



CA Kedarnath

# Hyderabad Branch of SIRC of ICAI & Hyderabad Branch of SICASA

---



*{Take risks in your life, If you win, you can lead! If you loose, you can guide}*

*- Swami Vivekananda*

# Interactive Session on Day to Challenges in GST



On 05<sup>th</sup> Feb 2024

By CA Kedarnath

## Synopsis:

- Background & Introduction to GST
- Changes made in the Finance Act, 2023

---

- Importance of POS, TOS, VOS
- How to determine a transaction as a intra or inter state
- Applicability of GST Rates to various sectors
- Recent updates in the GST Portal
- Recent updates in the GST Registration
- Recent updates in the GST Returns
- Recent updates in the GST Refunds
- Q&A

## Background to GST:

- ❖ The Structure of Indirect Tax in India (as existing up to 30.06.2017) was based on **the 3 lists in the Seventh Schedule** to Constitution of India, which came into force on 26.01.1950
- ❖ These lists are mostly based on Government of India Act, 1935

---

- ❖ The provisions were based on situations prevailing in 1935
- ❖ The structure had become outdated due to changes in the situations, technology and factors prevailing in the economy etc.,
- ❖ World has moved towards common Goods and Service Tax (GST) long ago.
- ❖ However, so far as India is concerned, GST is the tax for 21<sup>st</sup> Century
- ❖ It is rightly said that India is like an **elephant**, It takes time to start, but once started, it is very difficult to stop it.
- ❖ Finally, India has moved into GST. The Goods and Service Tax Act was passed in the Parliament on 29-03-2017 and came into effect on 1st July 2017.
- ❖ GST is a one way street – now there can be no going back. We have to face the challenges of GST and move forward.

## Background to GST:

- ❖ Prior to Constitutional amendments Central Government does not have a power to levy tax on goods and State Government does not have a power to levy tax on Services.
- 
- ❖ Except Imports and Exports, as it always subject matter of Central Government
  - ❖ After passing the 101<sup>st</sup> Constitutional Amendment Act, 2016
  - ❖ Cross levy of powers introduced it means Central Government can levy duty on Goods and State Government can levy duty on Services
  - ❖ GST levied in such a way that both the Centre and the States received the power to levy and collect it

## Introduction to GST:

GST is known as the Goods and Services Tax

- ❖ It is an indirect tax which has replaced many indirect taxes in India such as the Excise duty, VAT, CST, Services tax, Entertainment Tax and Luxury Tax etc.
- ❖ Goods and Services Tax Law in India is a
- ✓ **Comprehensive**: GST has wider in scope
- ✓ **Multi-stage**: GST is levied on the value additions at each stage, i.e., the monetary value added at each stage to achieve the final sale to the end customer
- ✓ **Destination Based Tax**: GST is called as destination-based tax or consumption-based tax, it means Goods and Service Tax is levied at the point of consumption.
- ✓ **Taxable Event under GST is "Supply"**: GST is levied on the **Supply** of Goods and Services

## Structure of GSTIN: 21AHXPK0062G1ZI

GSTIN is a 15 characters **Alpha Numeric**

Here is a format break-down of the GSTIN:

- ✓ The first two digits represent the state code as per [Indian Census 2011](#).

---

- ✓ Every state has a unique code. For instance,
  - ✓ State code of Karnataka is 29
  - ✓ State code of Delhi is 07
- ✓ The next **10** digits will be the PAN number of the taxpayer
- ✓ The 13<sup>th</sup> digit will be assigned based on the number of registration within a state
- ✓ The 14<sup>th</sup> digit will be "Z" by default "code"
- ✓ The last 15<sup>th</sup> digit will be for check digit / code. It may be an alphabet or a number.
- Note: Maximum 35 (9+26) GST registrations can be taken in a single state
- GST Registration is required in every state where ever we carry our business operations



## Importance of Time, Place and Value of Supply in GST

### ✚ Time of Supply:

- **Time of supply** means the point in time when goods/services are considered as supplied.

---

- When the seller knows the 'time', it helps him identify due date for payment of taxes.

### ✚ Value of Supply:

- **Value of supply** is important because GST is calculated on the value of the sale
- If the value is calculated incorrectly, then the amount of GST charged is also incorrect

### ✚ Place of Supply:

- **Place of supply** is required for determining the right tax to be charged on the invoice
- Whether CGST & SGST or IGST will apply for a particular Transaction
- How to determine a transaction is an intra state or inter state supply

## Importance of Time, Place and Value of Supply in GST

✦ How to determine a transaction is an intra state or inter state supply

□ Location of the Supplier (LOS)

---

□ Place of Supply (POS)

### Note:

□ If Both are same state :

▪ Treated as Intra State Supply

▪ Charge CGST + SGST

□ If Both are different states :

▪ Treated as Intra State Supply

▪ IGST

## Changes in GST Law made by Finance Act, 2023

- ❑ The Honorable FM of Govt of India presented the budget for FY 2023-24 on **01.02.2023**.
- ❑ Finance Bill, 2023 also presented. Finance Bill, 2023 was passed by the parliament and became Finance Act, 2023 on 31.03.2023, after receiving the assent of the President.
- ❑ The changes will be effective from date to be notified.
- ❖ Supplier of Goods can opt **Composition scheme** even if he is supplying Goods through “E-Commerce Operator”
- ❖ Amount spent on CSR activities : **Not eligible for ITC**
- ❖ Notwithstanding anything contained in the Section 22 or Section 24 Govt , on the recommendation of the council by notification, specify the category of persons who may be exempted from taking the GST Registrations under CGST Act, 2017 w.r.e.f 01.07.2017

