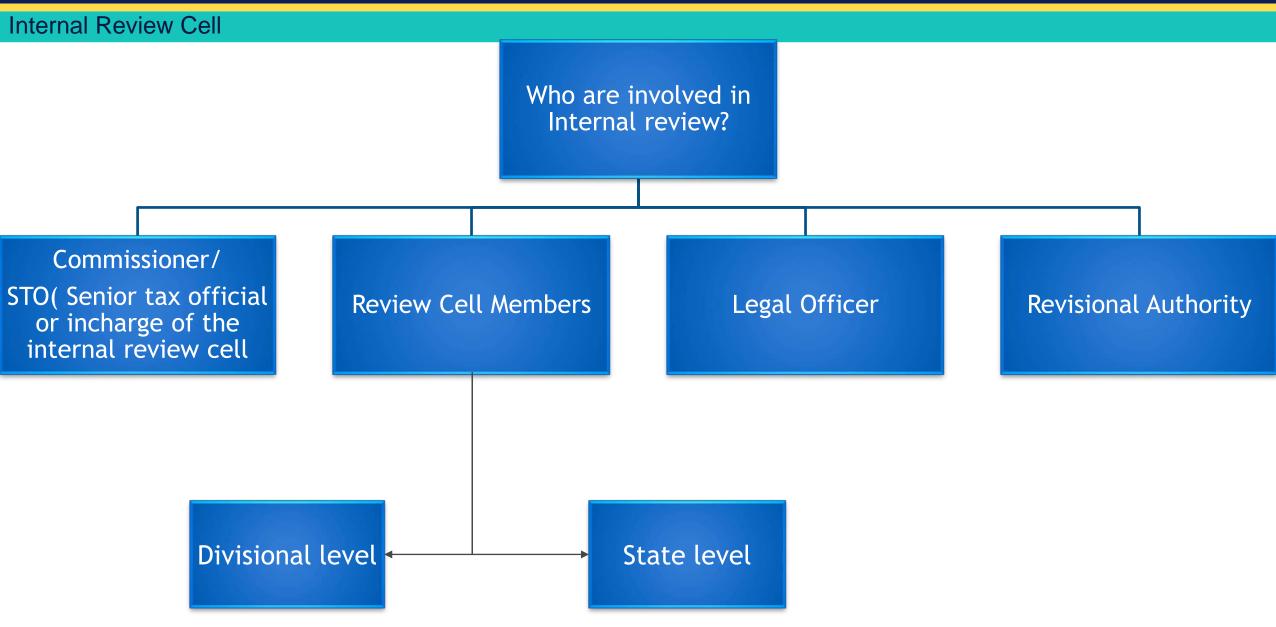


Appeal & Revisions

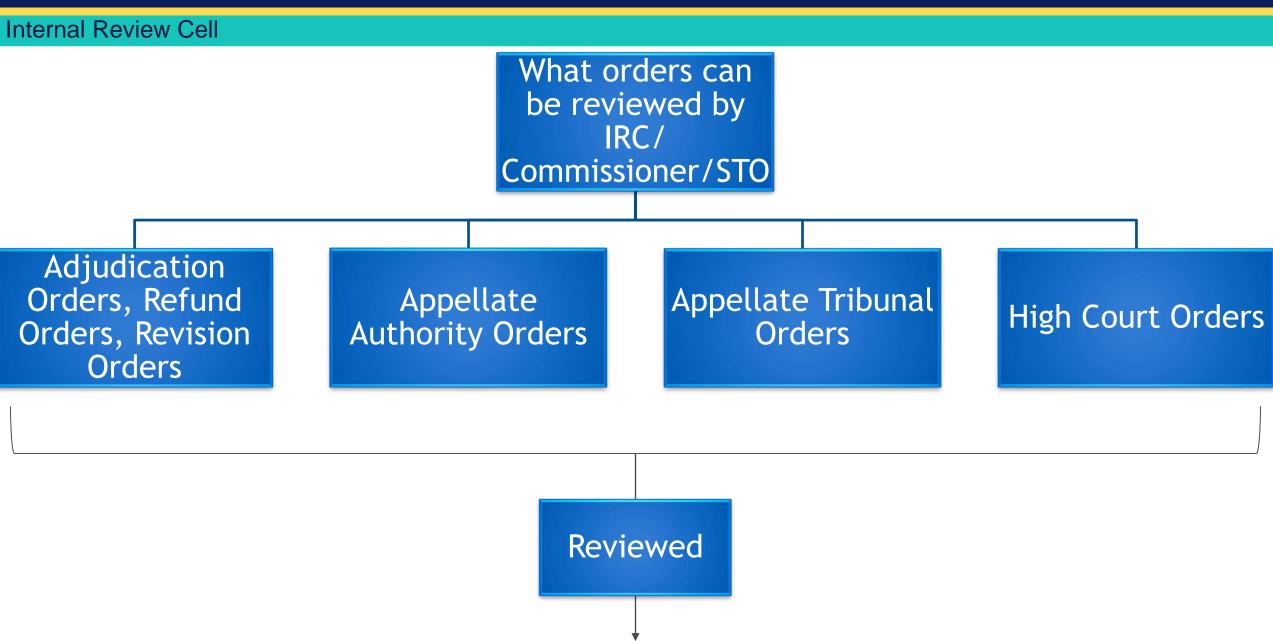
Appeal & Revisions

- File an appeal as a Taxpayer/ unregistered person against an Order issued by Tax Official. (APL-01)
- File an appeal as a Tax Official against any Order issued under the act by an adjudicating authority. (APL-03)
- Review appeal application submitted by Tax Department & Tax payer to Appellate Authority. (APL-02, APL-04)
- Understand the role of Internal Review Cell



