

PROCEEDINGS OF THE ASSISTANT COMMISSIONER(ST)(FAC),
EGMORE ASSESSMENT CIRCLE.

PRESENT: THIRU.G. VIJAYA RAGHAVAN,

STATION: No. 88, MAYOR RAMANATHAN SALAI, TALUK OFFICE BUILDING,
2ND FLOOR, SPUR TANK ROAD, CHETPET, CHENNAI-600 031.

GSTIN: 33AAACT2381C1ZU/2020-21

Dated: 24.10.2024.

<u>Sub:-</u>	TNGST Act, 2017 / CGST Act 2017 - Tv1. TAMILNADU STEEL TUBES LIMITED (GSTIN:33AAACT2381C1ZU) - Assessment Year 2020-21 - Belated Payment of Taxes and Belated filing of GSTR 3B monthly returns - Levy of interest under section 50 of the Act - DRC-01 Issued - Reply filed - Order Passed - Reg.
<u>Ref :-</u>	1. DRC-01 Issued Ref No: ZD331124301087Z, Dated:29.11.2024 2. Reminder-1 Issued Ref No: ZD330225024549I,Dated:04.02.2025 3. Taxpayer reply filed,Dated:16.12.2024

Note : An appeal against this order lies before the Deputy Commissioner (ST), GST Appeals, Chennai - 1 at No.1, PAPJM Building (Annex), Third floor, Greams Road, Chennai - 600 006 within 90 days of receipt of this order.

ORDER

Tv1. TAMILNADU STEEL TUBES LIMITED, doing business at 1st Floor, No 22/11, Wheatcrofts Road, Nungambakkam, Chennai, Chennai, Tamil Nadu, 600034 is a registered taxpayer bearing GSTIN : 33AAACT2381C1ZU, in the jurisdiction of Egmore Assesment Circle.

The Interest order for the year 2020-21 vide ref cited were issued to the taxpayer as detailed below:

Particulars	SGST	CGST	IGST
Interest as per Notice	29754	11244	8121

DRC-01 Issued to the Taxpayer in the reference 1st cited, The taxpayer filed reply against DRC-01 detailed as below:

TAXPAYER REPLY:

1. Issue - Interest:

1.1. The SCN has demanded interest on belated filing of GSTR 3B returns for the FY 2020-

21. The Screenshot of the SCN is reproduced below for your kind perusal

S.No.	Tax Rate	Turnover	Tax Period	Act	POS(Place of Supply)	Tax	Interest	Penalty	Fees	Others	Total
1	9	0	01/04/2020-31/03/2021	SGST	Tamil Nadu	0.00	29754	0.00	0.00	0.00	29754.00
2	9	0	01/04/2020-31/03/2021	CGST	Tamil Nadu	0.00	11244	0.00	0.00	0.00	11244.00
3	18	0	01/04/2020-31/03/2021	IGST	Tamil Nadu	0.00	8121	0.00	0.00	0.00	8121.00
Total						0.00	49,119.00	0.00	0.00	0.00	49,119.00

1.2. The interest demand as per the notice is as follows

IGST – 8121/-

CGST – 11,244/-

SGST – 29,754/-

1.3. In this regard, we submit that the interest computed in the notice is incorrect and the difference is attributable to the month of Mar 2021 wherein interest is calculated in the intimation @ 18% per annum. Whereas, for the said month of Mar 2021, as per notification no 08/2021 - Central Tax, Interest is payable on reduced rate of 9% for the first fifteen days. Since the delay in filing GSTR 3B returns is less than 15 days, the reduced rate of 9% will be applicable for the month.

1.4. A copy of the notification no 08/2021 is enclosed as part of the submission along with the computation of actual interest payable taking into account the said notification. The interest payable in actual is as follows:

IGST – 8,092/-

CGST – 11,218/-

SGST – 28,184/-

In this regard, we inform that the interest on delayed filing of GSTR 3B has already been discharged in full, both through GSTR 3B filed during the year and balance at the time of filing the GST annual returns for the year.

2. Discharge of interest

2.1. A portion of the interest payable as determined above was discharged at the time of filing GSTR 3B returns – this can be verified from the consolidated GSTR 3B for the year. The details of the amount paid through the GSTR 3B is as follows

IGST interest – 6,487/-

CGST interest – 8,748/-

SGST interest – 20,413/-

2.2. The Balance interest payable at the time of filing GSTR 9 returns can be arrived as follows:

Table:1

Particulars	IGST	CGST	SGST
Interest payable	8,092	11,218	28,184
Interest paid through GSTR 3B	6,487	8,748	20,413
Balance payable	1,605	2,470	7,771

2.3. At the time of filing the annual returns, we had paid the following amounts as interest

Table:2

Particulars	IGST	CGST	SGST
Interest payable for belated filing – GSTR 3B	1,605	2,470	7,771
Interest on belated reporting of invoice correction	0	51	51

Interest on RCM paid	139	2,232	2,232
ITC reversal interest	0	1,509	1,509
Total Interest	1,744	6,262	11,563

2.4. This amount reflected in Table 2 above was paid and DRC 03 filed for the same on 16.12.2021 vide ARN AD331221009357K. A copy of the DRC-03 filed is enclosed for your kind perusal.

2.5. In light of the above, we hereby submit that we have already remitted the interest in full and no other interest is payable in this regard for the FY 2020-21. We request your good-self to kindly consider our submission and drop the proceedings for the year.

Other grounds and evidence may kindly be permitted during the course of personal hearing or virtual personal hearing (or such other time) to be granted by your good self

Enclosures with this submission:

4.1. Annexure 1: Notification no 8/2021

Interest calculations for the year 2020-21

4.2. Annexure 2: Copy of the consolidated GSTR 3B for the year 2020-21 evidencing payment of interest

DRC 03 filed on 16.12.2021 evidencing payment of balance interest.

Proper Officer Remarks :

Dealers contention verified and found in order .

ASSITANT COMMISSIONER(ST)(FAC),
EGMORE ASSESSMENT CIRCLE.

To

Tvl. TAMILNADU STEEL TUBES LIMITED