

Handbook on Returns and Payments under GST



GST & Indirect Taxes Committee
The Institute of Chartered Accountants of India
(Set up by an Act of Parliament)
New Delhi

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Foreword

The introduction of Goods & Services Tax (GST) in India is one of the most significant indirect tax reforms since Independence. The reform that took more than a decade of mutual co-operation, continuous discussion and intense debate between Central and State Governments about implementation methodology, was finally implemented with effect from 1st July 2017, subsuming almost all indirect taxes at the Central and State levels. As the journey of GST implementation progressed in India, the authorities have been quick to address the various challenges faced by the Industry and public concerns by issuing a series of notifications, clarifications, press releases and FAQs, to resolve a wide range of concerns.

The GST along with its challenges have brought in various benefits also like creation of National market by bringing down fiscal barriers amongst the States and has mitigated the cascading effect of taxes by allowing seamless credit of input tax across goods and services. The Institute of Chartered Accountants of India (ICAI) through its GST & Indirect Taxes Committee has been playing a vital role in the implementation of GST in India by providing suggestions to the Government at each stage of development of GST. Further, the Institute has been playing proactive role and is a catalyst in dissemination of knowledge and awareness through technical publications, newsletters, e-learning and organizing various programmes, certificate courses, webcasts etc. for all stakeholders.

I am happy to note that the GST & Indirect Taxes Committee of ICAI has now taken an initiative to issue a series of Handbooks covering various procedural aspects of GST and in that series is bringing out this **Handbook on Returns and Payments under GST** with an objective to provide guidance to the readers on this subject matter. The Handbook explains the concepts / procedures relating to Returns and Payments in an easy to understand lucid language and is aimed at updating the knowledge base of members in a simple and concise manner.

I congratulate CA. Rajendra Kumar P, Chairman, CA. Sushil Kumar Goyal, Vice-Chairman and other members of GST & Indirect Taxes Committee for coming out with this Handbook and for taking active steps in providing regular guidance to the members and other stakeholders at large.

I am sure that Members will find this publication very useful in discharging the statutory functions and responsibilities under the GST laws in an efficient and effective manner.

Place: New Delhi

Date: 9th December, 2020

CA. Atul Kumar Gupta

President, ICAI

Preface

Goods and Services Tax (GST) was introduced in India from 1st July, 2017. It is one of the major tax reforms since independence in the area of indirect taxation. It was introduced with the objective to mitigate the cascading effect of taxes by allowing seamless credit across goods and services, facilitate free flow of goods and services across India and boosting tax revenue from better compliance and widening the tax base. A remarkable feature of GST implementation is that all the States in India came together with the Centre to form a unique federal body called GST Council, which is entrusted with the objective of recommending policies and procedural matters in the formation and implementation of GST legislation. The spirit of co-operative federalism took deep roots thereby ensuring that large federal countries like India implement the GST Law.

In order to facilitate understanding the various compliances under GST, the GST & Indirect Taxes Committee of ICAI has taken an initiative to prepare a handbook on procedural aspects like registration, refund, return, invoice etc. One of the results of such initiative is this **Handbook on Returns and Payments under GST**. An attempt has been made here to cover all aspects related to Returns and Payments at one place and is intended to give general guidance to all stakeholders and also help them in resolving issues that they may face during the course of their compliances under the GST. This Handbook on Returns and Payments under GST is comprehensive containing analysis of the entire provisions under the law including notifications, circulars or orders upto 30th November, 2020 issued by the Government from time to time along with FAQ's, MCQ's, Flowcharts, Diagrams, Illustrations etc. to make the reading and understanding easier.

We stand by the Government in our role as "Partners in GST Knowledge Dissemination" and have always been supporting the Government with our intellectual resources, expertise and efforts to make GST error-free.

We sincerely thank CA. Atul Kumar Gupta, President and CA. Nihar Niranjana Jambusaria, Vice-President, ICAI for their encouragement to the initiatives of the GST & Indirect Taxes Committee. We express our gratitude for the untiring effort of CA. P Harini Sridharan who has shared her intellectual expertise and CA. Shaikh Abdul Samad Ahmad for reviewing this publication. We place on record the services and unstinted support provided by the Secretariat of the Committee.

We record here the dedicated and devoted work done by the former Secretary of the Committee, CA. Sharad Singhal who passed away at a very young age of 36 on 26th September 2020. The World of GST in general and our Committee in particular will miss his intellectual expertise. The will of the almighty prevails over everything and all of us have to accept his decision with a bow.

We trust this Handbook will be of practical use to all the members of the Institute and other stakeholders. We also welcome suggestions at gst@icai.in and request you to visit our website <https://idtc.icai.org> and provide valuable inputs in our journey to make GST truly a good and simple tax.

CA. Rajendra Kumar P

Chairman

GST & Indirect Taxes Committee

CA. Sushil Kumar Goyal

Vice- Chairman

GST & Indirect Taxes Committee

Place: New Delhi

Date: 9th December, 2020

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I. RETURNS UNDER GST

1. Introduction

'Remember to celebrate milestones as you prepare for the road ahead.' And yes, it would be inappropriate if we don't recall the most illustrious date 1st July 2017 – the date on which the most fancied Goods and Services Tax legislation, the outcome of 16 years deliberations took shape.

"Confront the dark parts of yourself, and work to banish them with illumination and forgiveness. Your willingness to wrestle with your demons will cause your angels to sing" remarked *August Wilson*. Continuing the saga of Central Excise, Sales tax and Service tax, the whole concept of Goods and Services Tax is also founded on the principles of self-assessment. Needless to mention, the 'dark parts' being the taxpayer's unpaid tax dues, 'demons' being 'unwarranted litigation', and angels being the taxpayer's proper officer.