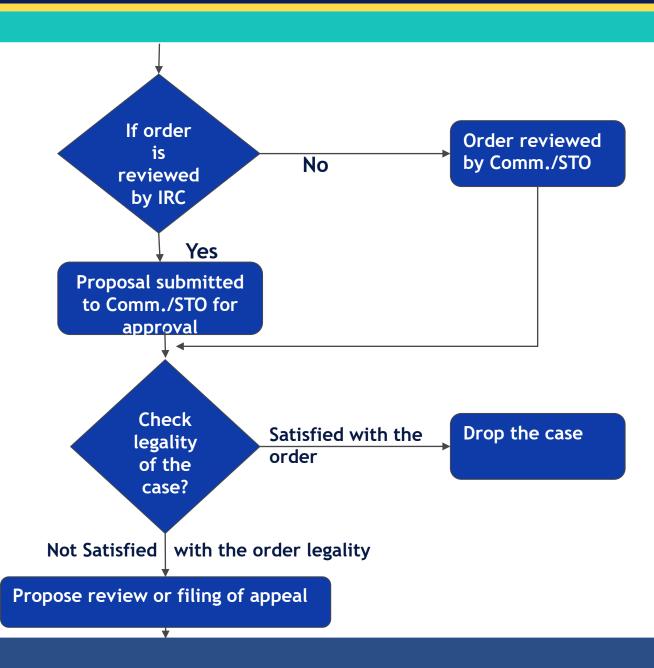




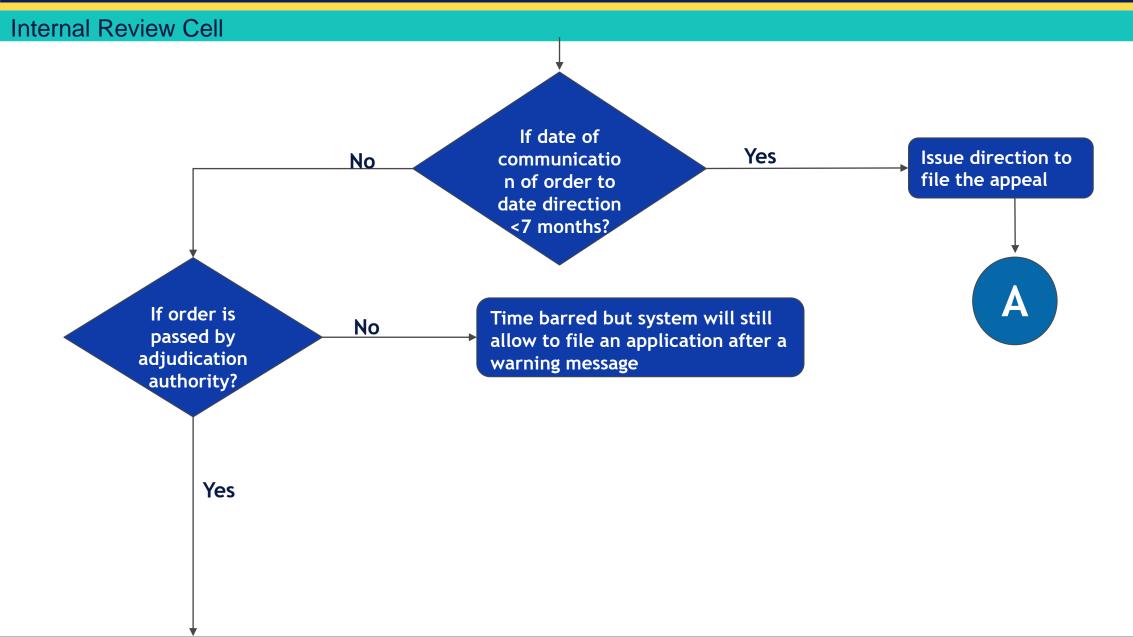




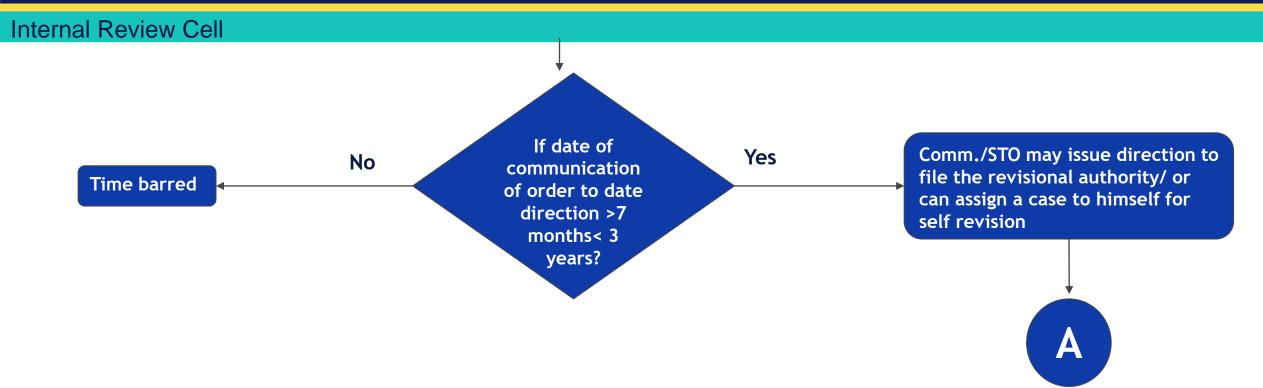
Internal Review Cell



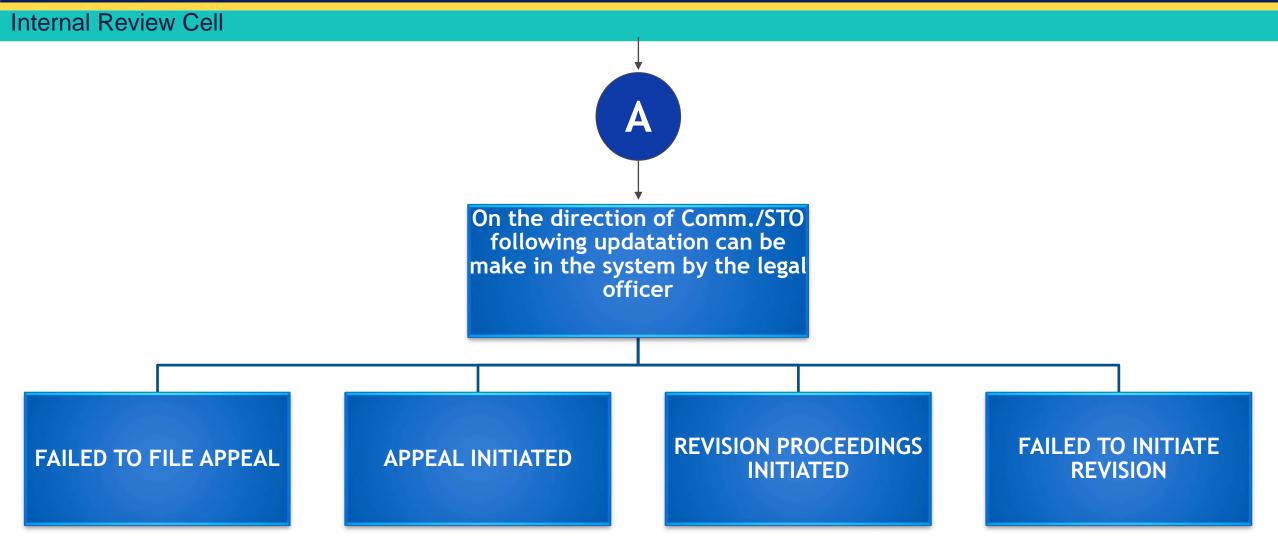














Internal Review Cell

Tax Official Roles on the GST Portal (assigned by the State Admin) to Process Applications:

- Internal Review Cell (IRC) Members
- Commissioner/Senior tax officer (STO)

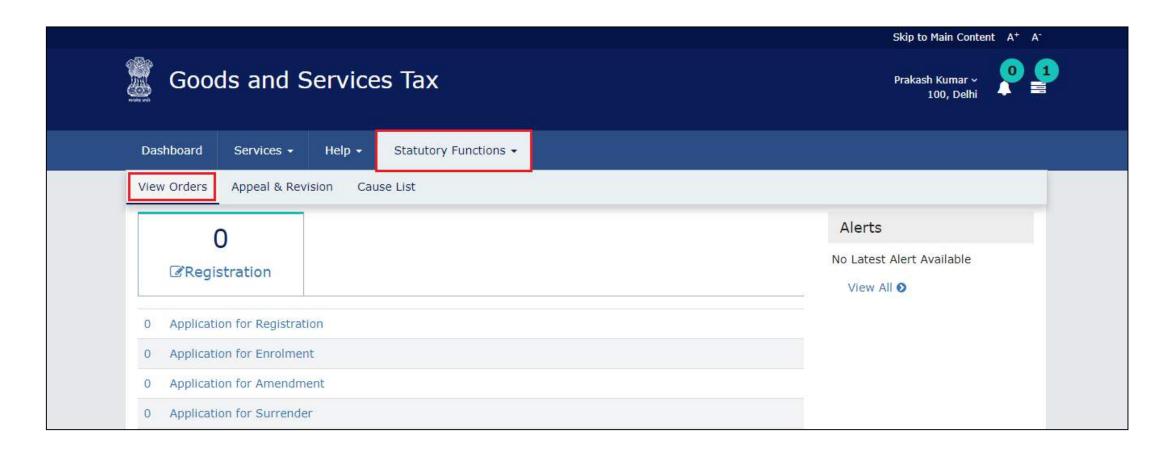
- Legal Officer (LA)
- Revisional Authorities (RA)

Internal Review Cell

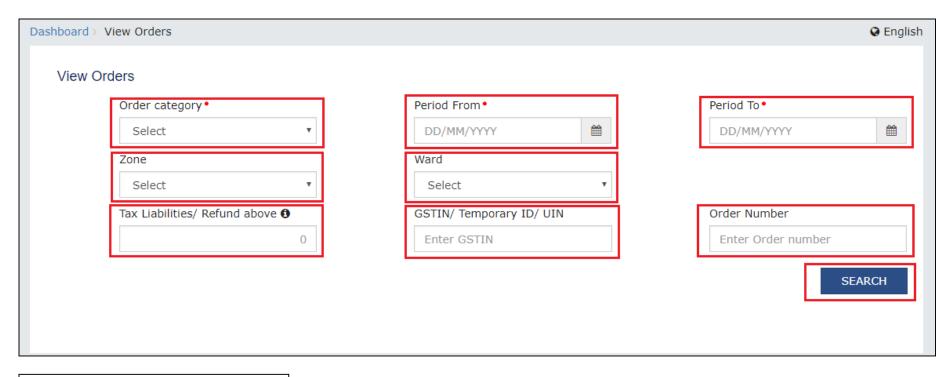
Proposal Tab Name	Taking Action on Each Tab	Tax Official Role	
ORDER DETAILS	Download and View the impugned Order to be reviewed	• IRC • Commissioner/STO • LA • RA	
PROPOSAL	Download and View Submitted Proposal against the impugned Order	IRC Commissioner/STO	
	Issue Directions (DIRECT TO FILE APPEAL/REVISE ORDER/DIRECT TO REVISE THE ORDER/DROP THE CASE)	Commissioner/STO	
DIRECTIONS	Download and View Directions	• IRC • Commissioner/STO • LA • RA	
	Add Actions (FAILED TO FILE APPEAL/REVISIONS PROCEEDINGS INITIATED/APPEAL INITIATED/FAILED TO INITIATE REVISION)	Commissioner/STO LA RA	
ACTIONS	Download and View ACTIONS	IRC Commissioner/STO LA RA	

