RNI No. MAHBIL/2009/37831

सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-ब

वर्ष ८, अंक १३०(२)] गुरुवार, ऑक्टोबर १३, २०२२/आश्विन २१, शके १९४४ [पृष्ठे ३, किंमत : रुपये ९.००

असाधारण क्रमांक ३८१

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमांन्वये तयार केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

FINANCE DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk, Mantralaya,
Mumbai 400 032, dated the 13th October 2022.

NOTIFICATION

Notification No. 19/2022—State Tax

MAHARASHTRA GOODS AND SERVICES TAX ACT, 2017.

No. GST.1022/C.R.41 (1) / Taxation-1.— In exercise of the powers conferred by section 164 of the Maharashtra Goods and Services Tax Act, 2017 (43 of 2017), the Government of Maharashtra, on the recommendations of the Council, hereby makes the following rules further to amend the Maharashtra Goods and Services Tax Rules, 2017, namely :—

1. *Short title and commencement.*—(*1*) These rules may be called the Maharashtra Goods and Services Tax (Second Amendment) Rules, 2022.

(*2*) Save as otherwise provided in these rules, they shall come into force with effect from the 1st day of October, 2022.

2. In the Maharashtra Goods and Services Tax Rules, 2017 (hereinafter referred to as the "said rules"), in rule 21, after clause (*g*), the following clauses shall be inserted, namely :—

"(*h*) being a registered person required to file return under sub-section (*1*) of section 39 for each month or part thereof, has not furnished returns for a continuous period of six months;

(*i*) being a registered person required to file return under proviso to sub-section (*1*) of section 39 for each quarter or part thereof, has not furnished returns for a continuous period of two tax periods.";

3. In rule 36 of the said rules,—

(*a*) in sub-rule (2), the words, letters and figure, " and the relevant information, as contained in the said document, is furnished in FORM GSTR-2 by such person" shall be omitted;

(*b*) in sub-rule (4), in clause (*b*), after the words, "the details of", the words, "input tax credit in respect of" shall be inserted;

4. In rule 37 of the said rules,—

(*a*) for sub-rules (1) and (2), the following sub-rules shall be substituted, namely :—

"(*1*) A registered person, who has availed of input tax credit on any inward supply of goods or services or both, other than the supplies on which tax is payable on reverse charge basis, but fails to pay to the supplier thereof, the amount towards the value of such supply along with the tax payable thereon, within the time limit specified in the second proviso to sub-section(*2*) of section 16, shall pay an amount equal to the input tax credit availed in respect of such supply along with interest payable thereon under section 50, while furnishing the return in FORM GSTR-3B for the tax period immediately following the period of one hundred and eighty days from the date of the issue of the invoice :

Provided that the value of supplies made without consideration as specified in Schedule I of the said Act shall be deemed to have been paid for the purposes of the second proviso to sub-section (*2*) of section 16:

Provided further that the value of supplies on account of any amount added in accordance with the provisions of clause (*b*) of sub-section (*2*) of section 15 shall be deemed to have been paid for the purposes of the second proviso to sub-section (*2*) of section 16 ;

(*2*) Where the said registered person subsequently makes the payment of the amount towards the value of such supply along with tax payable thereon to the supplier thereof, he shall be entitled to re-avail the input tax credit referred to in sub-rule (1).";

(*b*) sub-rule (3) shall be omitted;

5. In rule 38 of the said rules,—

(*a*) in clause (*a*), in sub-clause (*ii*), the word, letters and figure, "in FORM GSTR-2" shall be omitted ;

(*b*) in clause (*c*), for the words, letters and figure, "and shall be furnished in FORM GSTR-2", the words, letters and figure, " and the balance amount of input tax credit shall be reversed in FORM GSTR-3B" shall be substituted ;

(*c*) clause (*d*) shall be omitted ;

6. In rule 42 of the said rules, in sub-rule (1), in clause (*g*), the words, letters and figure, "at the invoice level in FORM GSTR-2 and" shall be omitted ;

7. In rule 43 of the said rules, in sub-rule (1), the words, letters and figure, "FORM GSTR-2 and" at both the places where they occur, shall be omitted ;

8. In rule 60 of the said rules, in sub-rule (7), for the words "auto-drafted", the words "auto-generated" shall be substituted ;

9. rules 69, 70, 71, 72, 73, 74, 75, 76, 77 and 79 of the said rules shall be omitted ;

10. In rule 83 of the said rules, in sub-rule (8), in clause (*a*), the words "and inward" shall be omitted ;

11. In rule 85 of the said rules, in sub-rule (2),—

(*a*) in clause (*b*), for the words "said person;", the words "said person; or" shall be substituted ;

(*b*) clause (*c*) shall be omitted ;

12. In rule 89, of the said rules, in sub-rule (1),—

(*a*) after the words " claiming refund of", the words, brackets and figures "any balance in the electronic cash ledger in accordance with the provisions of sub-section (*6*) of section 49 or" shall be inserted ;

(*b*) the first proviso shall be omitted ;

(*c*) in the second proviso, for the words "Provided further that", the words "Provided that" shall be substituted ;

(*d*) in the third proviso, for the words "Provided also that", the words "Provided further that" shall be substituted ;

13. In rule 96 of the said rules, in sub-rule (3), for the words, letters and figures, "FORM GSTR-3 or FORM GSTR-3B, as the case may be", the letters and figure, "FORM GSTR-3B" shall be substituted ;

14. FORM GSTR-1A, FORM GSTR-2 and FORM GSTR-3 of the said rules shall be omitted ;

15. In FORM GST PCT-05 of the said rules, in Part-A, in the table, against Sr. No.1, under the heading "List of Activities", the words, "and inward", shall be omitted.

16. In FORM GST REG-01,—

(*a*) against serial number 24, for the words "(*a*) *Field 1*" the following shall be substituted, namely :—

"(*a*) Electricity Bill details

"(*a*) Electricity Bill details			
Name of electricity distribution company		Consumer Account Number/ Consumer Number";	

(*b*) in the Table appended to "List of Documents to be uploaded", after Serial No. 5, following shall be added, namely—

"6. State Specific Information :—

For proof of Principal Place of Business, copy of Electricity Bill."

By order and in the name of the Governor of Maharashtra,

MANDAR KELKAR,
Deputy Secretary to Government.

Note.—The principal rules were published in the *Maharashtra Government Gazette*, Extraordinary No. 170, Part IV-B, dated 22nd June, 2017, *vide* notification No. MGST-1017/C.R.90/ Taxation-1, dated 22nd June 2017 and were last amended *vide* Finance Department Notification No. GST-1021/C.R.33(3)/Taxation-1, dated 8th August, 2022 [Notification No. 14/ 2022 -State Tax] which was published in the *Maharashtra Government Gazette*, Extraordinary No. 292, Part-IV-B, dated 8th August, 2022.

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