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## TDS &amp; TCS

## Extra provisions for detailed and comprehensive study

**115B.5 What are the procedural requirements regarding TCS?****Notice [S. 52]**

Any authority (not below the rank of Deputy Commissioner) may serve a notice (either before or during the course of any proceedings under the Act), requiring the ECO to furnish such details (as may be specified in the notice) relating to:

- Supplies of goods and/or services effected through such ECO during any period; or
- Stock of goods held by the suppliers making supplies through such ECO in the godowns or warehouses managed by such ECO and declared as additional places of business (APoB) by such suppliers.

The ECO on whom a notice is served should furnish the required information within **15 working days** of the date of service of such notice. Failure to do so attracts penal action (including penalty up to ₹ 25,000).

**Penalty [S. 122]**

Any ECO, who is liable to collect TCS:

1. Allows a supply of goods and/or services through it by an **unregistered** person (other than a person exempted from registration by a notification issued to make such supply);
2. Allows an **inter-State** supply of goods and/or services by a person who is not eligible to make such inter-State supply; or
3. Fails to furnish the correct details in the GSTR-8 statement of any outward supply of goods effected through it by a person **exempted** from obtaining registration,

Is liable to pay a penalty of the **higher** of the following:

1. **₹ 10,000**, or
2. Amount of tax involved had such supply been made by a **registered** person (paying tax under regular provisions, i.e., not under composition scheme).