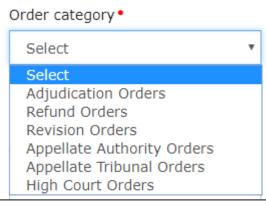


Search Orders on GST Portal for Review

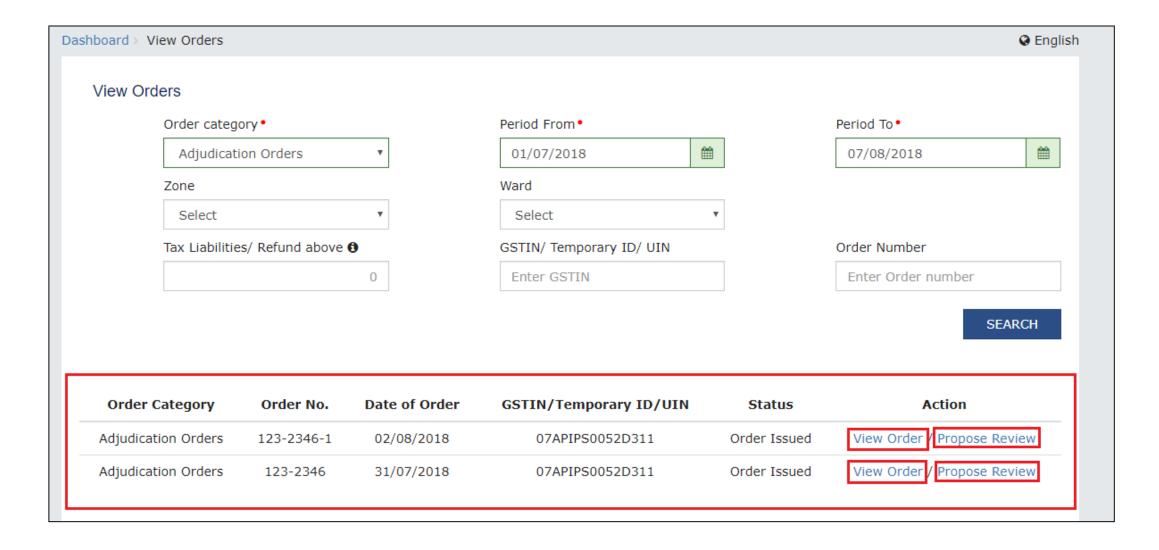






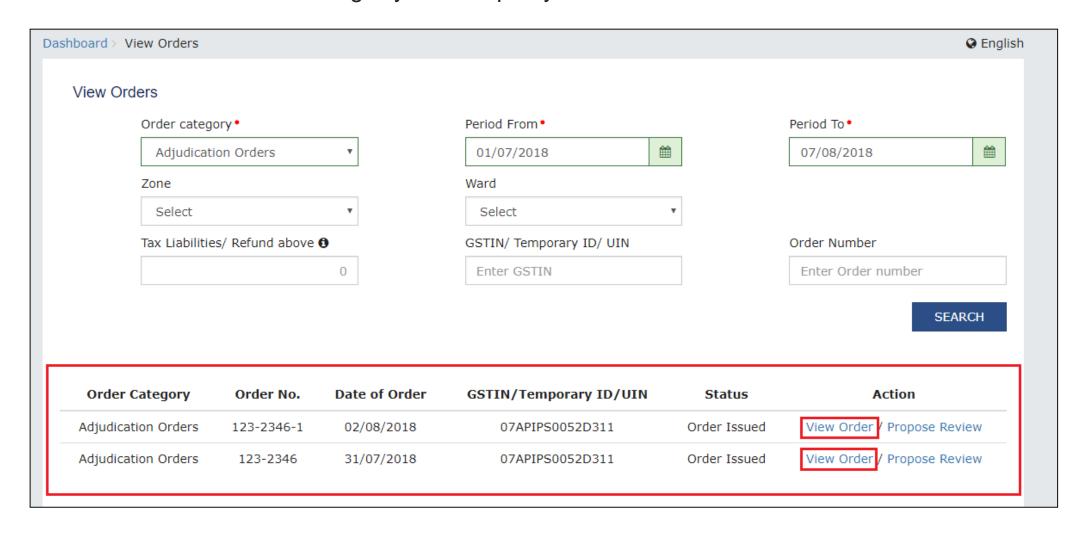




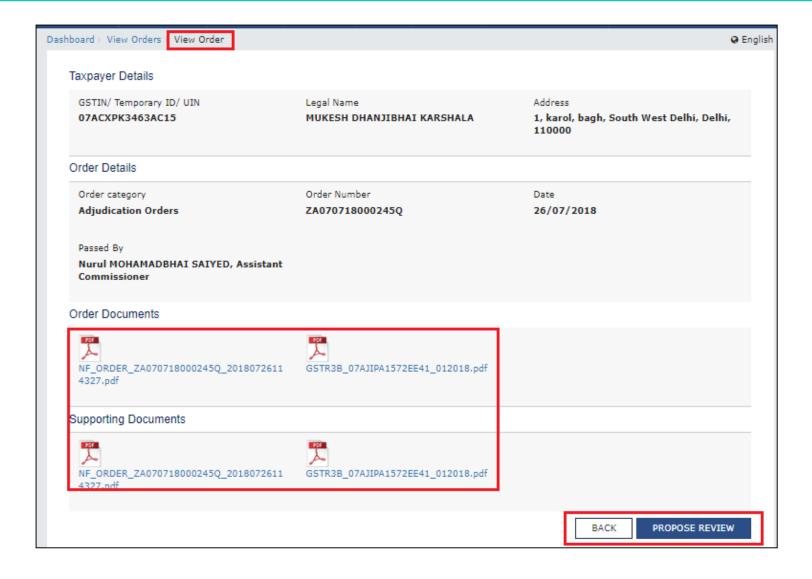




View Orders and review them for Legality and Propriety

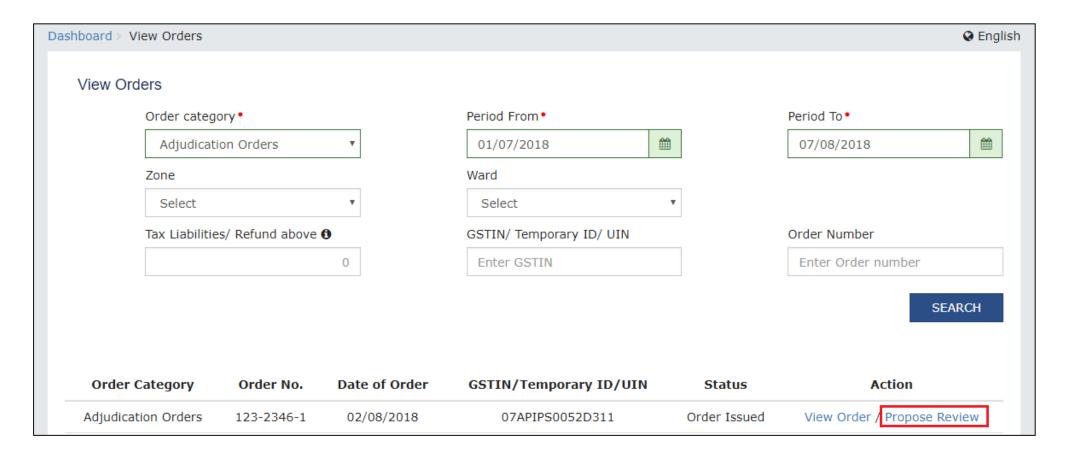




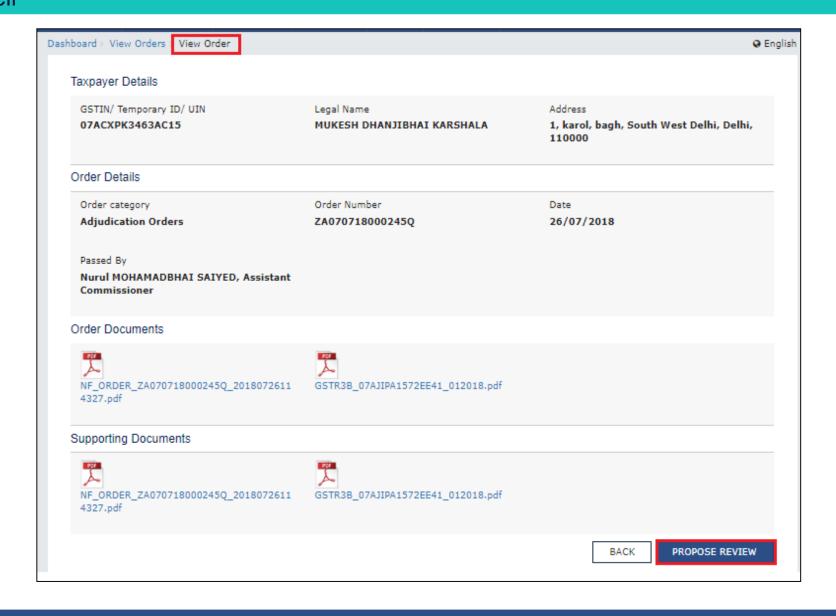




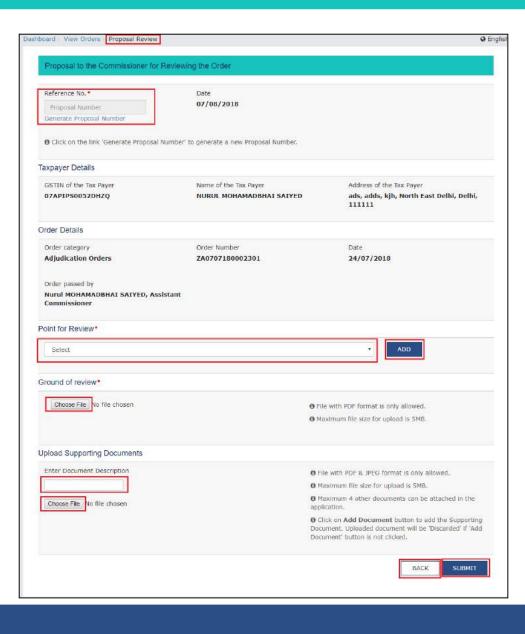
Create a Proposal case





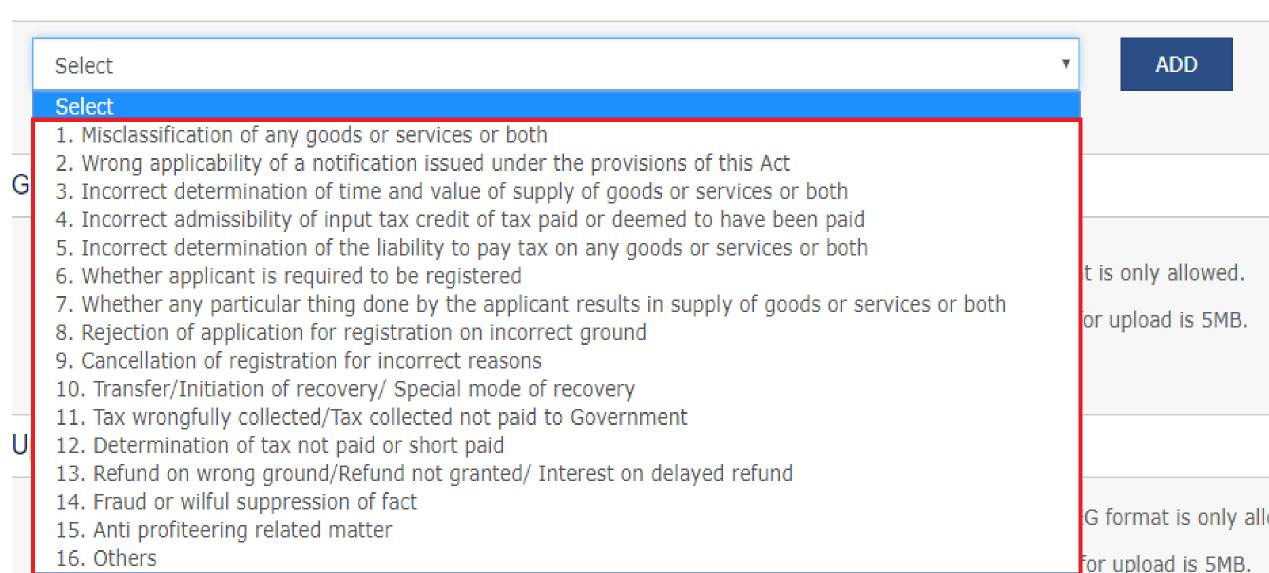




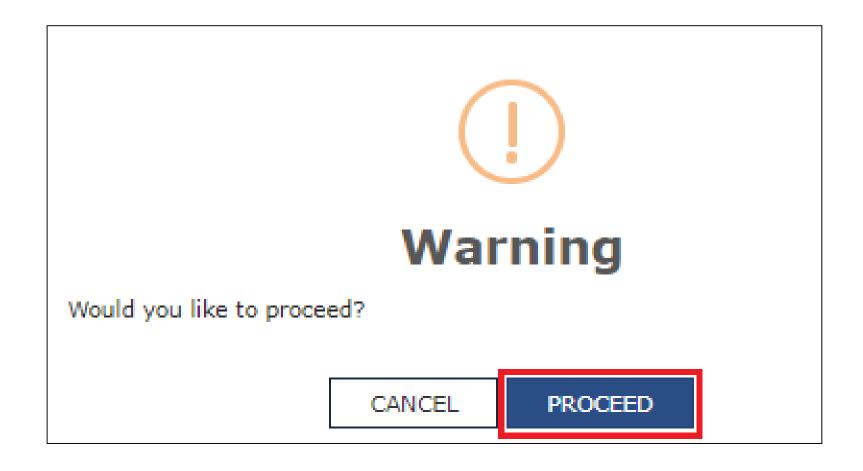




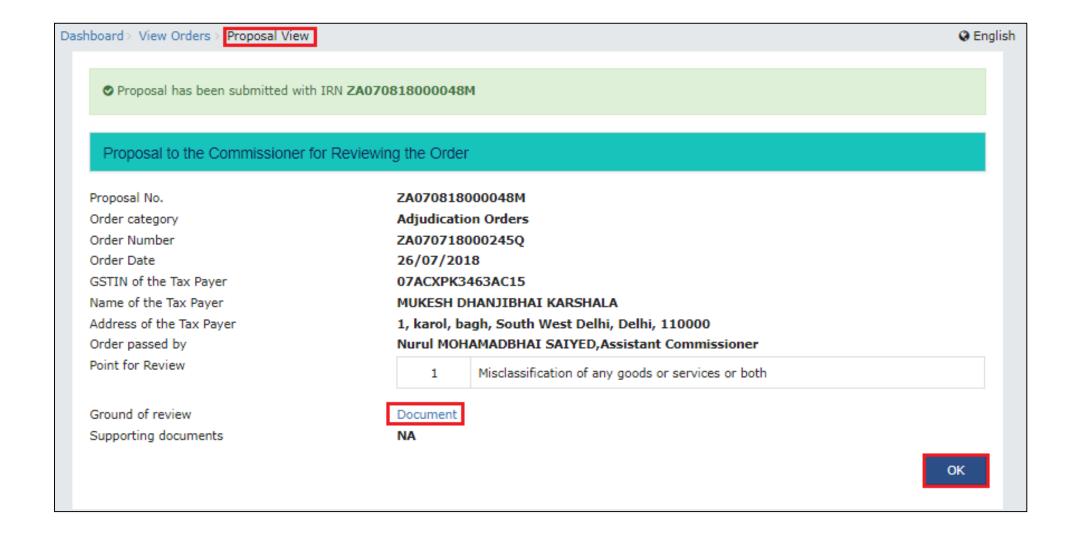
Point for Review •





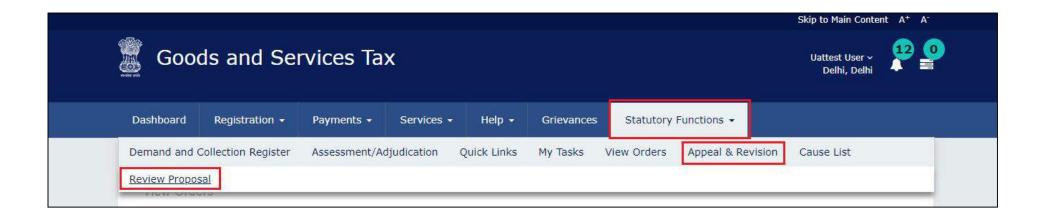






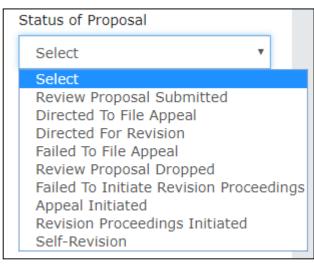


Search for Submitted Proposals and open the Proposal Screen

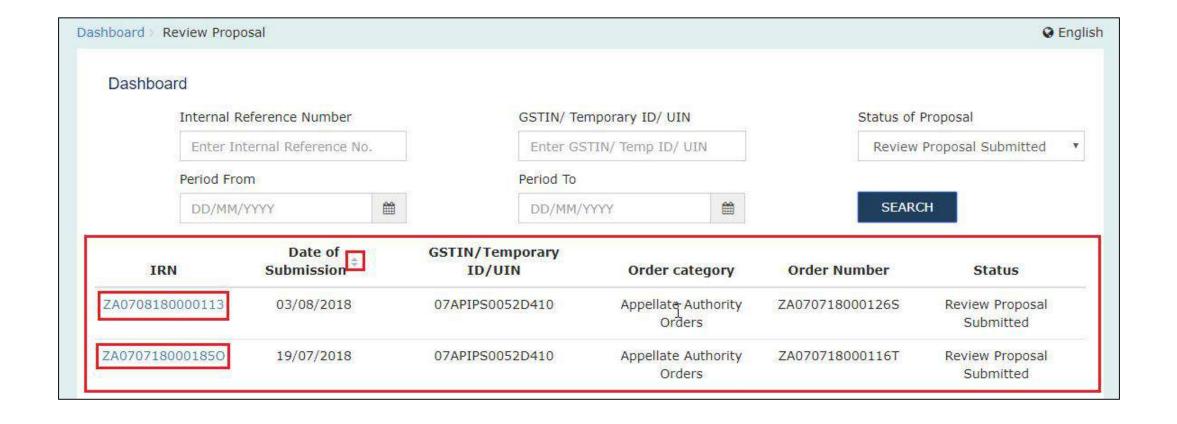




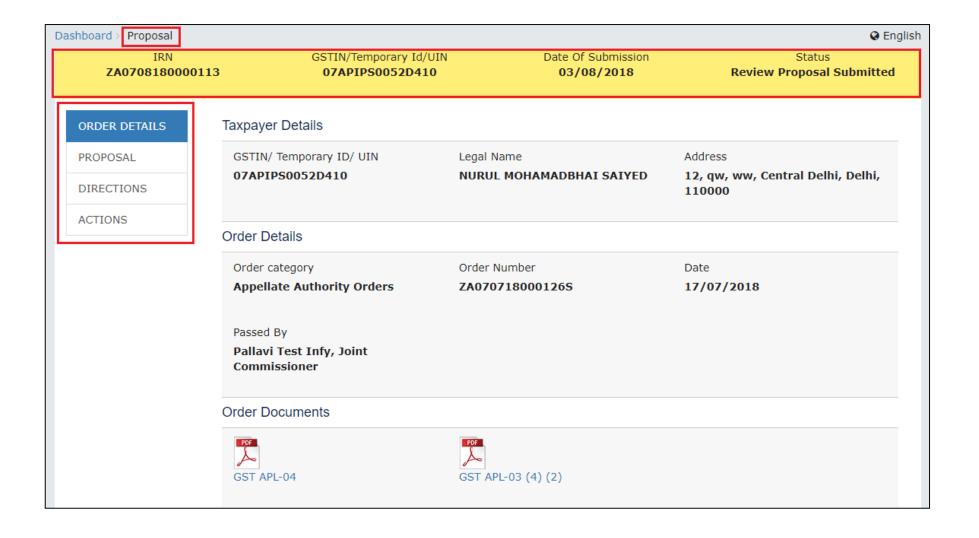






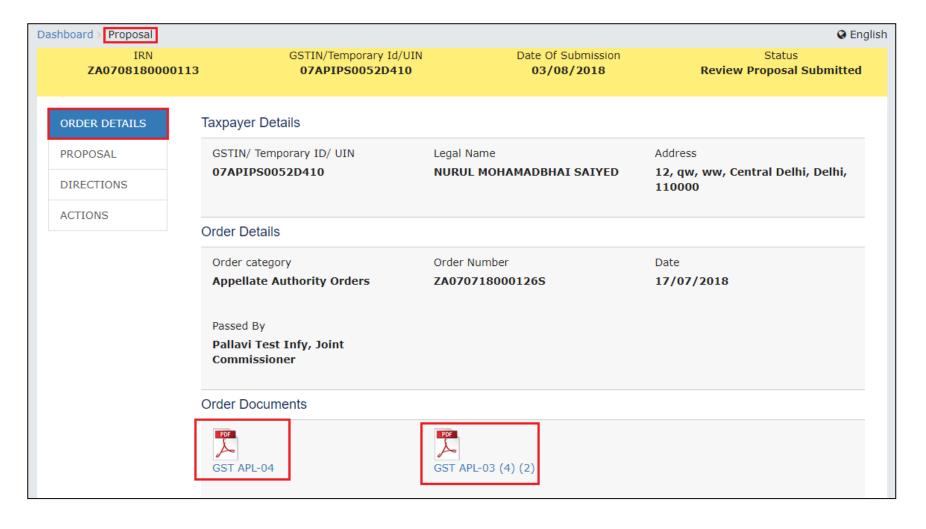






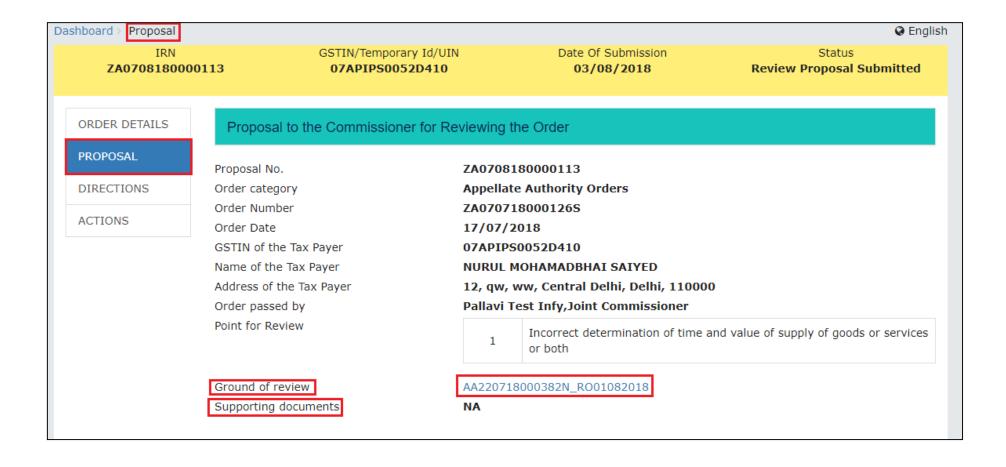


View and Download Order to be reviewed from ORDER DETAILS tab on the Proposal screen





