

GOVERNMENT OF ASSAM
OFFICE OF THE PRINCIPAL COMMISSIONER OF STATE TAX
CUM COMMISSIONER OF TAXES, ASSAM
KAR BHAWAN :: DISPUR, GUWAHATI-6

INSTRUCTION NO. 17/2024-GST

Dated Dispur the 13th August, 2024.

Subject: Guidelines for Second special All-India Drive against fake registrations and subsequent periodical reporting - regarding.

No. CT/GST-40/2020/140.— Attention is invited to the Instruction No. 09/2023-GST dated 09.05.2023 vide which guidelines were issued for conducting a special All-India drive during the period from 16th May 2023 to 15th July 2023 (which was further extended till 14th August 2023), for verification and detection of suspicious/ fake registrations and for taking timely remedial action to prevent any further revenue loss to the Government. A National Coordination Committee headed by Member (GST), CBIC and including the senior officers from different States and Centre was also formed to take decisions and monitor the progress of this special drive.

- 1.2 A meeting of the said National Co-ordination Committee was held on 11th July 2024, wherein it was discussed that the special All-India drive conducted during the year 2023, was found quite effective in weeding out fake registrations. The Committee felt that there may be a need for further focused and coordinated action by Central and State tax authorities to clean up the tax base and to take concerted action against the fake registrations and fake/bogus invoices, on the same pattern as was done during the said drive. It was, therefore, decided that a second special All-India drive against fake registrations may be conducted by all Central and State tax authorities for a period of two months starting from 16th August 2024.
- 1.3 The National Co-ordination Committee also decided that like the previous drive, a set of common guidelines may be issued to ensure uniformity in action by the field formations and for effective coordination and monitoring of the action taken during this special drive.
2. In the light of above, in partial modification of the Instruction No. 09/2023-GST dated 09.05.2023, the following guidelines are issued for such concerted action on suspicious/ fake registrations during the special All-India drive during this year:

a) Period of Special Drive:

The second Special All-India Drive may be launched by all Central and State Tax administrations from **16th August 2024 to 15th October 2024** to detect suspicious/ fake GSTINs and to conduct requisite verification and further remedial action to weed out these fake billers from the GST eco-system and to safeguard Government revenue.

b) Identification of fraudulent GSTINs:

GSTN, in coordination with Directorate General of Analytics and Risk Management (DGARM), CBIC, will identify suspicious/ high-risk GSTINs, based on detailed data analytics and risk parameters, for the purpose of verification by the State and Central Tax authorities during the said drive and share the details of such suspicious GSTINs, jurisdiction wise, with the concerned tax administration. Besides, the State and Central Tax Authorities, may, at their own option, supplement this list by data analysis/ intelligence gathering at their end, using various available analytical tools like BIFA/ GAIN, NIC Prime, E-Way Bill Analytics etc., as well as through human intelligence, modus operandi alerts, experience gained through the past detections, as well as the first special All-India drive.

c) Action to be taken by field formations:

