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We are continuing on the issue of interest under section 50 Of GST act in the backdrop of the earlier article. In order to examine the present factual and legal position, let us chart the history of interest under Sec 50 of the GST Act. As originally Enacted Section 50(1) provided for levy of interest in the event of failure to pay tax within the prescribed period & the levy was for the period for which tax remained unpaid. The issue involved is whether, ITC entitled or availed is to be deducted while determining the tax unpaid. Section 16(2)(d) provides that tax payer shall be entitled to ITC only when he has furnished his returns u/s 39 i.e. Form GSTR 3B. The revenue interprets it as the date when the conditional ITC is accrued to the tax payer. The basic question is how to determine the tax payable. Whether it means the output tax or the surviving output tax as reduced by entitled ITC. In GST, the department views that the output tax is payable which is paid e.....