View and Download Submitted Proposal from PROPOSAL tab on the Proposal screen





DIRECT TO FILE APPEAL

Important Points

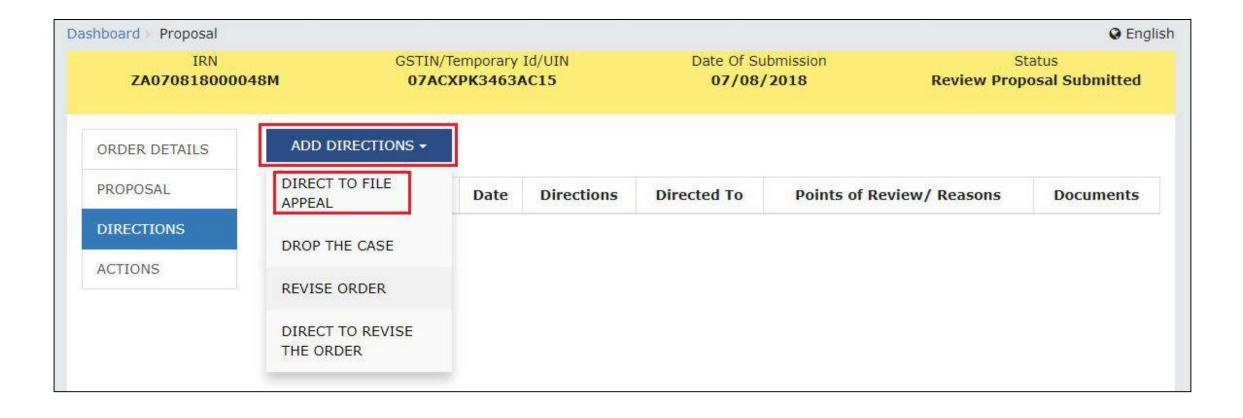
Commissioner/STO will go through the submitted Proposal case and select DIRECT TO FILE APPEAL option to direct a Legal Officer to file appeal, if after examining the proposal, he/she is satisfied that the impugned Order is not legal/proper and filing of appeal is required.

Appeals can be filed on the basis of the following two cases:

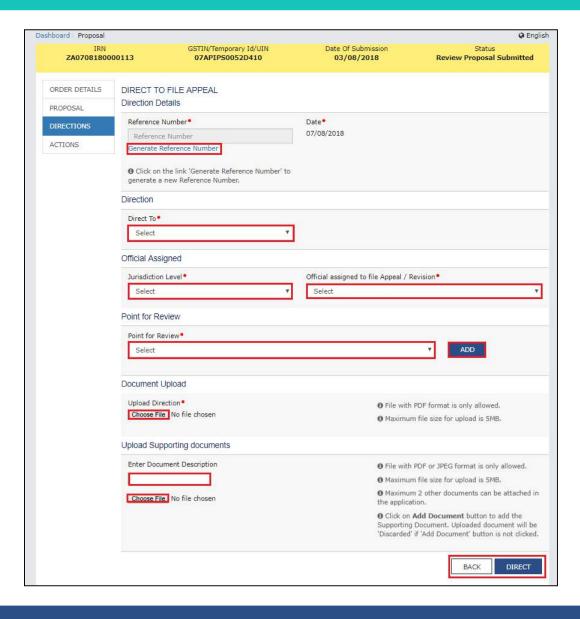
- File Appeal before Appellate Authority if the Proposal for Review is against an Adjudication Order and difference in the date of communication of Order and the date of directing it is less than or equal to <7> months.
- File Appeal before the next higher forum if the Proposal for Review is against an Order passed by First Appellate Authority/Appellate Tribunal/Revision/High Court and difference in the date of communication of Order and the date of directing it is less than or equal to <7> months.