- i. On receipt of data from GSTN, a time bound exercise of verification of the suspicious GSTINs shall be undertaken by the concerned jurisdictional tax officer(s). If, after detailed verification, it is found that the taxpayer is non-existent and fictitious, then the tax officer may immediately initiate action for suspension and cancellation of the registration of the said taxpayer in accordance with the provisions of section 29 of Assam GST Act, read with the rules thereof.
- ii. Further, the matter may also be examined for blocking of input tax credit in Electronic Credit Ledger as per the provisions of Rule 86A of Assam GST Rules without any delay. Additionally, the details of the recipients to whom the input tax credit has been passed by such non-existent taxpayer may be identified through the details furnished in FORM GSTR-1 by the said taxpayer.
- iii. Where the recipient GSTIN pertains to the jurisdiction of the said tax authority itself, suitable action may be initiated for demand and recovery of the input tax credit wrongly availed by such recipient on the basis of invoice issued by the said non-existent supplier, without underlying supply of goods or services or both.
- iv. In cases where the recipient GSTIN pertains to a different tax jurisdiction, the details of the case including the details of the recipient GSTIN, along with the relevant documents/ evidence, may be sent to the concerned tax authority, as early as possible, in the format mentioned in **Annexure-B**. For sharing such details/ information and coordination with other tax authorities, GSTN Back Office has an online functionality, namely, '**Initiate Enquiry**' in the Enforcement module, which is available to all tax officers who have been assigned the role of 'Enforcement Officer' on the Back Office (BO Portal).
- v. For the purpose of communicating this information to the recipient tax jurisdiction, **Shri Gaurango Ghose, Additional Commissioner of State Tax, Assam has been appointed as a nodal officer for the State GST authority in order to ensure seamless flow of data for the coordination with GSTN and other Tax Administration.**
- vi. The nodal officer of the tax jurisdictions may be assigned the role of 'Enforcement Officer' on the BO Portal. Wherever the details of the recipient GSTIN needs to be shared to other tax jurisdiction, the same may be done through the nodal officer. The said nodal officer will accordingly share the information about the recipient GSTIN with the nodal officer of the concerned recipient tax administration, through the said functionality, attaching a pdf document in the format mentioned in **Annexure-B**. The nodal officer of the recipient tax administration will further share the details with the concerned jurisdictional tax officers, for necessary action.
- vii. GSTN will issue detailed guidelines / advisory regarding usage of this functionality, which may be referred to.
- viii. Action may also be taken to identify the masterminds/ beneficiaries behind such fake GSTIN for further action, wherever required, and also for recovery of Government dues and/ or provisional attachment of property/ bank accounts, etc. as per provisions of section 83 of Assam GST Act. Further, during the investigation/ verification, if any linked suspicious GSTIN is detected, similar action may be taken/ initiated in respect of the same.

d) Feedback and Reporting Mechanism:

- i. An action-taken report in the format enclosed as **Annexure-A** (for GSTINs identified by GSTN and those identified locally) and **Annexure-A1** (for those GSTINs received from other tax administrations through 'Initiate Enquiry' module) will be uploaded through the nodal officer referred to in para 2(c)(v), on the portal provided for the same, on a weekly basis on the first working day after completion of the week, for enabling the GST Council Secretariat to monitor the same.

- ii. If any novel modus operandi is detected during the verification/ investigation, the same may also be indicated in the said action taken report. On conclusion of the drive, GSTIN-wise feedback on the result of verification of the suspicious GSTINs shared by GSTN, will be provided by the field formations through the nodal officer to GSTN, as per the format enclosed in **Annexure-C**.
2. The Zonal Joint Commissioner of State Tax shall monitor the progress of action taken in respect of list of suspicious GSTINs received from GSTN and chosen locally. The action taken in respect of the GSTINs received from other tax administrations through the 'Initiate Enquiry' module may also be monitored. **The Zonal Joint Commissioner of State Tax shall ensure submitting the weekly report wef 19th August'2024 with a copy to Sri Gouranga Ghose, Additional Commissioner of State Tax, Assam.**
3. GST Council Secretariat will compile the reports received from various formations and make it available to the National Coordination Committee immediately. The unique modus operandi found during this special drive will be compiled by GST Council Secretariat and presented before National Coordination Committee, which will be subsequently shared with Central and State Tax administrations across the country.
4. Difficulties, if any, in implementation of these instructions may be informed to the Principal Commissioner of State Tax, Assam.

Pallav Gopal Jha
14.8.24.

(Pallav Gopal Jha, IAS,)

Principal Commissioner of State Tax, Assam,
Dispur, Guwahati

Memo No. CT/GST-40/2020/140-A

Dated Dispur the 13th August, 2024.

Copy to :

1. P.S. to the Commissioner & Secretary to the Government of Assam, Finance (Taxation) Department, Dispur, Guwahati-6 for kind appraisal of Commissioner & Secretary to the Government of Assam, Finance Department.
2. The Joint Secretary, GST Council Secretariat, 5th Floor, Tower-II, Jeevan Bharati Building, Janpath Road, Connaught Place, New Delhi-110 001 for favour of kind information.
3. The Special Commissioner of State Tax (All) / Additional Commissioner of State Tax (All)/ Joint Commissioner of State Tax (All) / Deputy Commissioner of State Tax (All) / Assistant Commissioner of State Tax (All) / Superintendent of State Tax (All) for information and necessary action.
4. The Information Technology Officer, Office of the Principal Commissioner of State Tax, Assam for uploading of the instruction in the website of the Commissionerate for information of all concerned.