2. Significance of Self-Assessment in GST

Section 59 of the Central Goods and Services Tax Act, 2017 (hereinafter referred to as 'The Act') states that "every registered person shall self-assess the taxes payable under the Act".

Self-assessment means an assessment by the registered person himself and not an assessment conducted or carried out by the Proper Officer. Every registered person would be required to assess his tax dues in accordance with the provisions of the Act and report the basis of calculation of tax dues to the tax administrators, by filing periodic tax returns.

The term 'return' is defined in Section 2(97) of the Act thus: - "It means any return prescribed or otherwise required to be furnished by or under this Act or the Rules made thereunder".

Hence, furnishing the prescribed returns with true and correct particulars in accordance with the Act and the Rules made thereunder (hereinafter referred to as the 'the Rules') amounts to proper compliance with the provisions of self-assessment.

3. Who should furnish returns under GST

Every person who is registered under GST should furnish returns as prescribed by the Act and the Rules and at the prescribed frequency.

Provisions related to Registration are detailed under Chapter VI of the Act, and the persons liable to take registration are provided specifically under Sections 22, 24 and certain portions of Section 25 of the Act.

To encapsulate, the following persons are termed as 'registered persons' under GST:

1. Those persons whose aggregate turnover in a financial year exceeds the threshold limit (registration is applicable once the turnover exceeds the threshold limit; however the

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small taxpayers can opt to get registered as composition taxpayers). This category also includes Special Economic Zone Unit (SEZ Unit) and Special Economic Zone developer (SEZ developer).

2. Irrespective of the aggregate turnover, the following persons are liable to take compulsory registration:
 - (i) Persons making inter-State taxable supply of goods (except those making inter-State supplies of handicraft goods);
 - (ii) Persons who are required to pay tax under reverse charge under Section 9(3) and 9(4) of the Act;
 - (iii) Persons making a taxable supply of goods/ services/ both on behalf of other taxable persons, whether in the capacity of an agent or otherwise;
 - (iv) Persons supplying through e-commerce operator, where such e-commerce operator is liable to collect tax at source under Section 52 of the Act;
 - (v) E-commerce operators who are required to pay tax under Section 9(5) of the Act;
 - (vi) Casual taxable persons making taxable supply (except those making the supply of handicraft goods);
 - (vii) Non-resident taxable persons making taxable supply;
 - (viii) Those persons covered under Section 14 of Integrated Goods and Services Tax Act, 2017 (hereinafter referred to as 'IGST Act' - Those persons supplying Online Information and Database Access or Retrieval Services (OIDAR services) from a place outside India to a person in India, other than a registered person;
 - (ix) Input service distributor;
 - (x) Persons who are required to deduct tax under Section 51 of the Act;
 - (xi) Every e-commerce operator who is required to collect tax at source under section 52 of the Act; and
 - (xii) Such persons who have been issued a Unique Identity Number and claim refund of taxes paid on their inward supplies i.e. any specialised agency of the United Nations Organisation or any Multilateral Financial Institution and Organisation notified under the United Nations (Privileges and Immunities) Act, 1947, Consulates or Embassy of Foreign Countries.

In addition to the above, all persons / establishments stated above who have obtained or are required to obtain registration in the same State / Union Territory or in a different State / Union Territory (i.e. distinct persons and distinct establishments as mentioned under Section 25 of the Act) are also required to obtain registration.

All the above mentioned persons who are required to take registration under the Act are also required to file returns as per the provisions of Section 59 of the Act.

The returns prescribed for all the above specified categories of persons are not the same. The Form as well as the frequency of filing the returns are different.

4. Returns applicable to various categories of persons

The following Table provides the form of return applicable for each category of persons and the frequency of filing the returns. For ease, serial number of registered persons mentioned above are cross referenced to various forms stated below:

Reference of Registered persons	Relevant Section & Rule applicable	Regular returns		Consolidated Annual return	Final return upon cancellation of registration
		Form applicable	Due date		
Taxpayers whose aggregate turnover does not exceed Rs 5 Crores and have opted for quarterly return filing	Section 37 read with rule 59, Section 39 (1) read with Rules 61, 44 and 80.	GSTR-1 & GSTR-3B	GSTR-1 (13 th of the month succeeding the quarter) GSTR-3B (22 nd of the month succeeding such quarter for Registered persons whose principal place of business is in the States of Chhattisgarh, Madhya Pradesh, Gujarat, Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Telangana, Andhra Pradesh, the Union	GSTR-9 & GSTR-9C (31 st December of the following Financial year)	GSTR-10 To be filed within the due date, which is later of: (i) 3 months of the date of cancellation or (ii) 3 months of the date of order of cancellation

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			<p>territories of Daman and Diu and Dadra and Nagar Haveli, Puducherry, Andaman and Nicobar Islands or Lakshadweep)</p> <p>(24th of the month succeeding such quarter for Registered Persons whose principal place of business is in the States of Himachal Pradesh, Punjab, Uttarakhand, Haryana, Rajasthan, Uttar Pradesh, Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya, Assam, West Bengal, Jharkhand or Odisha, the Union territories of Jammu and Kashmir, Ladakh,</p>		
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Returns under GST