## Changes in GST Law made by Finance Act, 2023

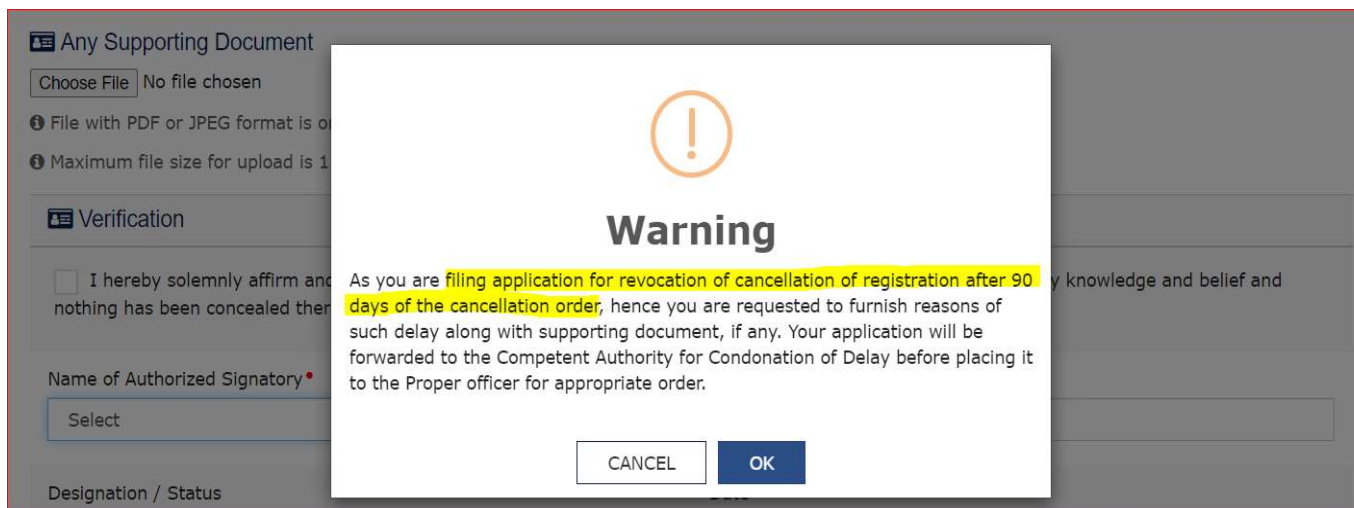
- ❖ GSTR-1 return can't be filed after 3 years from the due date
- ❖ GSTR-3B / 4 / 5 / 5A / 6 / 7 return can't be filed after 3 years from the due date

---

- ❖ GSTR-9 & GSTR-9C return can't be filed after 3 years from the due date
- ❖ GSTR-8 return can't be filed after 3 years from the due date
- ❖ Transactions appearing in the Schedule III of CGST Act, 2017 were "Not Supply" and hence not taxable w.e.f 01.02.2019
- ❑ Paragraph - 7 Supply of Goods from a place in the non-taxable territory to another place in the non-taxable territory without such goods entering into India. This exclusion will be from w.r.e.f 01.07.2017

## Changes in GST Law made by Finance Act, 2023 : Revocation of Cancelled GST Registration:

- ❖ **Earlier Situation:** Revocation can be done with within 90 Days from the date of service of the cancellation order. (30 Days + 30 Days + 30 Days)
- ❖ **After Amendment:** Any registered person whose registration is cancelled by the proper officer on his own motion, may apply to such officer for revocation of cancellation of the registration with in 180 Days from the date of service of the cancellation order.
- ❖ However, we need to give reasons as well as condonation request for filing after 90 Days



The screenshot shows a warning dialog box overlaid on a GST portal interface. The dialog box has a white background and a grey border. At the top center is an orange circular icon with a white exclamation mark. Below the icon, the word "Warning" is written in a bold, black, sans-serif font. The main text of the warning is: "As you are filing application for revocation of cancellation of registration after 90 days of the cancellation order, hence you are requested to furnish reasons of such delay along with supporting document, if any. Your application will be forwarded to the Competent Authority for Condonation of Delay before placing it to the Proper officer for appropriate order." The text "As you are filing application for revocation of cancellation of registration after 90 days of the cancellation order" is highlighted in yellow. At the bottom of the dialog box, there are two buttons: "CANCEL" in a white box with a grey border and "OK" in a blue box with white text. The background of the portal is dimmed and shows sections for "Any Supporting Document" (with a "Choose File" button and "No file chosen" text), "Verification" (with a checkbox and text "I hereby solemnly affirm and nothing has been concealed there"), and "Name of Authorized Signatory" (with a "Select" dropdown menu).

## **GST Rates in Services:**

### **❑ Residential Apartments:**

- ✓ Affordable residential Apartments: 1% without ITC

---

- ✓ Non-Affordable residential Apartments : 5% without ITC
- ✓ Residential Real Estate Projects (RREP) : 5% without ITC
- ✓ Other than RREP: 12% with ITC

Note: Where Taxable Value includes Land Value

### **❑ Works contract of Immovable Property:**

- ✓ 18 % with Full ITC
- ✓ Government works there was a concessional rate of 12%, but w.e.f 18.07.2022 the same has been withdrawn

## **GST Rates in Services:**

### **❑ Accommodation Services:**

✓ If declared tariff is **Less than or equal** to Rs 7,500 per day: 12% with ITC

---

✓ If declared tariff is **More than** Rs 7,500 per day: 18% with ITC

### Note:

✓ Always CGST + SGST (as POS is Location of the Immovable Property)

✓ Except in case of SEZ units

✓ There was an exemption if value was less than Rs 1,000 per day, but w.e.f 18.07.2022 the same has been withdrawn

## **GST Rates in Services:**

### **❑ Food and Beverages:**

- ✓ If the restaurant, canteens and take away, other than places where the declared tariff is more than Rs 7,500 per day: **5% without ITC**
- ✓ Event based out door or indoor functions, that are occasional, at places “other than hotels having a declared tariff above Rs 7,500 per day : **5% without ITC**
- ✓ If restaurant or hotels where declared tariff is **More than** Rs 7,500 per day: **18% with Full ITC**

### **❑ Sale of Space for Advertisement in print media: 5% with Full ITC**

### **❑ Health Care and Medical Services:**

- ✓ Exempt
- ✓ However, if room rent (other than ICU) is more than Rs 5,000/- per day GST @ 5% Payable (w.e.f 18.07.2022)



## **GST Rates in Services:**

### **❑ Services of Housing Society or Resident Welfare Association (RWA):**

- ✓ Exempt up to Rs 7,500 per Member / per Flat per month
- 

### **❑ Services by GTA:**

- ✓ In case of RCM : 5% (recipient will pay through cash and claim ITC)
- ✓ In case of FCM by GTA: It has an option to pay
  - GST @ 5% without ITC
  - GST @ 12% with ITC

### **❑ Renting of Residential Dwelling :**

- ✓ For own use either registered or un-registered : Exempted
- ✓ Registered person uses for his business purpose: GST @ 18% payable under RCM

## Challenges in GST Registration:

- ❑ Aadhar KYC Authentication
- ❑ Authorization Letter & Authorized Partner needs to do Aadhar KYC

---

- ❑ Geo-coding with Pin Code, in case of change of address >>> use >>> Re-set option and amend
- ❑ Attach correct address proof for principal place of business
- ❑ Mention the relevant HSN and SAC codes for the Goods and Services respectively (Max 5)
- ❑ Register **DSC** if you have, instead of calling client for EVC every time
- ❑ Timely Track application Status
- ❑ File the clarifications against the SCN within the given time frame
- ❑ Once it is approved by the department, login with the credential sent to the email >>> using the option under home page >>> logins >>> **“First time login:** If you are logging in for the first time, click [here](#) to log in.”