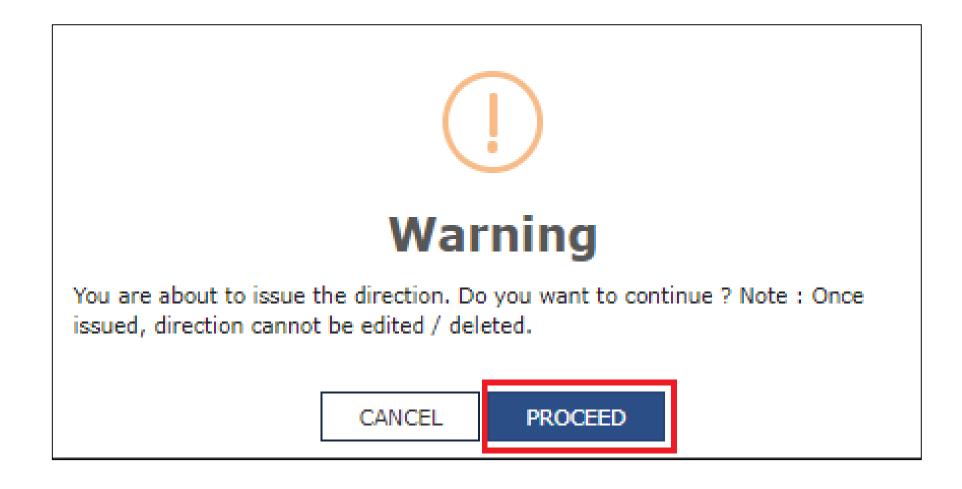
DIRECT TO FILE APPEAL



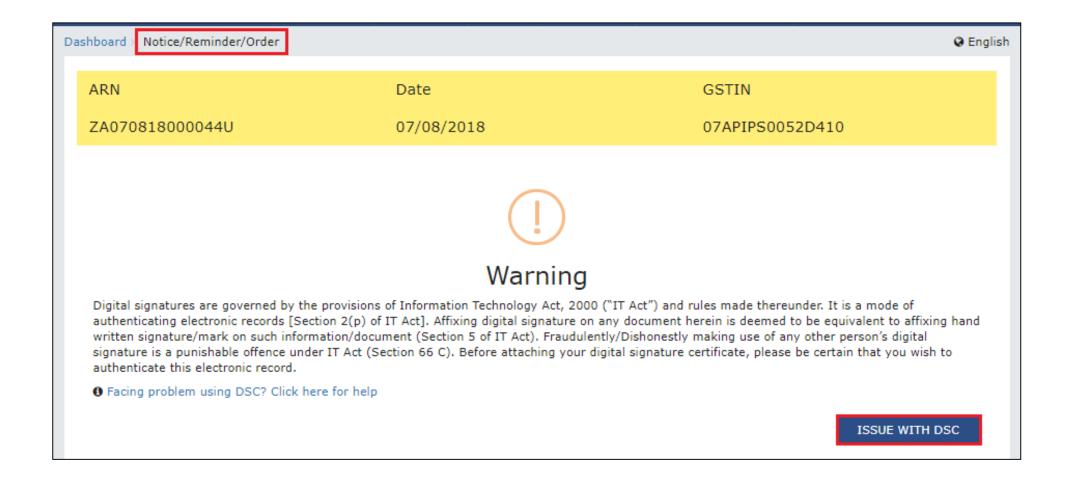








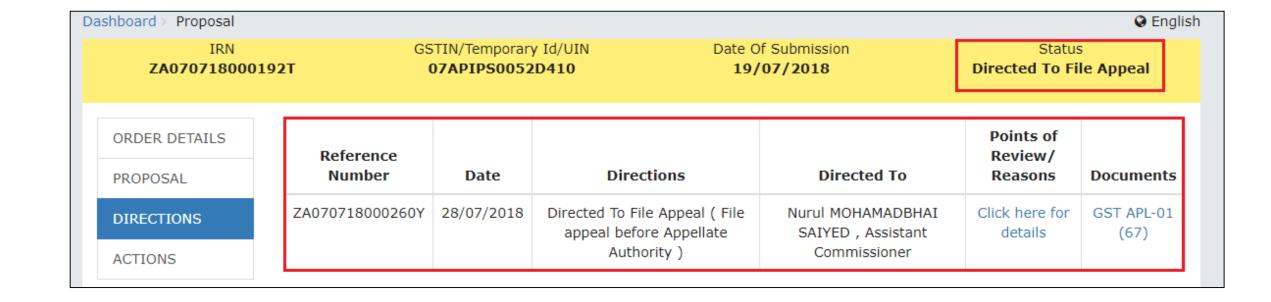














DIRECT TO FILE APPEAL

Important Points

The Legal Officer can take one of the following actions according to the issued direction:

- File Appeal before Appellate Authority on the GST Portal if the difference in the date of communication of the impugned Order and the date of filing the appeal is less than or equal to <7> months.
- File Appeal before Appellate Tribunal/High Court/Supreme Court Offline Manually if the difference in the date of communication of the impugned Order and the date of filing appeal is less than or equal to <7> months.
- Send the Proposal case back to the Commissioner/STO (from Statutory Functions > Appeal & Revision > Directions > Proposal > ACTIONS) by updating the ACTIONS tab with "FAILED TO FILE APPEAL", if the difference in the date of communication of the impugned Order and the date of filing appeal is more than 7 months. Thereafter, in this case, the Commissioner/STO may either issue another direction or drop the case as per his/her discretion.



REVISE ORDER

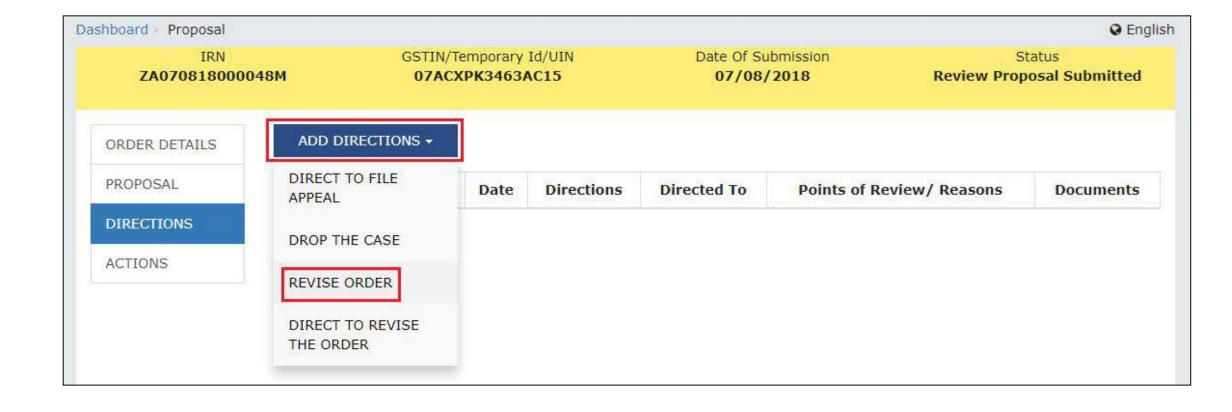
Important Points

The Commissioner/STO will examine the submitted Proposal case and select REVISE ORDER option, if after examining the proposal, he/she is satisfied that the impugned Adjudication Order is not legal/proper and the difference in the date of communication of Order and the date of directing it is between 7 months and 3 years (the period of first appeal has expired) and he/she wishes to revise the order himself/herself as Revisional Authority.

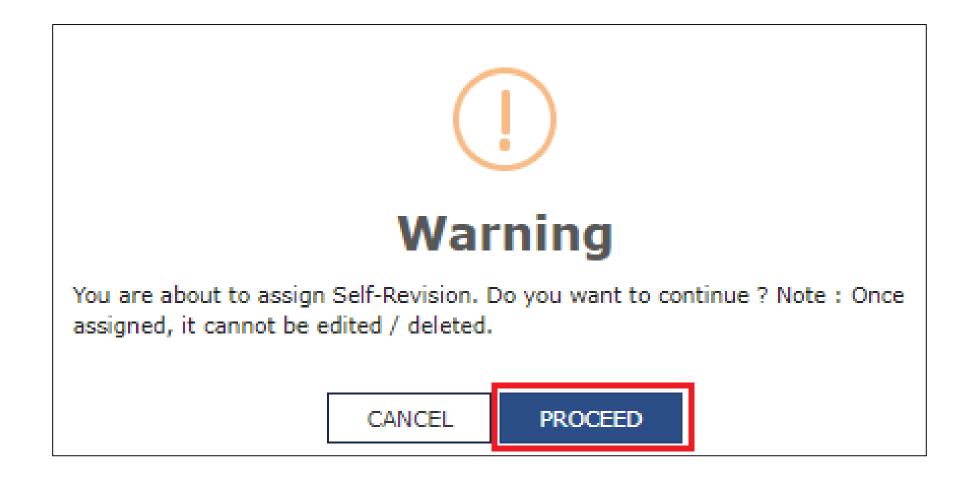
- Revision of Order cannot be done within 6+1 (Six+ one) months from the Date of Communication of the decision or order sought to be revised. Although Directions to file an appeal can be issued.
- Revision of Order cannot be done after 3 (Three) years from the Date of order sought to be revised.
- Date of Order being sent by email and SMS will be considered as the Date of Communication of Order. If the order is sent by post/special messenger, the date as updated in the system will be considered.