			Chandigarh or Delhi).		
Taxpayers whose aggregate turnover does not exceed Rs 5 Crores and have not opted for quarterly return filing Taxpayers whose aggregate turnover exceeds Rs 5 Crores	Section 37 read with rule 59, Section 39 (1) read with Rules 61, 44 and 80.	GSTR-1 & GSTR-3B	GSTR-1 (11 th of the following month) GSTR-3B (20 th of the following month)	GSTR-9 & GSTR-9C (31 st December of the following Financial year)	
Casual taxable persons	Section 37 read with rule 59, Section 39 (1) read with Rules 61, 44 and 80.	GSTR-1 & GSTR-3B	GSTR-1 (11 th of the following month) GSTR-3B (20 th of the following month)	Not applicable	
Composition taxpayers	Section 10, Section 39 (2) read with Rule 62.	GSTR-4 & GST CMP-08	GSTR-4 (30 th April following the end of the Financial year) GST CMP-08 (18 th of the month succeeding the quarter)	GSTR-9A (31 st December of the following Financial year)	Not applicable
Non resident taxable persons	Section 27, Section 39 (5) read with Rule 63.	GSTR-5	Earlier of : 1. 20 th of the following month or 2. within 7 days after	Not applicable	Not applicable

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			expiry of registration		
Non-resident OIDAR service provider	Section 14 of IGST Act and Rule 64.	GSTR-5A	20 th of the following month	Not applicable	Not applicable
Input Service Distributor (ISD)	Section 20, Section 39 (4) read with Rule 63.	GSTR-6	13 th of the following month	Not applicable	Not applicable
Persons liable to deduct tax under Section 51 of the Act	Section 51, Section 39 (3) read with Rule 66.	GSTR-7	10 th of the following month	Not applicable	Not applicable
Persons liable to collect Tax at source (TCS) under Section 52 of the Act	Section 52 of the Act and Rule 67.	GSTR-8	10 th of the following month	Not applicable	Not applicable
Persons who have been issued UIN and those who claim refund of taxes paid on inward supplies	Section 25, Section 54 of the Act and Rule 82.	GSTR-11	No due date. UIN holder can file the form any time after the end of the relevant quarter	Not applicable	Not applicable

5. Consequences of Non-filing / Late filing of Returns

As stated above, every registered person is required to file the prescribed returns as applicable to them on or before the specified due date. Failure to do so will attract the following consequences:

1. Defaulter Notice

In accordance with Section 46 of the Act read with Rule 68 of the CGST Rules, System generated defaulter notice will be sent in Form GSTR-3A to the registered persons in case of

failure to furnish the return within the due date. Such notice will require the taxpayer to furnish such return within 15 days in such form and manner as may be prescribed. It is pertinent to note that this Notice forms the basis for initiating a best judgment assessment by a Proper Officer under Section 62 of the Act.

2. Cancellation of Registration

According to Section 29(2) of the Act, registration is liable to be cancelled by a Proper Officer even in the following instances:

- a. If a composition taxpayer fails to furnish returns for 3 consecutive tax periods.
- b. If a person other than composition taxpayer fails to furnish returns for 6 consecutive months.

3. Late fee

According to Section 47 of the Act, in case of failure to furnish the returns within the prescribed time, late fee of Rs 100 per day for every day during which such failure continues subject to a maximum amount of Rs 5000 is applicable under the Central Goods and Services Tax Act. Equal amount of late fee is applicable under respective State Goods and Services Tax Act, 2017.

However, Central Tax Notification No. 64/2017 dated 15th November 2017 provides that if there is a failure to furnish Form GSTR-3B by due date, the late fees would be applicable as follows:

Period	Late fee applicable (GSTR-3B)
July 2017 to September 2017	Waived 100%
From October 2017 onwards	<p>Rs. 200 (i.e. CGST – Rs. 100 + SGST – Rs. 100) per day reduced to Rs. 50 (i.e. CGST – Rs. 25 + SGST – Rs. 25) per day (In case of regular returns)</p> <p>Rs 200 (i.e. CGST – Rs. 100 + SGST – Rs. 100) per day reduced to Rs. 20 (i.e. CGST – Rs. 10 + Rs. 10) per day (In case of Nil returns)</p>

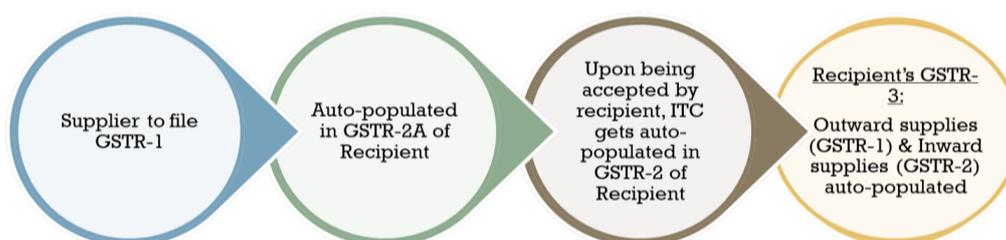
If there is a failure to furnish the Annual return (GSTR-9 / GSTR-9A) and Reconciliation Statement (GSTR-9C) if applicable by the due date, then a late fee of Rs 100 per day for every day of failure will be charged. However, the maximum late fee applicable is 0.25% of the registered person's turnover in the State or Union Territory.

4. Interest

Some returns which are not for mere disclosure requirements, but also involve payment of tax to enable filing would attract interest liability under Section 50 of the Act. Interest @ 18% per annum is applicable for the period for which tax or part thereof remains unpaid.

6. Return Framework at the time of introduction and existing Framework

1. Framework at the time of implementation:



The above pictorial representation denotes the return framework originally mandated by the Act:

Step1: Supplier to enter details of outward supplies in Form GSTR-1

Step2: The outward supplies of the supplier being the inward supplies of the recipient, gets auto-populated in recipient's GSTR-2A

Step 3: The recipient has an option to add, modify, delete the values pertaining to his taxes paid on inputs reflecting in his GSTR-2A.