## Challenges in GST Registration:

- ❑ **Bank Account Updataion:** CBIC issued a advisory to all the **newly registered tax payer**
- ✓ Mandatory Bank Account Details Submission as per law: All Registered Taxpayers are required under the provisions of CGST Act, 2017 and the corresponding Rules framed thereunder to furnish details of their bank account/s **within 30 days** of the grant of registration or before the due date of filing GSTR-1/IFF, whichever is earlier.
- *Failure to furnish the bank account in the stipulated time: It would result into following:*
  - a) *Taxpayer Registration would get suspended after 30 days and intimation in FORM REG-31 will be issued to Taxpayer.*
  - b) *Get the Taxpayer debarred from filing any further GSTR-1/IFF.*
  - c) *It may lead to suspension and subsequently cancellation of GST Registration by the proper officer*
- ❖ In any case GST Registration is cancelled by the proper officer under suo-motto:
- ✓ Revocation request can be made up to 180 Days >>> giving proper reasons and making condonation request

## **New Updates in the GST Portal:**

### **☐ Services >>> Registrations**

- ❖ Application for Opt for Composition Levy : Once in a Year
- 

*Note: FY 2024-25 the due date is >>> 31.03.2024*

- ❖ Application for Withdrawal from Composition Levy : At any time
- ❖ Geocoding Business Addresses
- ❖ Application for Cancellation of Registration & Filing of Final Return

### **☐ Services >>> Ledgers**

- ❖ Electronic Credit Reversal and Re-claimed Statement
- ❖ Payment towards Demands

## New Updates in the GST Portal:

### ☐ Services >>> Returns

#### ❖ TDS and TCS Credit Received

---

#### ❖ Opt-in Quarterly Return

#### ❖ Annual Return

❖ **Final Return** : It will be enabled to those tax payers, who made cancellation request to the dept. and cancelled by the proper officer / Proper officer cancelled the GST Registration in suo motto basis.

#### ❖ Tax Liability and ITC Comparison Statement:

#### ❖ Return Compliances:

✓ Liability Mismatch (DRC-01B)

✓ ITC Mismatch (DRC-01C)

## New Updates in the GST Portal:

### ☐ Services >>> Returns

#### ❖ Return Compliances:

---

✓ Liability Mismatch (DRC-01B)

✓ ITC Mismatch (DRC-01C)

☐ System driven notice will be served online >>> Part-A

☐ Reply shall be given >>> if agree Pay Tax, else reply shall be furnished in Part-B

ITC Mismatch (DRC-01C)				
<input type="radio"/> Reference number	<input type="radio"/> Return period	<input type="radio"/> Status		
Reference number	Form Type	Financial year	Return period	Status
<a href="#">AA3612237315882</a>	DRC-01C	2023-24	December	Pending

## New Updates in the GST Portal:

- ❖ Services >>> Ledger >>> Electronic Cash Ledger
- ✓ File PMT-09 for Transfer of amount in Cash Ledger (with in the same GSTIN)

---

- ✓ File PMT-09 for Transfer of amount in Cash Ledger (to different GSTIN on the same PAN)

**Question:** Can we transfer the balance Electronic Credit Ledger for

- ✓ Same GSTIN
- ✓ Same Pan with Different GSTIN

## **New Updates in the GST Portal:**

❖ Services >>> User Services >>> My Applications >>> Application Type

❑ DRC-03: Intimation of Voluntary Payment

---

❑ LUT: System enable for FY 2024-25

❑ Appeal to Appellate Authority

❑ Advance Ruling

❑ GST Refunds

❑ Application for rectification of Order



## **New Updates in the GST Portal:**

- ❖ Withdrawal of Appeal

- ❖ Withdrawal of Refund Application

---

- ❖ HSN & SAC codes on e-invoice : 6 digits need to mention

- ❖ Time Limit for generating e-Invoice: W.e.f 01st Nov 2023

- ✓ 30 Days from the date of Invoice Date

- ✓ Applicable to All Tax Payers whose AATO > = Rs 100 Cr

- ❖ **Payment of GST through Credit and Debit Cards & UPI:**

- ✓ Generate the Challan with option E-Payment

- ✓ Then select “Mode of E-payment” >>> Debit / Credit Card >>> It will show “ Select Bank >>> Kotak Mahindra Bank >>> Proceed >>> Make payment with Any Indian Banks CC / DC / UPI >>> Payment Done.

## **GST Refunds:**

### **Relevant Sections in CGST Act, 2017**

- ✓ **S.54** : Refunds

---

- ✓ **S.55** : Refund in certain cases, say Consulate or Embassy of foreign countries etc.,
- ✓ **S.56** : Interest on delayed refunds – 6% p.a
- ✓ **S.57** : Consumer Welfare Fund
- ✓ **S.58** : Utilization of Fund

**Note:** Annexure-A of the Master **Circular No. 125/44/2019** - GST Dated 18<sup>th</sup> Nov 2019 all the required documents are **attached** with the said refund application.

Also, **Annexure-B** i.e., “Statement of invoices to be submitted with application for refund of unutilized ITC” prepared as per the above master circular & updated as per the **subsequent Circular No. 135/05/2020** - GST Dated 31<sup>st</sup> Mar 2020 accordingly.

## Introduction to Zero-rated Supply

As per the GST Act, Zero-rated supplies treated as “**Inter-state supplies**”

Once the transaction is pertaining to Inter-state supplies then **IGST** will apply

---

### Zero rated supply:

As per Sec.16(1) of IGST Act, 2017 ‘Zero rated supply’ means any of the following supplies of goods or services or both, namely:

- (a) export of goods or services or both; or
- (b) supply of goods or services or both to a SEZ developer or a SEZ unit.