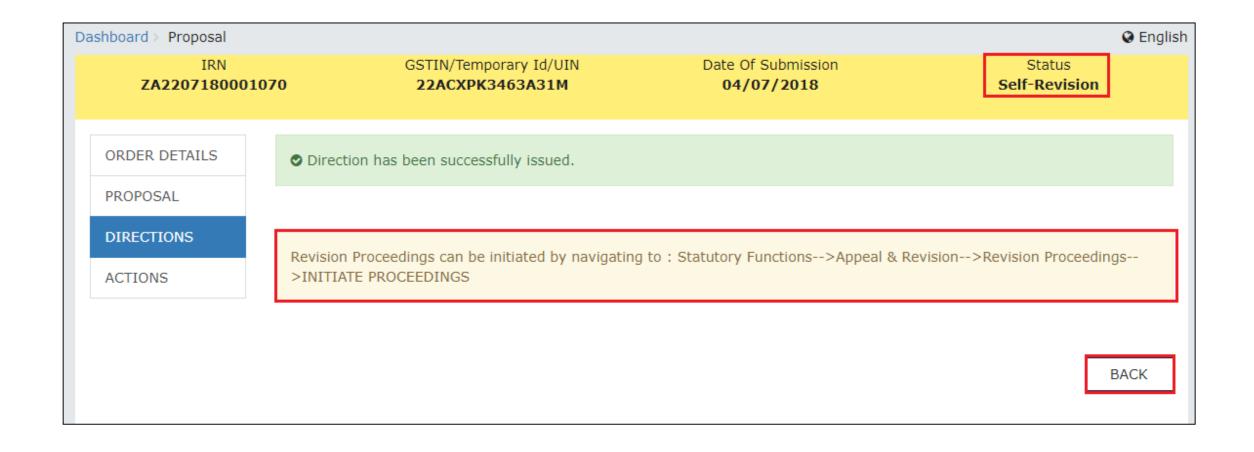
REVISE ORDER

















REVISE ORDER

Important Points

After issuing the "Self-Revision" direction, the Commissioner/STO may perform the following actions.

- Initiate Proceedings for Revision of the Impugned Order and issue notice to Taxpayer and Tax Officer for personal hearing.
- Drop Proceedings for Revision of the Impugned Order from Statutory Functions > Appeal & Revision > Revision Proceedings.



DIRECT TO REVISE THE ORDER

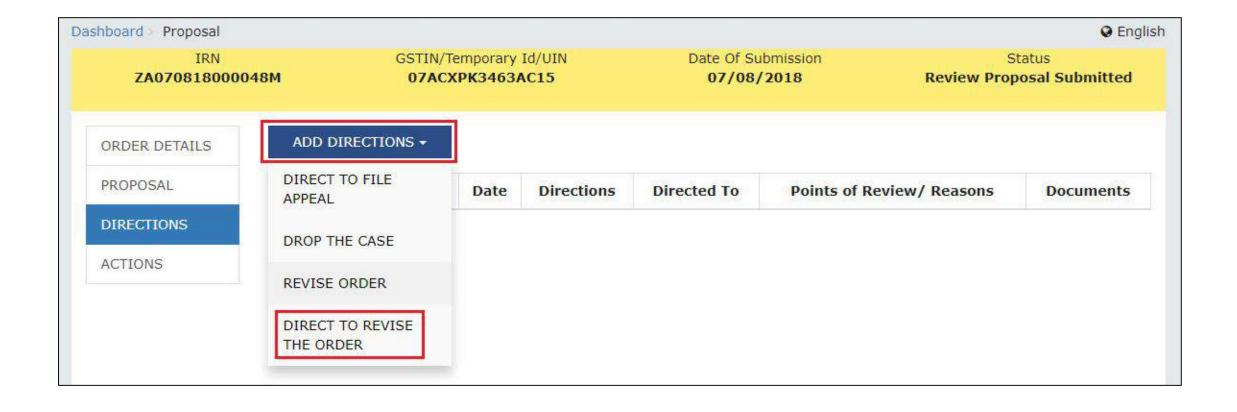
Important Points

Commissioner/STO will examine the submitted Proposal case and select DIRECT TO REVISE THE ORDER option, if after examining the proposal, he/she is satisfied that the impugned Adjudication Order is not legal/proper and the difference in the date of communication of Order and the date of directing it is between 7 months and 3 years (the period of first appeal has expired); he/she will direct the case to a Revisional Authority for revision.

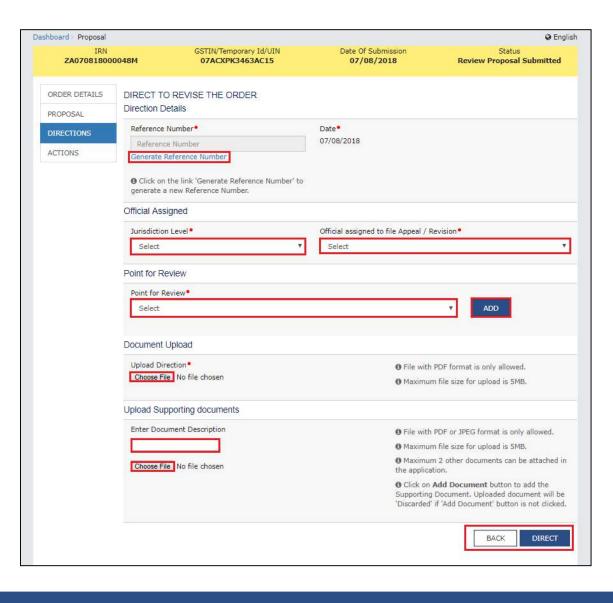
- Revision of Order cannot be done within 6+1 (Six+ one) months from the Date of Communication of the decision or order sought to be revised. Although Directions to file an appeal can be issued.
- Revision of Order cannot be done after 3 (Three) years from the Date of order sought to be revised.
- Date of Order being sent by email and SMS will be considered as the Date of Communication of Order. If the order is sent by post/special messenger, the date as updated in the system will be considered.



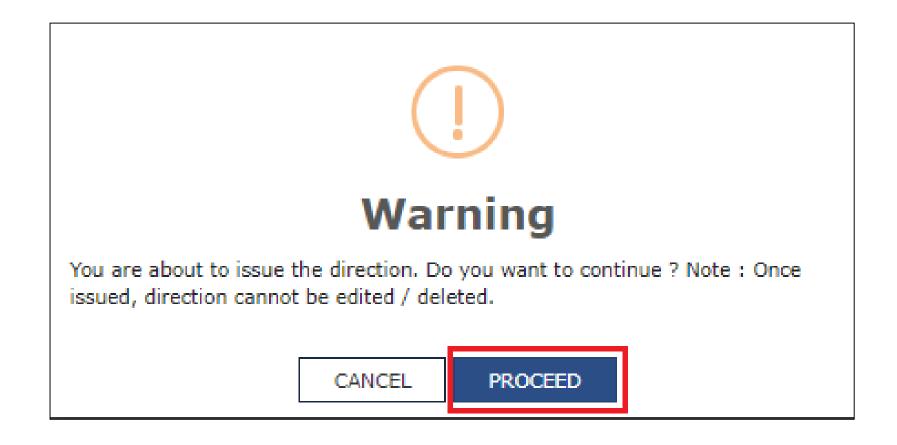
DIRECT TO REVISE THE ORDER



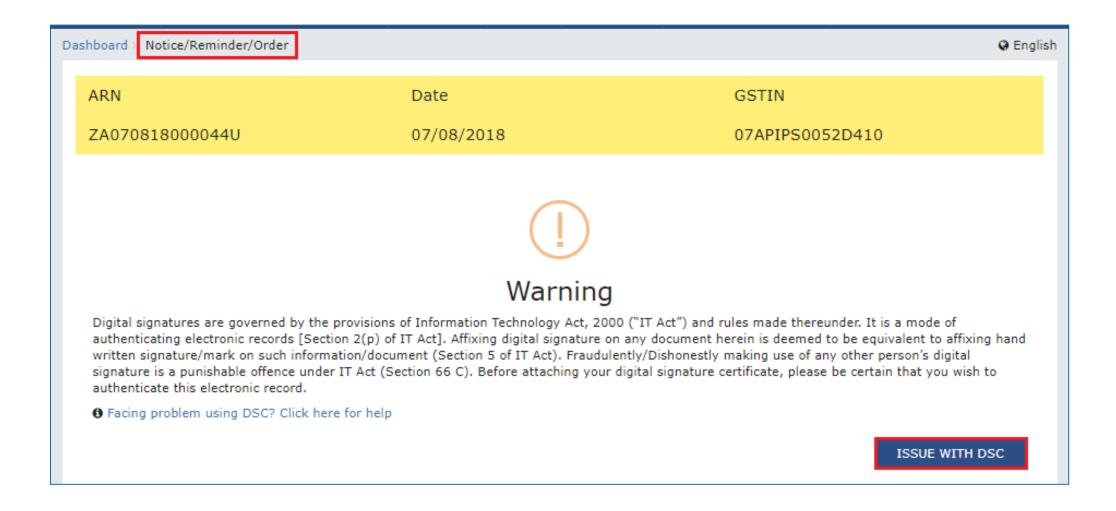




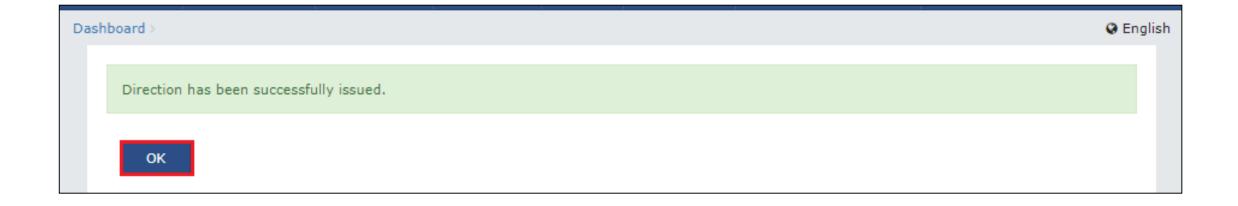




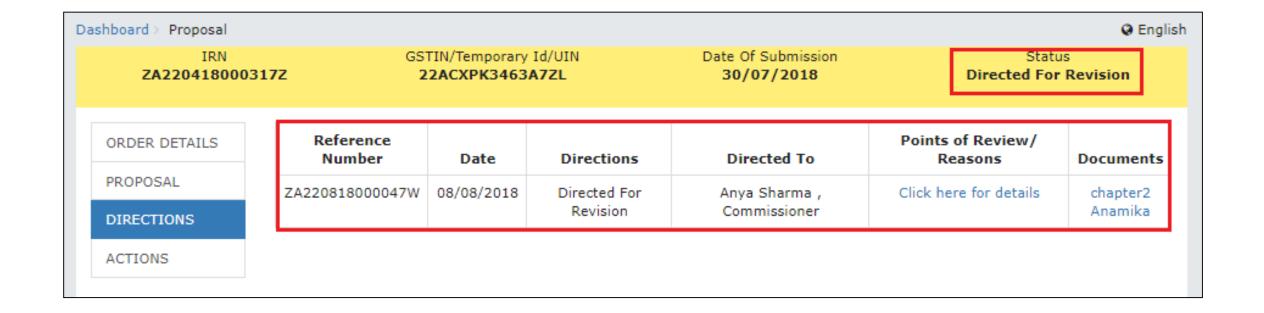














DIRECT TO REVISE THE ORDER

Important Points

The Revisional Authority can take one of the following actions according to the issued direction:

- Initiate Proceedings for Revision of the Impugned Order and issue notice to Taxpayer and Tax Officer for personal hearing.
- Drop Proceedings for Revision of the Impugned Order. To know how to do this on the GST Portal, click here.