Step 4: The revised values being added / modified / deleted by the recipient gets reflected in supplier's GSTR-1A.

Step 5: If the value reflected in GSTR-1A is the same as appearing in GSTR-1, the supplier / recipient need not take any further action on GSTR-1. In case of difference, the following steps (i) to (iv) are to be adopted, otherwise proceed to Step 6:

- (i) In case of difference between GSTR-1A and GSTR-1 of the supplier and if the values found in GSTR-1A is acceptable to supplier, suitable changes to GSTR-1 needs to be made by the supplier.
- (ii) If there is a dispute, a mismatch report will be generated. Such report shall be made available to the recipient electronically in Form GST MIS-1 and to the supplier electronically in GST MIS -2.
- (iii) After necessary discussions between the parties, if there is a correction required to be made by the supplier, the statement of outward supplies should be rectified, in the

month in which such mismatch report has been made available. If there is a correction required to be made by the recipient, the statement of inward supplies should be rectified, in the month in which such a mismatch report has been made available.

- (iv) If the rectification has not been made as per Step 7, the amount of mismatch will be added to the output tax liability of the recipient while filing GSTR-3, in the month succeeding the month in which such discrepancy is made available.

Step 6: Values pertaining to the supplier's inward supplies will have to be compared with his supplier's outward supplies. Upon agreement, values are already correctly populated in his GSTR-2. In case of mismatch, the steps specified in 5(i) to 5(iv) will have to be followed by both the supplier and recipient of the transaction.

Step 7: Part A of GSTR-3 gets electronically generated based on the information furnished through GSTR-1, GSTR-2 and other liabilities of preceding tax periods.

Step 8: Supplier, shall discharge his liability towards tax, interest, penalty, fees or any other amount payable under the Act by debiting the electronic cash ledger / electronic credit ledger and include such details in Part B of GSTR-3.

In case, the supplier is eligible for a refund, the information filed in Part B of GSTR-3 will be deemed as a proper refund application under Section 54 of the Act.

Though GST was a new legislation, the trade was ready to embrace the changes, since the proposed new infrastructure was bestowed with lots of control checks.

However, it is discouraging to note, the above proposed structure is only partially operational even today.

2. Existing framework

Of the above framework, following facilities are not available as on date:

- (i) Though GSTR-2A gets electronically generated at the recipient's GST portal, the option to accept / reject / modify has still not been made available.
- (ii) Form GSTR-1A, GSTR-2 and GSTR-3 have still not been made operational.
- (iii) Temporarily a summary return in Form GSTR-3B, which does not contain invoice wise details has been made effective in order to remit the tax dues to the Government.
- (iv) A manual check needs to be done by every registered person of the values reflecting in Form GSTR-2A and Inward Register. And it needs to be ensured that the difference between Inward register and GSTR-2A for the tax period does not exceed 10% of eligible input tax credit.

It is quite a onerous task especially for large taxpayers. Time spent in reconciliation exercise is enormous.

- (v) Though there is an imposition by the Government that only those taxes paid by the supplier are available as Input tax credit to the recipient, by way of Rule 36(4) of the

Rules - there is no facility for the recipient to ensure payment of tax liability by the supplier. As on date, even if the recipient ensures appropriate reflection of tax liability in supplier's GSTR-1, there is no control check available to ensure the same is carried forward by the supplier in his GSTR-3B.

7. Procedures to file various Returns

7.1. GSTR-1: Furnishing details of outward supplies

- (a) **Relevant Section and Rules:** Sections 27, 37 and 39 of the Act; Rule 59 of the Rules.
- (b) **Applicability:** GSTR-1 is a statement containing the details of outward supplies; which is to be filed by the following registered persons:
1. Persons whose aggregate turnover during the financial year exceeds the threshold limit (except those registered under section 10 of the Act).
 2. Casual Taxable Persons.
 3. Registered person ceases to pay tax under section 10.

Threshold limit applicable for registration varies depending on the following variables:

1. States / Union Territories from where the supply is taking place.
2. Supply undertaken by the supplier – whether exclusively supplier of goods or supplier of both goods and services or exclusively supplier of services.

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Threshold limit applicable for various States and Union Territories for various categories are listed in the Table below:

Supplier of goods and Supplier of Services or exclusive supplier of services		Exclusive supplier of goods		
<i>Rs 20 Lakhs threshold applicable</i>	<i>Rs 10 Lakhs threshold applicable</i>	<i>Rs 40 Lakhs threshold applicable</i>	<i>Rs 20 Lakhs threshold applicable</i>	<i>Rs 10 Lakhs threshold applicable</i>
Andhra Pradesh	Manipur	Assam	Meghalaya	Manipur
Bihar	Mizoram	Andhra Pradesh	Puducherry	Mizoram
Chhattisgarh	Nagaland	Bihar	Sikkim	Nagaland
Goa	Tripura	Chhattisgarh	Telangana	Tripura
Gujarat		Goa		
Haryana		Gujarat	Uttarakhand	
Himachal Pradesh		Haryana	Arunachal Pradesh	
Jharkhand		Himachal Pradesh		
Karnataka		Jharkhand		
Madhya Pradesh		Karnataka		
Maharashtra		Kerala		
Odisha		Madhya Pradesh		
Punjab		Maharashtra		
Rajasthan		Odisha		
Tamilnadu		Punjab		
Uttar Pradesh		Rajasthan		
West Bengal		Tamilnadu		
Andaman and Nicobar Islands		Uttar Pradesh		
Chandigarh		West Bengal		
Dadra and Nagar Haveli and Daman and Diu		Andaman and Nicobar Islands		
Delhi		Chandigarh		