## S.16(4): Extended Time Limit till 30<sup>th</sup> Nov of NFY >>>>> LA

S. N	Particulars	Section	Old Time Limit	New Time Limit
1	ITC availment	Section 16(4)	Due date of furnishing GSTR-3B of September month of next financial year	30 November of next financial year
2	Reporting of credit notes	Section 34(2)	Due date of furnishing GSTR-3B of September month of next financial year	30 November of next financial year
3	Amendment in GSTR 1	First proviso of Section 37(3)	Due date of furnishing GSTR-3B of September month of next financial year	30 November of next financial year
4	Amendment in GSTR 3B	Proviso of Section 39(9)	Due date of furnishing GSTR-3B of September month of next financial year	30 November of next financial year

## Sequential Filing of GSTR-1 and GSTR-3B :

This restriction is already in place on GST portal, now legalized under the GST Act

- 
- ❖ GSTR 1 cannot be furnished if GSTR 1 for earlier period is not furnished {Section 37(4)}
  - ❖ GSTR 1 cannot be furnished if GSTR - 3B for earlier period is not furnished
  - ❖ GSTR-1 mandatory before filing of return in Form GSTR-3B. {Section 39(10)}.
  - ❖ Way Bill can't be generated if GSTR-3B return pending for last 2 months
  - ❖ If Way Bill Portal Blocked then file GSTR-3B returns up to date and “**Un-Block E-Way Bill**” by Self
  - ❖ Way Bill can be cancelled with in 24 hours of the Generation

## Refunds under GST:

### Cash Ledger :

- ❑ Excess Deposit of Cash
  - ❑ GST TDS Balance
- 

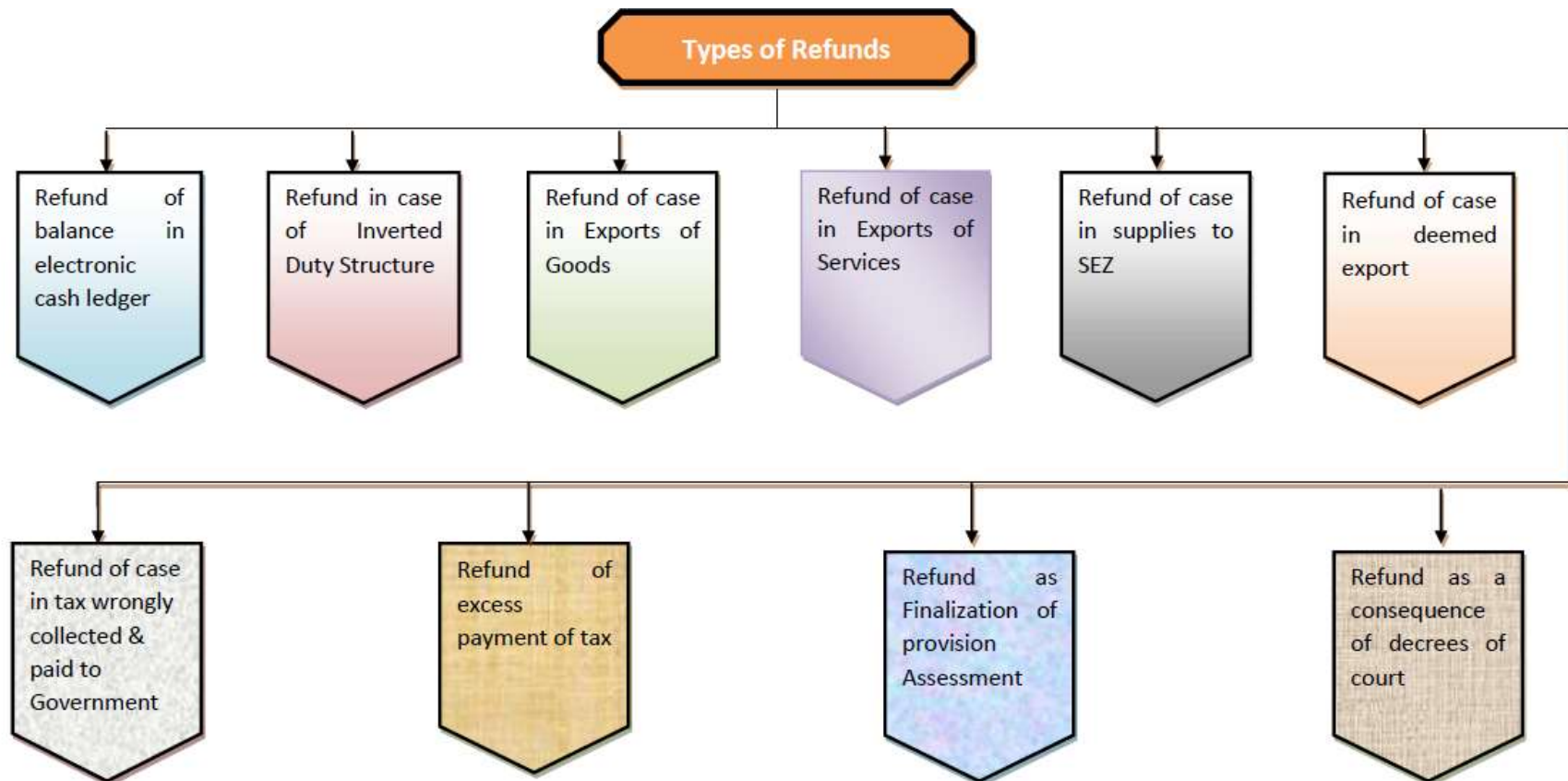
### Credit Ledger :

- ❑ Accumulated ITC
- ❑ In the course or furtherance of Business

### Note:

- As we aware that Zero-rated supplies are duty free
- ITC pertaining to the Inputs / Input services / Capital Goods lying in the electronic credit ledger and accumulating over a period of time
- So the mechanism to obtain the GST paid on the inputs/input services/capital goods is Filing Refund

## Refunds:



## **GST Refund Forms: Order**

RFD-01

RFD-02

---

RFD-03

RFD-04

RFD-05

RFD-06

RFD-07

RFD-08

RFD-09



## Order of GST RFD Forms - Provisional Refund

APPLICATIONS	<b>S.No.</b>	<b>Date</b>	<b>Action</b>	<b>Reference No.</b>	<b>Action By</b>
NOTICE/ ACKNOWLEDGEMENT	1	17/05/2021	Refund Application filed	AA360521012114Y	Taxpayer
REPLIES	2	22/06/2021	Acknowledged (GST RFD-02)	ZD360621001751U	Tax Officer
ORDERS	3	22/06/2021	Provisional Refund Order Issued (GST RFD-04)	ZD360621001752S	Tax Officer
AUDIT HISTORY	4	22/06/2021	Payment Order Issued (GST RFD-05)	ZD360621001753Q	Tax Officer