DROP THE CASE

Important Points

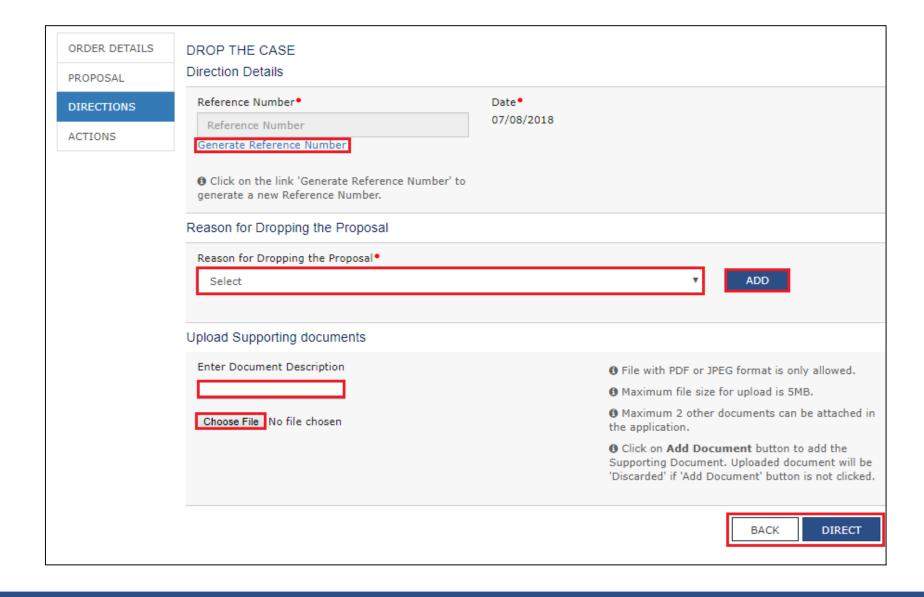
Commissioner/STO will examine the submitted Proposal case and select the DROP THE CASE option to close the case if, after examining the proposal, he/she is satisfied that the revision of the Order is not required and no appeal is required to be filed. He/she may drop the case at any stage after the initiation of the Proposal case.