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Jammu and Kashmir		Dadra and Nagar Haveli and Daman and Diu		
Ladakh		Delhi		
Lakshadweep		Jammu and Kashmir		
Assam		Ladakh		
Kerala		Lakshadweep		
Meghalaya				
Puducherry				
Sikkim				
Telangana				
Uttarakhand				
Arunachal Pradesh				

'Casual Taxable Person' (CTP) is defined under Section 2(20) of the Act. A person would be regarded as a casual taxable person if he undertakes the supply of goods or services or both:

1. occasionally, and not on a regular basis;
2. in the course or furtherance of a 'business' that exists;
3. either as principal or agent or in any other capacity;
4. in a State/ Union Territory where he has no fixed place of business.

Section 27 of the Act requires such persons to apply for registration at least 5 days prior to commencement of business. The registration is not valid in perpetuity, but only for a period of 90 days (on an application, an extension for a maximum period of 90 days is provided on payment of additional tax) or period specified in the application for registration, whichever is earlier. Also given their transient nature, they are mandated to pay estimated advance tax liability at the time of taking registration which gets credited to e-cash ledger and available for set off against the payout in the return.

Once covered under any of the above categories, such a registered person will have to furnish Form GSTR-1 within the due date even if there is no business activity (Nil return needs to be furnished). Also if a composition taxpayer has been converted into a regular taxpayer due to an increase in the aggregate turnover, for the period for which he is a regular taxpayer, GSTR-1 would have to be filed.

(c) **Due date:** Due date for furnishing GSTR-1 is as follows:

S. No	Description of Persons	Due date	Remarks
1	Every registered person (whose aggregate turnover exceeds Rs 1.5 Crores)	11 th of the following month	Central Tax Notification No. 83/2020 dated 10.11.2020
2	Casual taxable persons	11 th of the following month	Central Tax Notification No. 83/2020 dated 10.11.2020
3	Every registered person (whose aggregate turnover does not exceed Rs 1.5 Crores)	13 th of the month succeeding the quarter	The GST portal gives an option of quarterly filing for every registered person whose aggregate turnover does not exceed Rs 1.5 crores. Central Tax Notification No. 83/2020 dated 10.11.2020 has notified the due date of filing Form GSTR-1.

A new Rule 59, dealing with GSTR-1 will become effective from 01.01.2021. Under sub-rule (2) thereof, taxpayers who have opted to file GSTR-3B on quarterly basis need not file GSTR-1 on monthly basis. But in order to enable the recipients of supplies to avail Input Tax Credit immediately, suppliers are permitted to upload invoices in Invoice Furnishing Facility (IFF) in the common portal in the first two months of the quarter. This can be done upto a value of Rs.50 lakhs in each month (first and second month). The details furnished in IFF would be auto-populated in their GSTR-1 and need not be filled again. Such persons shall file their GSTR-1 for the transactions not uploaded through IFF on or before the prescribed due date.

(d) **Procedure for filing:** GSTR-1 can be filed in any of the following modes:

1. **Direct Entry:** Online entry on GST portal
2. **Free Offline Utility:** Uploading of invoices and other GSTR-1 data using Returns offline tool. If there are more line items, inputting them online would not be possible. Hence, Goods and Services Network has developed a free offline utility, which is available for download in gst.gov.in under the following path:

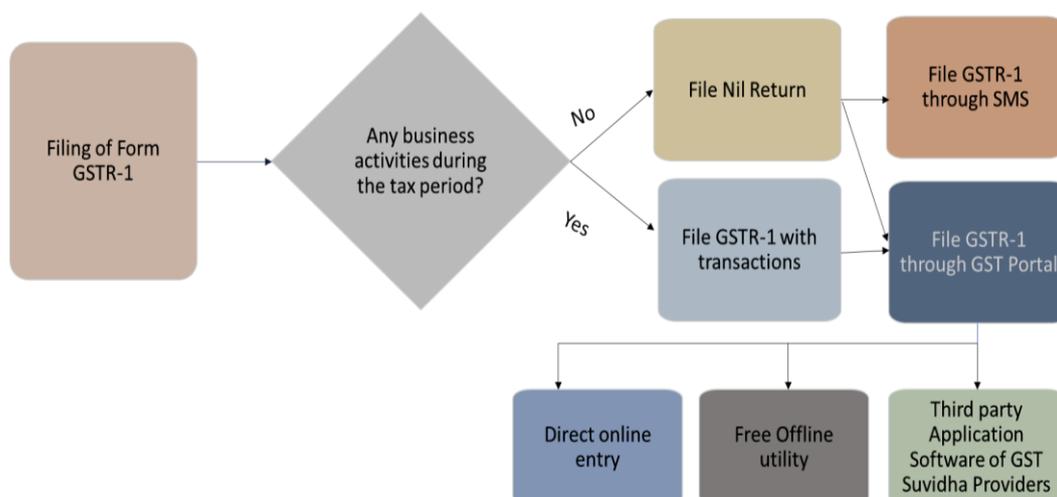
Downloads --> offline tool --> Return offline tool.

Up to 19000 line items can be uploaded at once using this offline utility. If there are more line items, the upload can be made through multiple offline tool files.