## Order of RFD Forms - Refund SCN and Reply & Sanctioned and Payment order issued

APPLICATIONS	S.No.	Date	Action	Reference No.	Action By
NOTICE/ ACKNOWLEDGEMENT	1	26/10/2021	Refund Application filed	AA3610210293110	Taxpayer
REPLIES/UNDERTAKING/REQUEST	2	29/10/2021	Acknowledged (GST RFD-02)	ZD361021007682W	Tax Officer
ORDERS	3	30/10/2021	Show Cause Notice Issued (GST RFD-08)	ZD361021007921Y	Tax Officer
AUDIT HISTORY	4	31/10/2021	Reply submitted by tax payer (GST RFD-09)	ZD361021007948I	Taxpayer
	5	02/11/2021	Refund Sanction/Rejection Order Issued (GST RFD-06)	ZD361121000502B	Tax Officer
	6	02/11/2021	Payment Order Issued (GST RFD-05)	ZD361121000548V	Tax Officer

## Order of RFD Forms - Practical

	S.No.	Date	Action	Reference No.	Action By
APPLICATIONS	1	26/10/2021	Refund Application filed	AA3610210293110	Taxpayer
NOTICE/ ACKNOWLEDGEMENT	2	29/10/2021	Acknowledged (GST RFD-02)	ZD361021007682W	Tax Officer
REPLIES/UNDERTAKING/REQUEST	3	30/10/2021	Show Cause Notice Issued (GST RFD-08)	ZD361021007921Y	Tax Officer
ORDERS	4	31/10/2021	Reply submitted by tax payer (GST RFD-09)	ZD361021007948I	Taxpayer
<b>AUDIT HISTORY</b>	5	02/11/2021	Refund Sanction/Rejection Order Issued (GST RFD-06)	ZD361121000502B	Tax Officer
	6	02/11/2021	Payment Order Issued (GST RFD-05)	ZD361121000548V	Tax Officer
	7	03/11/2021	Undertaking for PMT-03 for inadmissible amount.	ZD361121000758Q	Tax Payer

## Benefits of GST



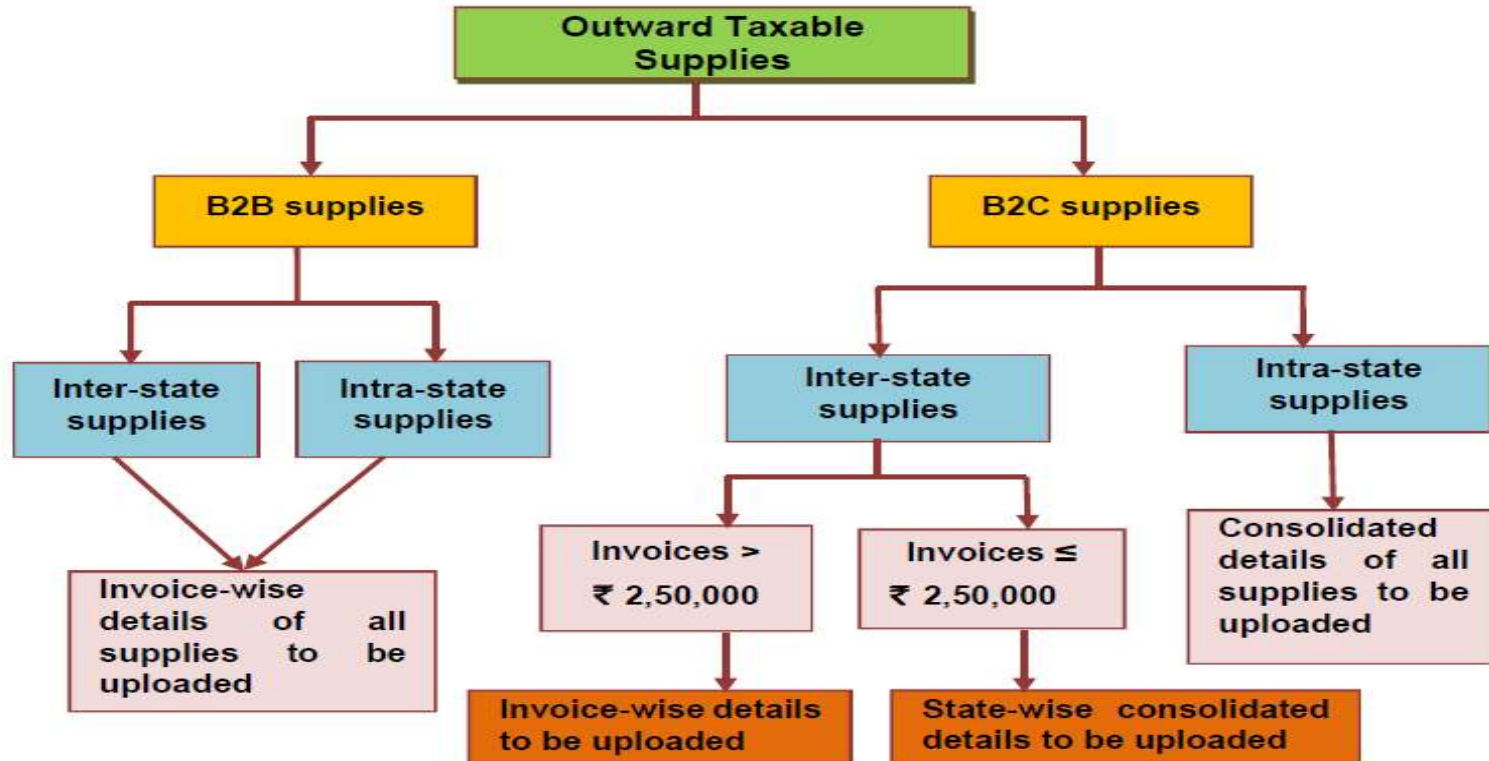
## Introduction to GST Returns:

- ❖ Return means a Summary Statement
  - ❖ Furnished by a tax payer / dealer
- 
- ❖ With the Statutory Authorities
  - ❖ Through the “returns mechanism” the tax payer informs to the department about his Sales / Purchases / ITC / Tax Payments etc.,
  - ❖ Such return is filed voluntarily
  - ❖ Government always keeps reliance on the tax payer to declare correct and fair disclosure in the return
  - ❖ It is the responsibility of the tax payer to declare the correct details accordingly
  - ❖ Failure to do the same would attract interest and penalty and other consequences from the department
  - ❖ Hence, true and correct disclosure is required in the returns always