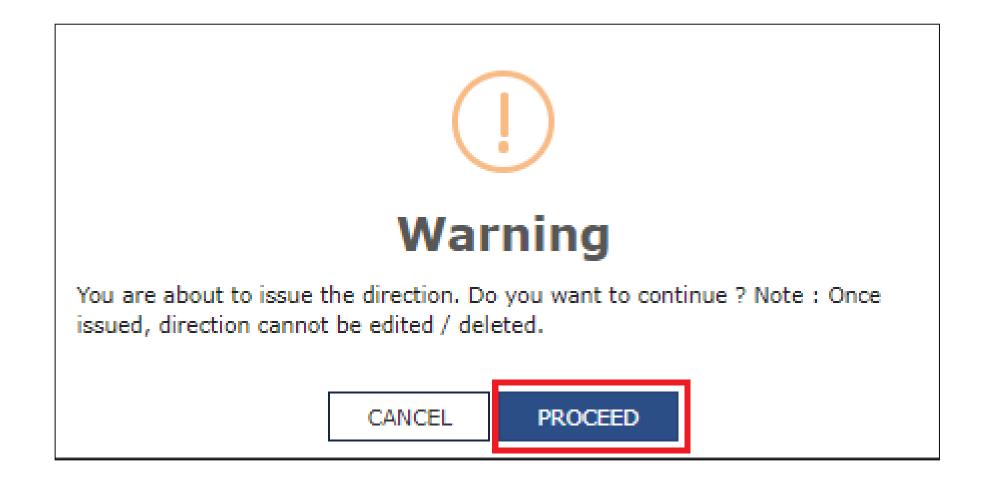
DROP THE CASE



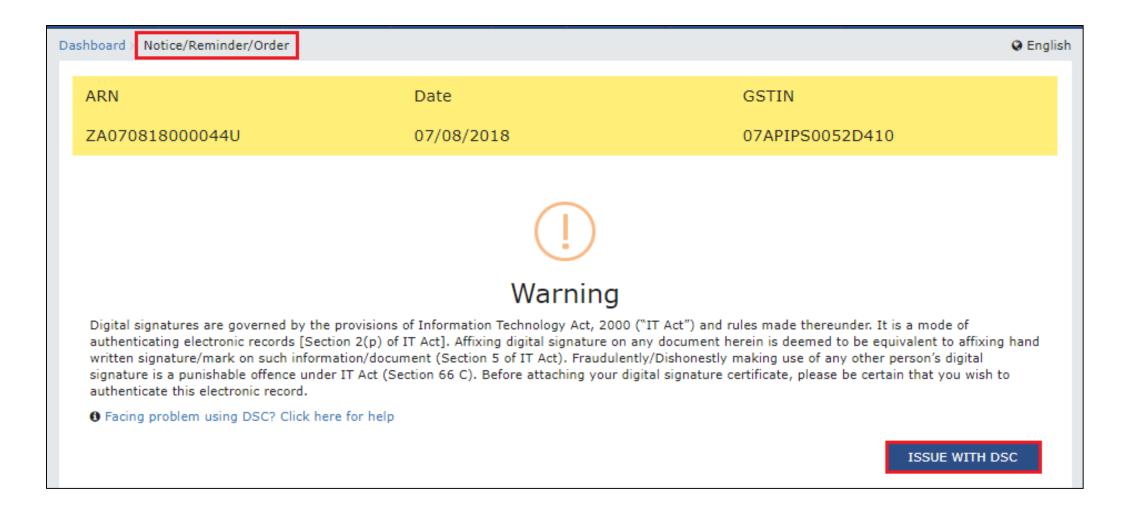




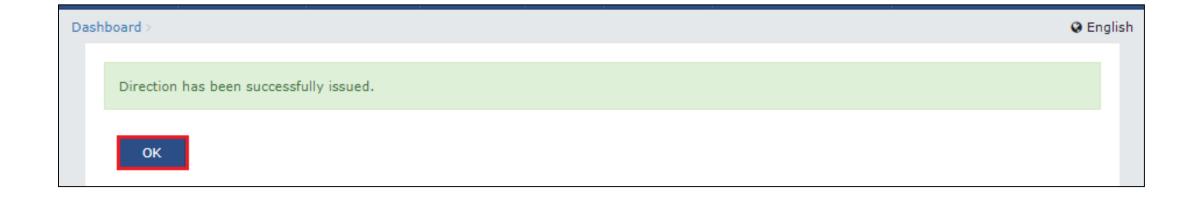




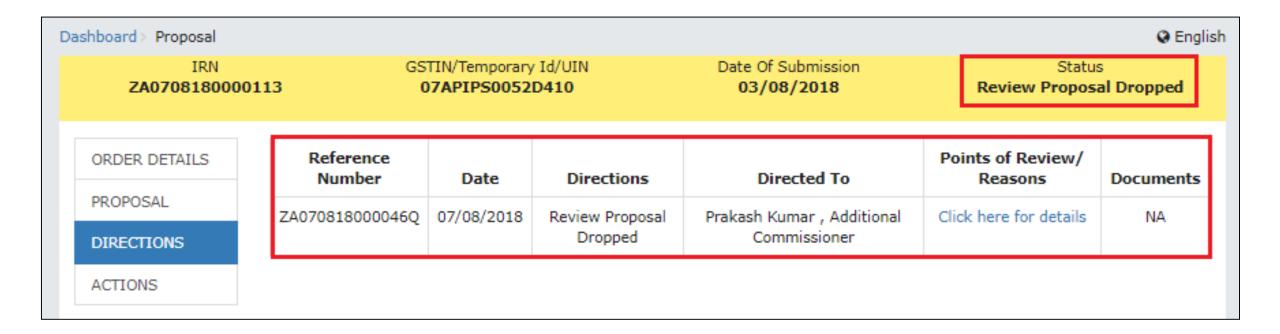












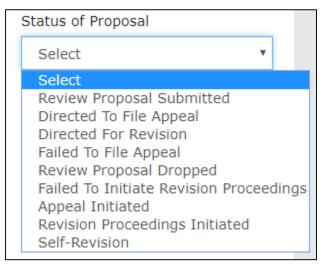


Search for Directed Proposals

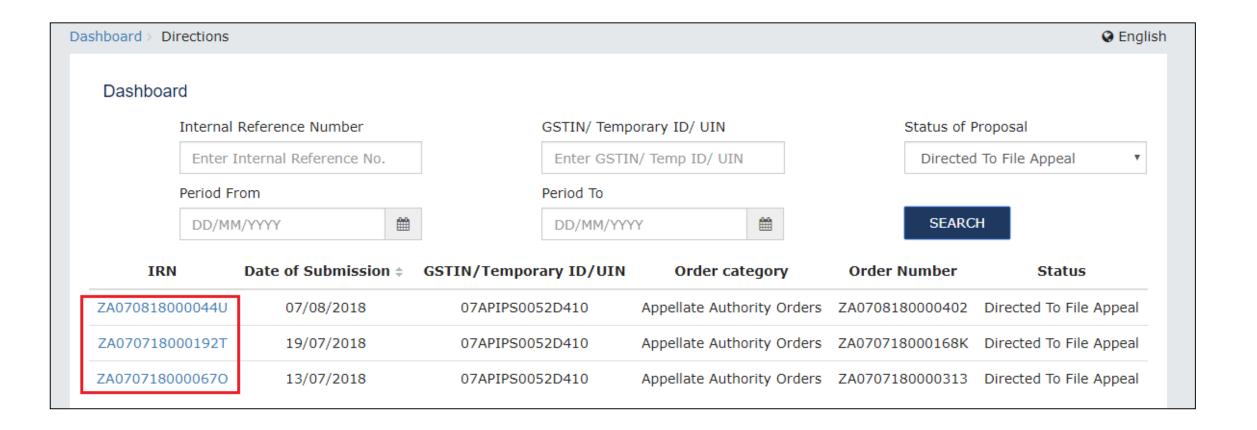




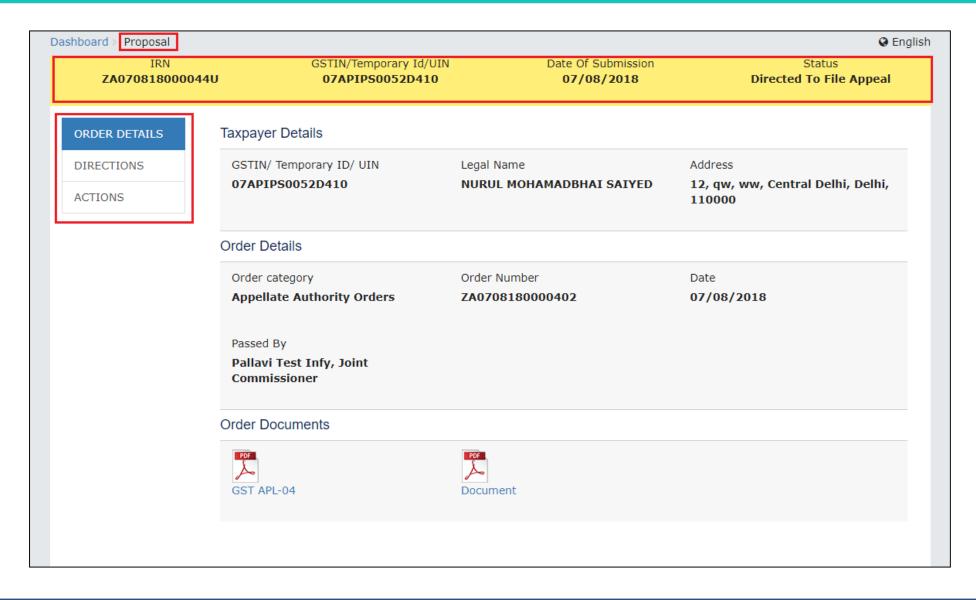






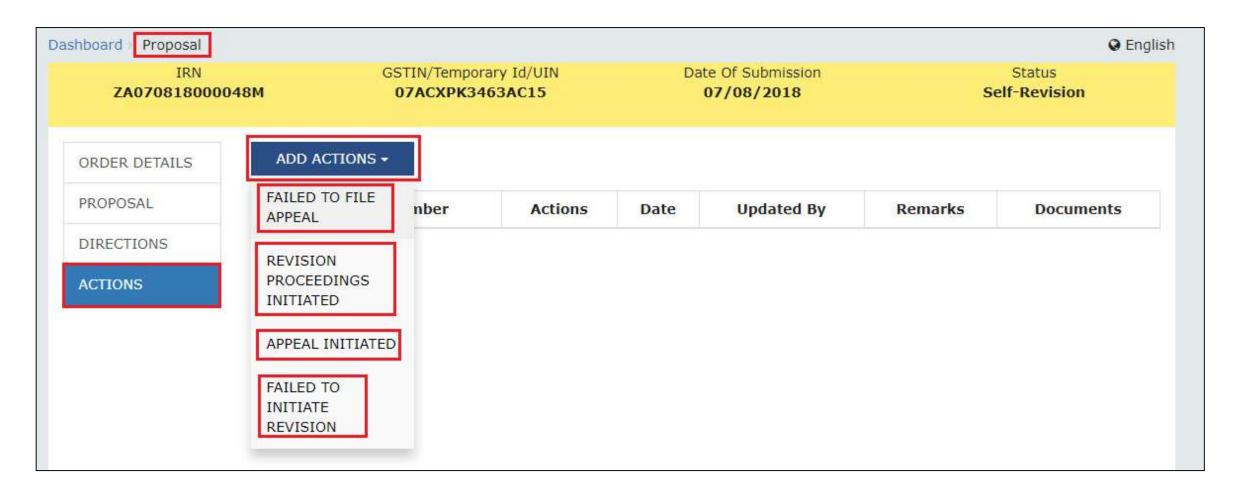








View/Add Actions from ACTIONS tab on the Proposal screen



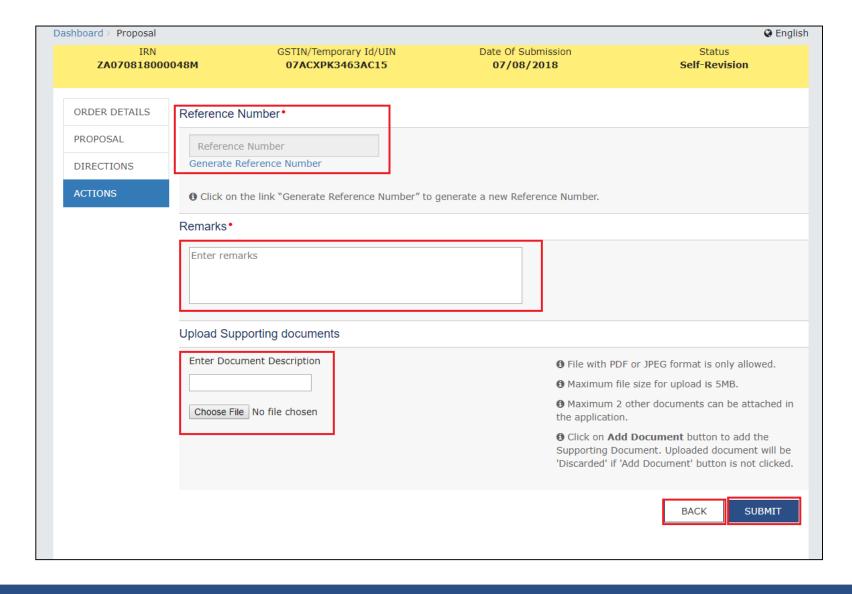


Important Points

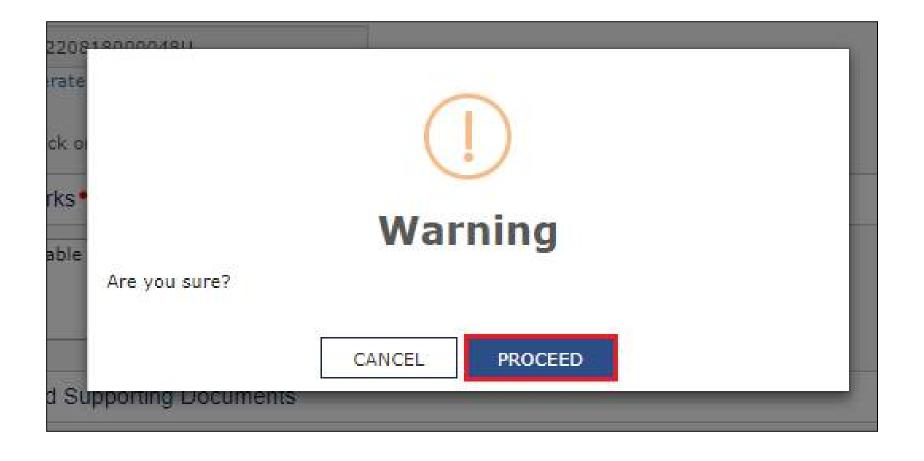
Select the Actions based on the following cases:

- FAILED TO FILE APPEAL: If the Legal Officer was unable to file Appeal as per the issued direction, where the difference in the date of communication of Order and the date of filing appeal was more than 7 months
- REVISION PROCEEDINGS INITIATED: If the Revisional Authority or the Commissioner/STO himself/herself has successfully initiated revision of the Order as per the issued direction
- APPEAL INITIATED: If the Legal Officer has successfully filed an Appeal as per the issued direction
- FAILED TO INITIATE REVISION: If the Revisional Authority or the Commissioner/STO himself/herself was unable to initiate revision of the Order as per the issued direction

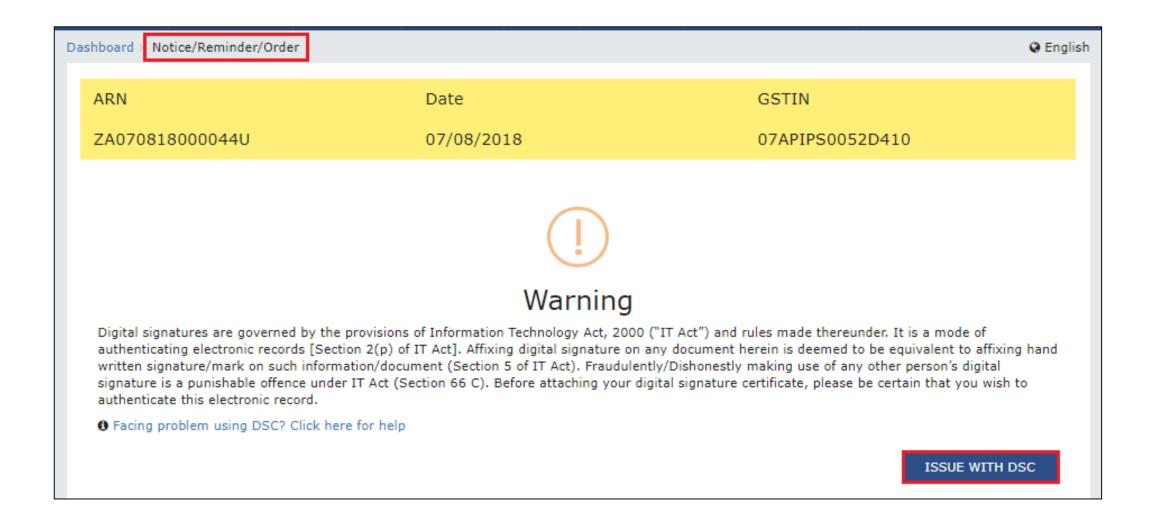




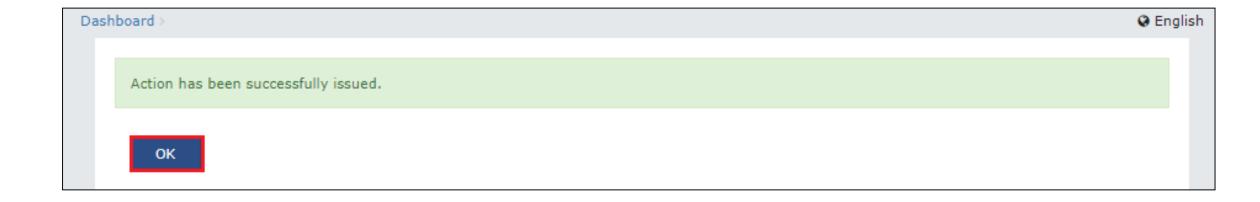








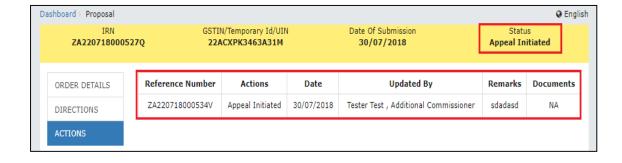


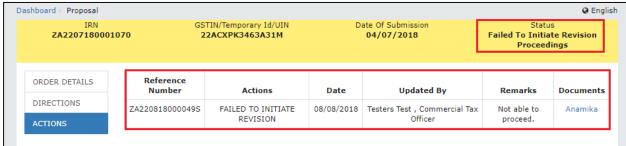














Internal Review-status

Action Description	Status
When proposal for review submitted against an order to Commissioner/STO by IRC	Review Proposal Submitted
When proposal for review is approved by Commissioner/STO & Commissioner/STO has directed to file appeal	Directed to file Appeal
When proposal for review is approved by Commissioner/STO & Commissioner/STO has directed for Revision of Order	Directed for Revision
When Commissioner/STO is going to revise the order himself/herself as Revisional Authority.	Self-Revision
When proposal for review after examination is closed by Commissioner/STO	Review Proposal dropped
When Legal Officer was unable to file Appeal as directed by Commissioner/STO within time limit	Failed to file appeal
When Legal Officer has initiated filing of Appeal as directed by Commissioner/STO	Appeal Initiated
When Commissioner/STO or a Revisional Authority has initiated revision proceedings	Revision Proceedings Initiated
When Commissioner/STO or a Revisional Authority was unable to initiate revision proceedings within time limit	Failed to Initiate Revision Proceedings



End of Module – Appeal and Revisions

