

Circular No. 246/03/2025-GST, issued by the Central Board of Indirect Taxes and Customs (CBIC) on January 30, 2025, provides clarity on the applicability of late fees under Section 47(2) of the Central Goods and Services Tax (CGST) Act for delays in filing the reconciliation statement in FORM GSTR-9C.

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## □ **Key Clarifications from Circular No. 246/03/2025-GST**

### **1. Definition of Complete Annual Return:**

- For taxpayers with an aggregate turnover exceeding ₹ 5 crore in a financial year, the annual return under Section 44 of the CGST Act comprises both FORM GSTR-9 and FORM GSTR-9C.
- The annual return is considered complete only when both forms are filed.

### **2. Applicability of Late Fees:**

- If FORM GSTR-9C is required but not furnished along with FORM GSTR-9, the annual return is deemed incomplete, and late fees under Section 47(2) are applicable.

### **3. The late fee is calculated from the due date of the annual return until the date both FORM GSTR-9 and FORM GSTR-9C are filed.**

### **4. No Separate Late Fees for Each Form:**

- Late fees are not levied separately for delays in filing FORM GSTR-9 and FORM GSTR-9C.

### **5. A single late fee is computed based on the delay in filing the complete annual return.**

### **6. Waiver of Late Fees for Past Financial Years:**

- Notification No. 08/2025-Central Tax, dated January 23, 2025, provides a waiver of late fees exceeding the specified amount under Section 47(2) for financial years up to FY 2022-23, provided FORM GSTR-9C is furnished on or before March 31, 2025.
- No refunds will be issued for late fees already paid for these financial years