## GST Returns: Chapter IX of CGST Act, 2017 (S. 37 to S.48)

Section 37	Furnishing details of outward supplies
Section 38	Furnishing details of inward supplies
Section 39	Furnishing of returns
Section 40	First return
Section 41	Claim of input tax credit and provisional acceptance thereof
Section 42	Matching, reversal and re-claim of input tax credit
Section 43	Matching, reversal and re-claim of reduction in output tax liability
Section 44	Annual Return
Section 45	Final Return
Section 46	Notice to return defaulters
Section 47	Levy of late fee
Section 48	Goods and services tax practitioners

# GSTR-1 : Outward Supplies





## GSTR-1: HSN & SAC

HSN : Used for Goods : Harmonized System of Nomenclature

SAC: Used for Services : Service Accounting Code >>> Chapter “99”

---

### **Position from 01.04.2021**

***It may be noted that Notification No. 12/2017 CT 28.06.2017 has been amended to provide that effective 01.04.2021, the HSN would be disclosed as under<sup>2</sup>:***

<b><i>Annual turnover in the preceding financial year</i></b>	<b><i>Number of Digits of HSN Code</i></b>
<b><i>Upto ₹ 5 core</i></b>	<b><i>For B2B supply - 4 For B2C supply – 4 (optional)</i></b>
<b><i>More than ₹ 5 crore</i></b>	<b><i>6</i></b>



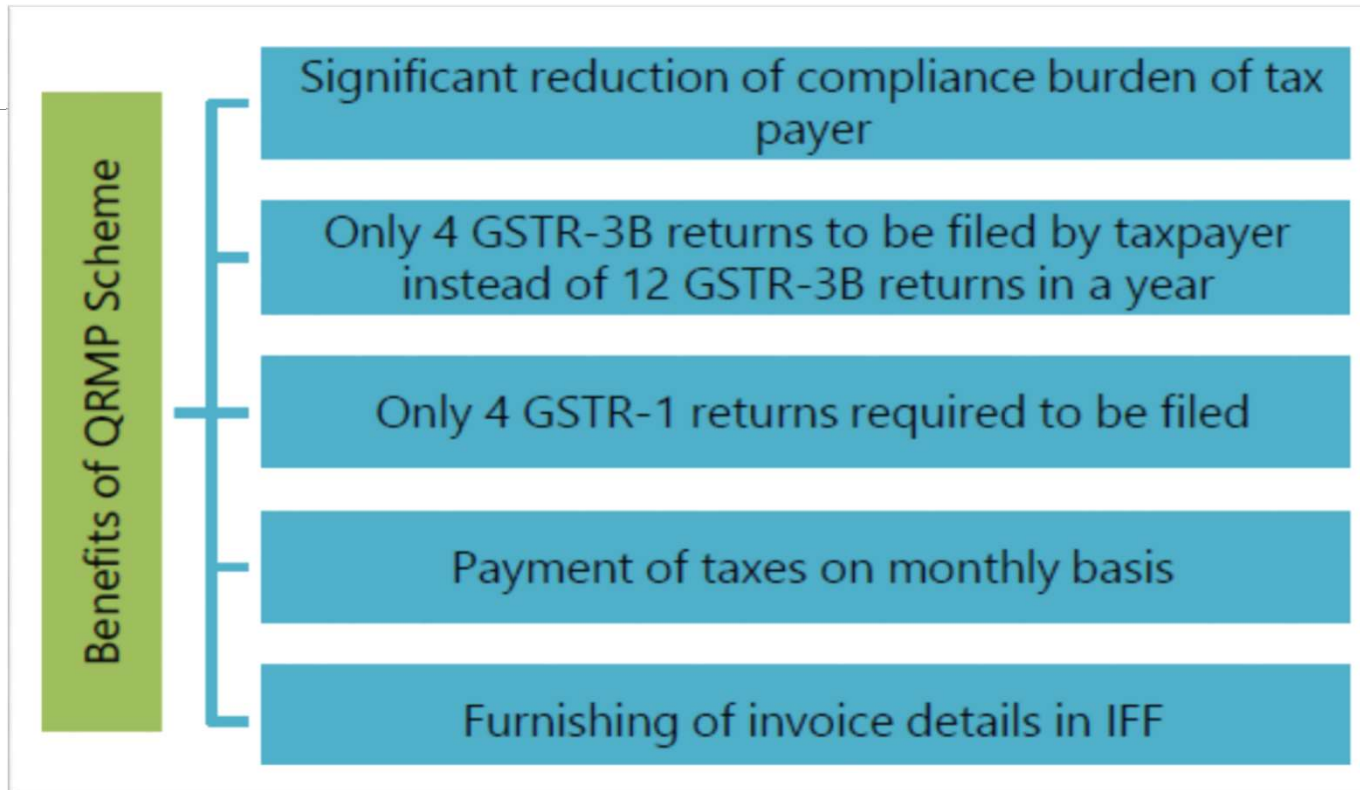
## QRMP Scheme



## QRMP Scheme

Eligibility	<ul style="list-style-type: none"><li>•Taxpayers having aggregate turnover of up to ₹ 5 crore in the preceding financial year</li></ul>
Criteria	<ul style="list-style-type: none"><li>•Taxpayer must have furnished the last return, as due on the date of exercising such option</li></ul>
Exercising option	<ul style="list-style-type: none"><li>•Taxpayers can opt in for any quarter from 1st day of 2nd month of preceding quarter to the last day of the first month of the quarter for which the option is being exercised</li></ul>
Validity of option once exercised	<ul style="list-style-type: none"><li>•Taxpayers are not required to exercise their option every quarter. Where such option has been exercised once, they shall continue to furnish the return as per the selected option for future tax periods, unless they revise the said option</li></ul>

## *Benefits of QRMP Scheme*



## Concept of IFF: Invoice Furnishing Facility

Invoice Furnishing Facility (IFF) is a facility provided to quarterly taxpayers who are in QRMP scheme, to file their details of outward supplies in first two months of the quarter (M1 and M2), to pass on the credit to their recipients. IFF consists of the following Tables of FORM GSTR-1:

---

- ❑ 4A, 4B, 6B, 6C – B2B Invoices, SEZ, Deemed Export Invoices
- ❑ 9B – Credit/ Debit Notes (Registered)
- ❑ 9A – Amended B2B Invoices
- ❑ 9C – Amended Credit/ Debit Notes (Registered)