Pallav Gopal Jha
14.8.24.

Principal Commissioner of State Tax, Assam,
Dispur, Guwahati

Annexure-A

Weekly Report on Action taken in Special All-India Drive against Fake Registrations

Name of the State/ CGST Zone:
Week ending:(Amount in Rs Lakhs)

S. No	No. of GSTINs shared by GST N/ DGA R M	No. of GSTINs identified locally	Total no. of GSTINs to be verified	No. of GSTINs for whom verification conducted	No. of non-existent GSTINs found	Action taken					Total Amount recovered from GSTINs in the jurisdiction of tax authority	No. of recipients (GSTINs) of such non-existent GSTINs to whom credit has been passed on		Number of recipient s GSTINs located outside jurisdiction on, details of which have been shared with the concerned jurisdictional tax authority	No. of arrests made	Remarks	
						No of GSTINs suspended	No of GSTINs cancelled	ITC blocked under Rule 86 A		No of GSTINs where Provisional attachment made under section 83 of Assam GST Act							
								Total no. of GSTINs	Total amount of ITC blocked								
1	2	3	4(2+3)	5	6	7a	7b	7c	7d	7e	8	9	10a	10b	11	12	13

Note:

1. The report is to be given for action taken up to week, i.e. for the period from start of the drive up to the end of the week, for which report is

being sent.

2. A separate note may be enclosed in respect of any special modus operandi noticed during the week.

Annexure-A1

Weekly Report on Action Taken in Cases of Beneficiary received from other jurisdictional Nodal Officers

Name of the state/CGST Zone:

Week ending:(Amount in Rs. Lakhs)

S. No.	No. of Beneficiaries received from other Jurisdictional Nodal Officers	No. of GSTINs for Whom Verification Conducted	No. of Non-Existent GSTINs found	Action Taken					Total amount recovered from GSTINs in the jurisdiction of tax authority	No. of arrests made	Remarks	
				No. of GSTINs Suspende d	No. of GSTINs Cance lled	ITC blocked under Rule 86A		No. of GSTINs Where Provisional attachment made under section 83 of Assam GST Act				
						Total No. of GSTINs	Total Amount of ITC blocked					
1	2	3	4	5a	5b	5c	5d	5e	6	7	8	9

Note:

The report is to be given for action taken up to the week, i.e. for the period from the start of the drive up to the end of the week, for which report is being sent.

Annexure-B**Intimation about details of the recipients of the non-existent suppliers detected during the special All-India drive against fake registrations**

- A. Tax administration of the non-existent supplier:
- B. Tax administration of the recipient:
- C. Details of the supplier, recipients and the tax amount involved:

GSTIN of the non-existent supplier, along with Name & Address	GSTIN of the recipient	Name & Address of the recipient(s)	Tax amount/ ITC involved (in Rs Lakhs)					
			Financial Year	CGST	SGST	IGST	Cess	Total
1	2	3	4	5	6	7	8	9 (5+6+7+8)

- D. Other relevant details, if any:
- E. Details of enclosures (Panchnama/ Inspection report/ PV report/ Other relevant documents or evidences):

Place:

Date:

(Signature)

Name:

Designation:

Email address:

Enclosures: As above

Note:

The amount mentioned in columns 5 to 9 of the table may be provided Financial Year wise.

Instruction No. 17/2024-GST
Annexure – C

GSTIN-wise feedback regarding the outcome of the action against the suspicious GSTINs

Name of the State/ CGST Zone:

Date of submission:

S. No.	GSTIN	Legal Name/ Trade Name	Tax involved as estimated by GSTN/ DGARM/ tax administration (Rs. In Lakhs)	Was the lead correct? (Y/N)	If lead not correct, reason. (Choose one from - a/ b/ c/d) #	Action on GSTIN Registration (Suspended/ Cancelled/ No Action)	Detected tax amount (Rs. In Lakhs)	Recoveries made till date (Rs.)	Remarks
1	2	3	4	5	6	7	8	9	10

Note- Details are to be provided for each GSTIN covered in the drive, whether in the initial list or added subsequently

For Column 6 - Reason for lead not correct - Please choose one of the following-

- Data incorrect
- Data correct but taxpayer had reasonable explanation
- Data correct but taxpayer had complied before enforcement action
- Case already investigated before enforcement action