3. **Third Party Application Softwares:** Using third party application of Application

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software Provider (ASP) through GST Suvidha Providers (GSP) returns could be filed as under:



NIL GSTR - 1

1. Through Short Messaging Service (SMS): All returns under goods and services tax are to be filed by logging on to gst.gov.in. However, newly introduced Rule 67A of the Rules, effective from 1st July 2020, states that if the registered person wants to file a NIL return, it will be considered as being submitted, provided a Short Messaging Service (SMS) is sent from the registered mobile number and further validating the transaction through a One-time password.

1.1 When can Nil return be filed?

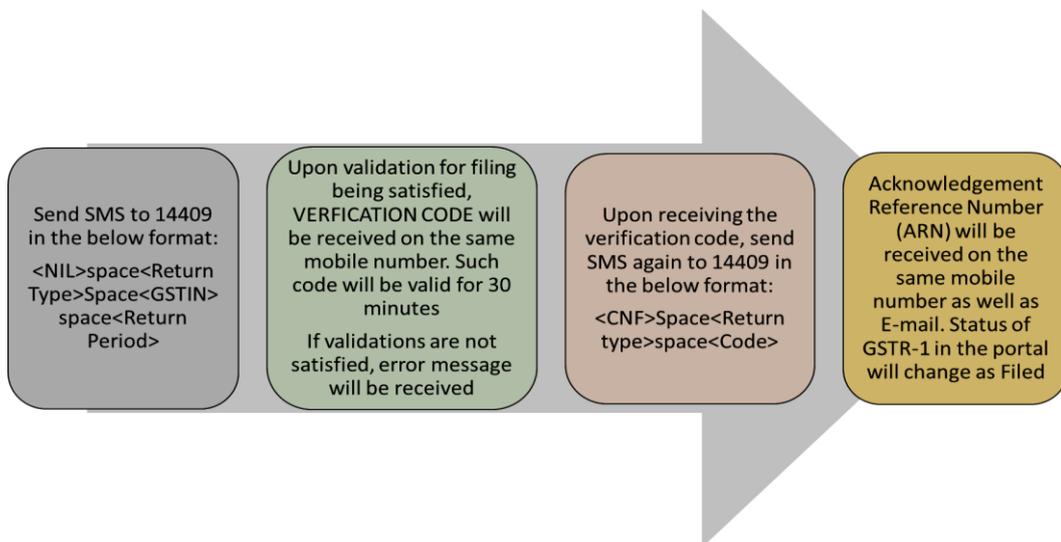
'Nil' return may be filed by a taxpayer for a particular tax period, where such taxpayer, does not have any of the following:

- (i) Outward supply
- (ii) Supplies on which reverse charge liability is applicable
- (iii) Amendments to supplies declared in earlier returns
- (iv) Credit notes / debit notes
- (v) Amendment of credit notes / debit notes declared in earlier returns
- (vi) Advances received for services
- (vii) Adjustment of advances received for services

1.2 Pre-requisites to file Form GSTR-1 through SMS: Any taxpayer who wishes to file Nil Form GSTR-1 through SMS should fulfill all the following conditions:

- The taxpayer must be registered as a normal taxpayer/ casual taxpayer/ SEZ Unit / SEZ Developer and must have a valid GSTIN.
- The taxpayer must have opted for the filing frequency as either monthly or quarterly on the GST portal.
- Authorized signatory and his/ her phone number must be registered on the GST Portal.
- There must not be any data in the saved stage, in the online version of Form GSTR-1, on the GST Portal.

1.3 Steps to be followed to file GSTR-1 through SMS has been described by way of the below chart:



1.4 Points to remember while filing Form GSTR-1 through SMS:

1. Only authorised representatives for a particular GSTIN, with unique mobile number, are allowed to file Nil return in Form GSTR-1 through SMS.
2. If there are more than one Authorized Signatories registered on the GST Portal with the same number, then following steps are to be followed:
 - (a) Non-core amendment process for updating unique mobile number for every authorised signatory for a particular GSTIN should be made.
 - (b) Upon the amendment being effective the authorised signatory will be able to file Nil GSTR-1 return through SMS from his registered mobile number.
3. In case, incorrect Verification Code is provided for more than three times during a day, the GSTIN and Mobile number combination for that particular day, will be blocked for filing through SMS. However, filing through GST Portal will continue to be available through online mode even during that 24 hours.

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4. For a particular tax period, GSTR-1 can be filed only on or after 1st of the following month of the tax period. Otherwise, an error message will be received.
5. For a new taxpayer also, User ID has to be activated on the GST Portal, before attempting to file Nil Form GSTR-1 through SMS.
6. If a taxpayer has changed the authorized signatory, then reactivation of the User ID on GST Portal is required, before filing Nil Form GSTR-1 through SMS.

Filing through Online portal: Pre-requisites for filing GSTR-1 are as follows:

1. The person filing Form GSTR-1 should be a Registered taxpayer with an active GSTIN.
2. Valid login credentials should be available to log in to the portal.
3. Active and Non-expired Digital Signature Certificate (DSC) should be available to file GSTR-1.
 - (i) DSC is mandatory for companies (both public and private limited companies) and limited liability partnerships.
 - (ii) DSC is not required for others. Verification through Electronic Verification Code (EVC) is sufficient. One Time Password (OTP) is sent to the registered mobile number of the authorized signatory for verification in case of verification through EVC.
 - (iii) DSC can be of Class II or Class III and such DSC should be registered with GSTIN. DSC dongle to be connected to the computer; also the latest level EM signer version should be available in the computer.

The following are the details to be furnished in GSTR-1. Care needs to be taken while furnishing the information since once submitted, Form GSTR-1 cannot be changed.