*Note: IFF can be furnished on or before 13<sup>th</sup> of subsequent Month, later the option expires*

### **FAQ's can be viewed:**

*[https://tutorial.gst.gov.in/userguide/returns/FAQs\\_IFF.htm#:~:text=IFF%20is%20an%20optional%20facility,GSTR%2D1%20for%20the%20quarter.](https://tutorial.gst.gov.in/userguide/returns/FAQs_IFF.htm#:~:text=IFF%20is%20an%20optional%20facility,GSTR%2D1%20for%20the%20quarter.)*

## **GSTR-3B Summary Return (Section 39):**

### **Due date for payment of tax [Section 39(7)]**

- ❖ Due dates for payment of tax in respect of the persons required to file GSTR- 3B, GSTR CMP-08, GSTR-5 and GSTR-7,8 are linked with the **due dates for filing of such returns** i.e., the last dates (due dates) of filing such returns are also the due dates for payment of tax in respect of persons required to file such returns.
- ❖ A taxpayer needs to electronically sign the submitted returns otherwise it will be considered not-filed.
- ❖ Taxpayers can electronically sign their returns using a DSC (earlier mandatory for all types of companies and LLPs), or EVC (Electronic Verification Code sent to the registered mobile number of the authorized signatory).

## Rule 86B *w.r.t* GSTR-3B

- ❖ Rule 86B talks about the payment of **1% of Output Tax Liability in Cash**
- ❖ This rule is applicable on the registered person whose value of taxable supply other than exempted supply and zero-rated supply, in a month exceeds Rs 50 Lakh
- ❖ It means the registered person can't use ITC in excess of 99% of output tax liability in a month
- ❖ Rule 86B starts with non-obstante clause and has override impact on any other provision of the rules
- ❖ This rule is effective from 1<sup>st</sup> Jan 2021
- ❖ Notification No. 94/2020-CT Dated 22.12.2020

## GST CMP - 08

Return / Statement	Periodicity/ Description	Who Files?	Date for filing
<b>GST CMP-08</b>	Quarterly Statement for payment of self-assessed tax	Registered person paying tax under composition scheme	18 <sup>th</sup> day of the month succeeding the quarter



## PROCEDURE OF FILING CMP-08 / GSTR-4





## CMP-08 Vs GSTR-4

**Due date of filing annual GSTR-4 for a financial year**



**By 30<sup>th</sup> day of April following the end of such financial year**

GST CMP-08 (quarterly statement for payment of self-assessed tax) should be furnished by 18<sup>th</sup> day of the month succeeding such quarter.

**Due date of filing GST CMP-08 for a quarter**



**By 18<sup>th</sup> day of the month succeeding such quarter**

## Notes on CMP-08 & GSTR-4

- ❑ Late fees for delay in filing of GSTR-4 attracts Rs 200/- per day, subject to maximum of Rs 5,000 CGST & Rs 5,000 SGST

---

- ❑ As per the latest update, a late fee of Rs.50 per day is charged up to a maximum of Rs.2,000.
- ❑ Where the tax liability is nil, the maximum late fee is Rs.500
- ❑ CMP-08: Tax Payer need not pay tax on “Exempted Supply” w.e.f 01.01.2018
- ❑ Composition Dealer can engage in “Supply of Services” to the extent of
  - Higher of*
  - 10% of the Preceding FY Turnover*
  - (Or)*
  - Rs 5,00,000*
- ❑ Composition scheme can be opted prior to commencement of FY & ITC-03 filed for reversing the ITC

## Notes on CMP-08 & GSTR-4

- ❑ A person who is a manufacturer below specified goods can't opt for composition scheme
  - ✓ Ice Cream
  - ✓ Pan Masala

---
- ✓ Tobacco Products
  
- ❑ Composition dealer shall issue Bill of Supply and he should not issue tax invoice
  
- ❑ He shall mention the words "**Composition Taxable Person, not eligible to collect tax on Supplies**" at the top of the bill of supply issued by him
  
- ❑ He shall mention the words "**composition taxable person**" on every notice and sign board displayed at a prominent place at his principal place of business
  
- ❑ He should not engage in the business of supply of goods or services which are not leviable to tax under this act.
  - ✓ 5 Petroleum Products
  - ✓ Alcohol liquor for human consumption
  
- ❑ No Late fee or penalty for late furnishing of CMP-08 (Only interest shall be levied for late payment if any)

## GSTR - 7 : GST TDS @ 2%

Return / Statement	Periodicity/ Description	Who Files?	Date for filing
<b>GSTR-7</b>	Monthly return	Registered person required to deduct tax at source	10 <sup>th</sup> day of the next month

LIST OF CONTENTS OF GSTR-7	
Table 1, 2	GSTIN, legal name of registered person and trade name, if any
Table 3	Details of tax deducted at source
Table 4	Amendments to details of tax deducted at source in respect of any earlier tax period
Table 5	Tax deducted at source and paid
Table 6	Interest, late fees payable and paid
Table 7	Refund claimed from electronic cash ledger
Table 8	Debit entries in electronic cash ledger for TDS/interest payment [to be populated after payment of tax and submissions of return]

## GSTR - 8 : GST TCS @ 1%

### GSTR-8

Return / Statement	Periodicity/ Description	Who Files?	Date for filing
<b>GSTR-8</b>	Monthly statement	E-commerce operator required to collect tax at source	10 <sup>th</sup> day of the next month

#### LIST OF CONTENTS OF GSTR-8

Table 1, 2	GSTIN and legal name of registered person
Table 3	Details of supplies made through e-commerce operator
Table 4	Amendments to details of supplies made in respect of any earlier statement
Table 5	Details of interest
Table 6	Tax payable and paid
Table 7	Interest payable and paid
Table 8	Refund claimed from electronic cash ledger
Table 9	Debit entries in cash ledger for TCS/interest payment [to be populated after payment of tax and submissions of return]

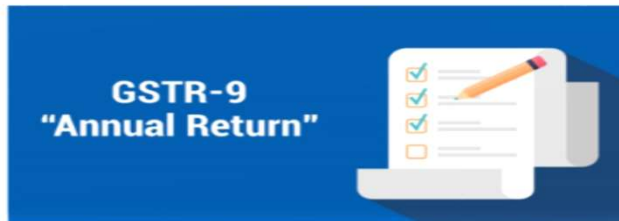
## GST FIRST RETURN (Section 40)

- ❖ Every registered person who has made outward supplies in the period between the date on which he became liable to registration till the date on which registration has been granted shall declare the same in the first return furnished by him after grant of registration.



## GSTR-9

Return / Statement	Periodicity/ Description	Who Files?	Date for filing
GSTR-9	Annual return	Registered person other than an ISD, tax deductor/tax collector, casual taxable person and a non-resident taxpayer	31 <sup>st</sup> December of the next financial year



### Annual Return

The annual return for a financial year needs to be filed by 31<sup>st</sup> December of the next financial year.

In this return, the taxpayer needs to furnish details of expenditure and income for the entire financial year.



## GSTR-9B

Return / Statement	Periodicity/ Description	Who Files?	Date for filing
<b>GSTR-9B</b>	Annual statement (form yet to be notified)	E-commerce operator required to collect tax at source	31 <sup>st</sup> December of the next financial year





## GSTR-9C

Return / Statement	Periodicity/ Description	Who Files?	Date for filing
<b>GSTR-9C</b>	Reconciliation statement	Registered person whose aggregate turnover during a financial year exceeds ₹ 2 crore.	To be submitted along with the annual return [GSTR-9]



*GSTR-10*



<b>Return / Statement</b>	<b>Periodicity/ Description</b>	<b>Who Files?</b>	<b>Date for filing</b>
<b>GSTR-10</b>	Final return	Taxable person whose registration has been surrendered or cancelled	Within three months of the date of cancellation or date of order of cancellation, whichever is later.

## GSTR-10: Final Return

### **GSTR - 10 - Final Return [Section 45 read with rule 81 of the CGST Rules]**

**(a) Who is required to furnish final return?**

Every registered person who is required to furnish return u/s 39(1) and whose registration has been surrendered or cancelled is required to file a **final return** electronically in **Form GSTR-10** through the common portal.



**(b) What is the time-limit for furnishing final return?**

The final return has to be filed within 3 months of the:

(i) date of cancellation

or

(ii) date of order of cancellation

whichever is **later**.

## Form GSTR-2A

Form GSTR-2A

System generated read only statement

Of inward supplies

For a recipient

**Updated on a real time basis**

## Form GSTR-2B

Form GSTR-2B

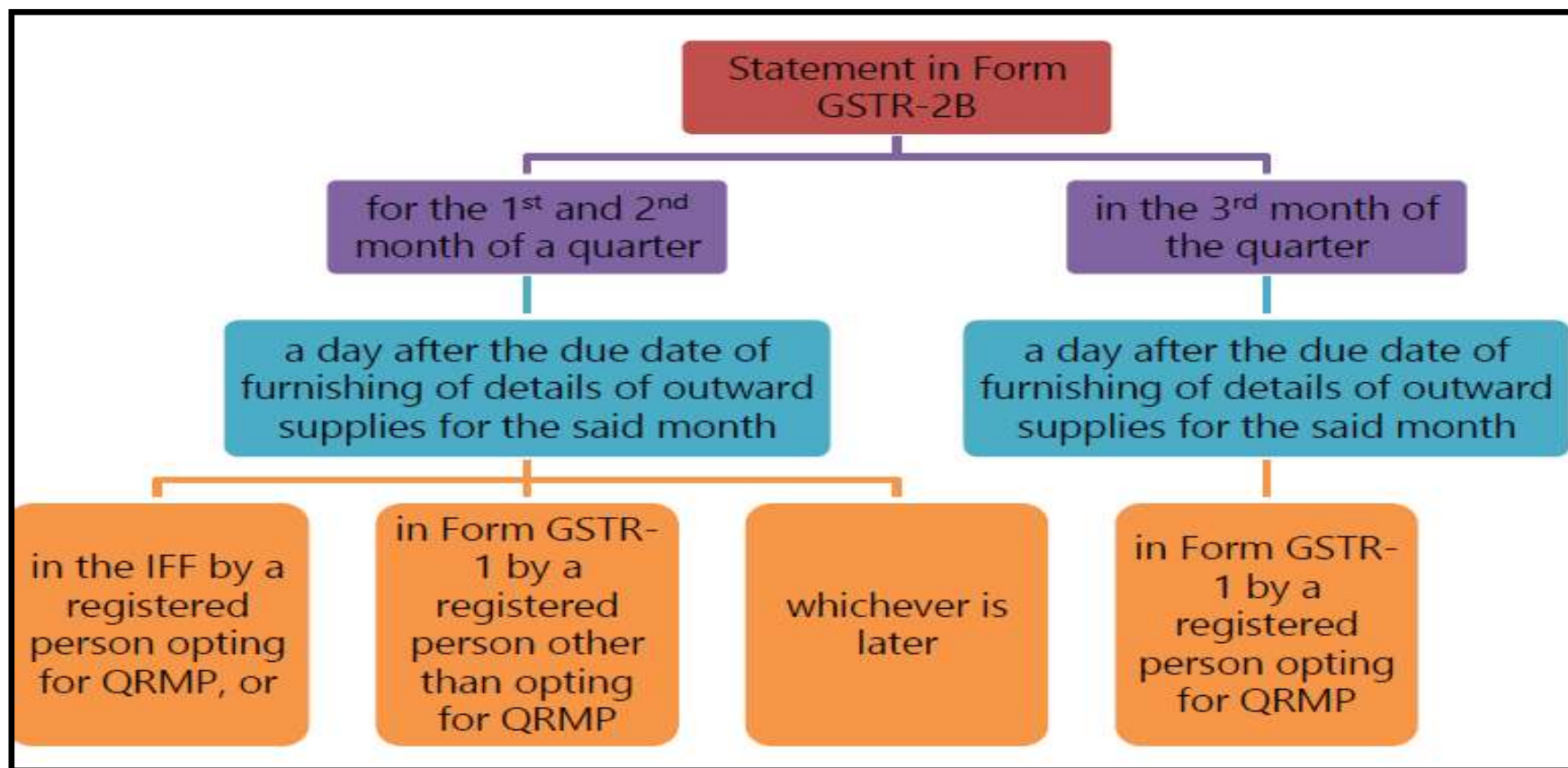
An auto-drafted read only statement

Contains the details of ITC

Made available to the registered person (recipient) for every month

A **static statement** and is available only once a month

## GSTR-2B





*{Arise, awake and stop not until the goal is reached}*

*- Swami Vivekananda*

---



By

CA Kedarnath

Mobile No: 9985162155

Feedback / Queries: [pkedarnathassociates@gmail.com](mailto:pkedarnathassociates@gmail.com)