Table reference	Description	Remarks
4.	<i>Taxable outward supplies made to registered persons (including UIN-holders) other than supplies covered by Table 6</i>	
4A.	Supplies other than those (i) attracting reverse charge and (ii) supplies made through e-commerce operator	Invoice wise details (including debit notes and credit notes) of Inter-State and Intra-State supplies made to registered persons (including those holding UIN)

Returns under GST

4B.	Supplies attracting tax on reverse charge basis	
4C.	Supplies made through e-commerce operator attracting TCS (operator wise, rate wise)	
5	<i>Taxable outward inter-State supplies to un-registered persons where the invoice value is more than Rs 2.5 lakh</i>	
5A.	Outward supplies (other than supplies made through e-commerce operator, rate wise)	Invoice wise details (including debit notes and credit notes) of Inter-State supplies with invoice value of more than Rs 2.5 Lakhs made to unregistered persons
5B.	Supplies made through e-commerce operator attracting TCS (operator wise, rate wise)	
6.	<i>Zero rated supplies and deemed exports</i>	
6A.	Exports	<ol style="list-style-type: none"> 1. Invoice wise details of supplies made to Special Economic Zone (SEZ) Unit or developer, Exports including deemed exports. Generally, shipping bill details needs to be declared, but even in the absence of shipping bill details, the entry will be accepted. Upon availability of such details and before filing refund/rebate, such shipping bill details need to be furnished through the amendment section of GSTR-1. 2. If Goods and Services Tax Identification Number (GSTIN) of the recipient is not available in the case of exports, it can be left blank.
6B.	Supplies made to SEZ unit or SEZ developer	
6C.	Deemed Exports	

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7	Taxable supplies (Net of debit notes and credit notes) to unregistered persons other than the supplies covered in Table 5	
7A.	Intra-State supplies	Consolidated details (including debit notes and credit notes) rate wise need to be furnished
7B.	Inter-State supplies where invoice value is upto Rs 2.5 Lakhs	State-wise and rate wise details (including debit notes and credit notes) need to be furnished
8	Nil rated, exempted and non GST outward supplies	
8A.	Inter-State supplies to registered persons	-
8B.	Intra-State supplies to registered persons	
8C.	Inter-State supplies to unregistered persons	
8D.	Intra-State supplies to unregistered persons	
9	Amendments to taxable outward supply details furnished in returns for earlier tax periods in Tables 4, 5 and 6 [including debit notes, credit notes, refund vouchers issued during current period and amendments thereof]	
9A.	If the invoice/shipping bill details furnished	Amendments effected to the details furnished in

Returns under GST

	earlier were incorrect	Tables 4, 5 and 6 in the earlier tax periods:
9B	Debit notes/ credit notes/ refund voucher [original]	Document wise breakup is required for debit notes and credit notes if issued to:
9C.	Debit notes/ credit notes/ refund voucher [amendments thereof]	1. Registered persons (both inter-State and intra-State) 2. Unregistered persons with invoice value exceeding Rs 2.5 Lakhs (inter-State supplies)
10.	Amendments to taxable outward supplies to unregistered persons furnished in returns for earlier tax periods in Table 7	
10A	Intra-State supplies [including supplies made through e-commerce operator attracting TCS]	Amendments effected to the details furnished in Table 7 in the earlier tax periods: Consolidated State wise and rate wise reporting is sufficient in case of :
10B	Inter-State Supplies [including supplies made through e-commerce operator attracting TCS]	1. Intra-State supplies to unregistered persons and 2. Inter-State supplies to unregistered persons with invoice value not exceeding Rs 2.5 Lakhs.
11	Consolidated Statement of advances received/ advance adjusted in the current tax period/ Amendments of information furnished in earlier tax period	
11(I).	<i>Information for the current period</i>	
11A.	Advance amount received in the tax period for which invoice has not been issued	Details of advances received and any adjustments to advances needs to be furnished.

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	(tax amount to be added to output tax liability)										
11B.	Advance amount received in earlier tax period and adjusted against the supplies being shown in this tax period in Tables 4, 5, 6 and 7.										
11(II).	<i>Amendment of information furnished in Table No. 11[1] in GSTR-1 statement for earlier tax periods [Furnish revised information]</i>	Amendments effected to the advances or adjustment to advances furnished in the previous tax periods as part of Table 11(1): 1. Details of the original invoice /debit note / credit note / receipt voucher reference is being sought. 2. If the reference is invalid, amendment option will not be available.									
12	HSN-wise summary of outward supplies	<p>Harmonized System of Nomenclature (HSN) / Services Accounting Code (SAC) wise summary to be provided for outward supplies.</p> <p>However as per Central Tax Notification No. 78/2020 dated 15th October 2020, number of digits of HSN to be mentioned depending on the Aggregate Turnover during the preceding Financial Year has been notified. It is applicable w.e.f 1st April 2021.</p> <table border="1"> <thead> <tr> <th>S.No</th> <th>Aggregate Turnover during the preceding financial year</th> <th>Number of digits of HSN Code</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>≤ Rs 5 Crores</td> <td>4 (optional for B2C supply)</td> </tr> <tr> <td>2</td> <td>> Rs 5 Crores</td> <td>6</td> </tr> </tbody> </table> <p>If the aggregate turnover during the preceding financial year is upto Rs 5 Crores and in respect of supplies made to unregistered persons there is no requirement of mentioning HSN.</p> <p>The HSN requirement for transactions w.e.f 1st July 2017 till 31st March 2020 is provided as per Central</p>	S.No	Aggregate Turnover during the preceding financial year	Number of digits of HSN Code	1	≤ Rs 5 Crores	4 (optional for B2C supply)	2	> Rs 5 Crores	6
S.No	Aggregate Turnover during the preceding financial year	Number of digits of HSN Code									
1	≤ Rs 5 Crores	4 (optional for B2C supply)									
2	> Rs 5 Crores	6									

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		Tax Notification No. 12/2017 dated 28 th June 2017, which is as follows.												
		<table border="1"> <thead> <tr> <th>S.No</th> <th>Annual Turnover during the preceding financial year</th> <th>Number of digits of HSN Code</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>< Rs 1.5 Crores</td> <td>Nil</td> </tr> <tr> <td>2</td> <td>> Rs 1.5 Crores and < Rs 5 Crores</td> <td>2</td> </tr> <tr> <td>3</td> <td>> Rs 5 Crores</td> <td>4</td> </tr> </tbody> </table>	S.No	Annual Turnover during the preceding financial year	Number of digits of HSN Code	1	< Rs 1.5 Crores	Nil	2	> Rs 1.5 Crores and < Rs 5 Crores	2	3	> Rs 5 Crores	4
S.No	Annual Turnover during the preceding financial year	Number of digits of HSN Code												
1	< Rs 1.5 Crores	Nil												
2	> Rs 1.5 Crores and < Rs 5 Crores	2												
3	> Rs 5 Crores	4												
13	Documents issued during the tax period	<p>Following details relating to documents issued during the tax period need to be furnished:</p> <ol style="list-style-type: none"> 1. Serial Number of documents issued 2. Cancelled documents issued during the month 												

Notes:

1. Supplies made to SEZ unit or developer and deemed exports though denoted in a separate Table (Table 6B and 6C) as different from supplies made to registered persons (Table 4A, 4B and 4C) in the Form – the GSTN portal has appropriately combined the reporting of these Tables since in cases mentioned in Table 6B and 6C, the recipients are registered persons.
2. The internal classification of 'supplies attracting tax on reverse charge' in Table 4B, requires the supplier to disclose his outward supplies under this category. Though the recipient is liable to pay tax on such a transaction, the disclosure sought for under Table 4B is from the viewpoint of the supplier.
3. Any supply made by SEZ to DTA without the cover of bill of entry is required to be reported by SEZ Unit in GSTR-1. Those supplies made by SEZ on the cover of a bill of entry are not to be included in this form but shall be reported by DTA unit as imports in its GSTR-3B.

Interoperability of Electronic way bill (e-way bill) portal with Goods and Services Tax Portal

According to Rule 138 of the Rules, every registered person who causes inter-State movement of goods of total invoice value i.e. consignment value exceeding Rs 50,000/-:

- (i) in relation to a supply; or
- (ii) for reasons other than supply; or
- (iii) due to inward supply from an unregistered person

should raise a way bill in e-way bill portal before the commencement of the movement of the goods.

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With the launch of nationwide e-way bill system, expectations were uniform rules across all States. However, some States have notified parallel rules and procedures for e-way bill generation in case of intra-State supplies. Care needs to be taken to ensure adherence to the appropriate e-way bill limits.

Since e-way bill portal allows interoperability with the Goods and Services Tax Portal, following details declared in the e-way bill portal can be imported into GTR-1 by clicking "Import EWB data" in the respective tiles:

1. Tables 4A, 4B, 4C
2. Tables 5A, 5B
3. Tables 6A, 6B, 6C
4. Table 12

However, while importing the invoice wise details from e-way bill portal, the method of importing the invoices varies depending on the number of line items:

Number of Line items	Methodology to be adopted
<50	Upon clicking "Import EWB data" under the respective tiles, the transactions are populated
More than or equal to 50, but not exceeding 500	Upon clicking "Import EWB data" under the respective tiles, separate Comma Separated Values (CSV) file will get immediately downloaded. The same can be uploaded to the offline utility
>500	Upon clicking "Import EWB data" under the respective tiles, a zipped excel file for each tile will get downloaded (approximately in 20 minutes). The same can be uploaded to the offline utility

Notes:

1. In the downloaded format from e-way bill portal, the Default invoice type is 'Regular'. Appropriate changes need to be made wherever the transaction is under reverse charge.
2. On downloading details pertaining to Table 5, the default value for 'Sale from bonded warehouse' and 'online import' is 'N'. Appropriate changes need to be made wherever required.
3. Adequate care needs to be taken to input all supplies made by the registered persons in GSTR-1, since e-way bill portal contains only the details of invoices, to which generation of e-way bill is necessary.

4. Clerical errors, if any, in the e-way bill portal need to be rectified before uploading the same to Form GSTR-1.
5. A new static month-wise auto drafted statement for regular taxpayers, Form GSTR-2B has been introduced on the GST portal. It is similar to Form GSTR-2A but remains constant for a tax period. GSTR-2A is dynamic as it changes from day to day, as and when the supplier uploads the documents whereas GSTR-2B remains static, as GSTR-2B for one month cannot change based on the future actions of the supplier. Every recipient can generate Form GSTR-2B on the basis of GSTR-1, GSTR-5, GSTR-6 furnished by their suppliers. The statement will clearly show the document wise details of ITC eligibility. It will ensure that ITC is not availed twice against a particular document. It contains information on import of goods from the ICEGATE system including inward supplies of goods received from Special Economic Zone Units / Developers unlike GSTR-2A. It can be generated by the recipient taxpayers once a month on the 12th of the month next to the tax period. An email / SMS will be sent to the taxpayer informing about the generation of GSTR-2B. The taxpayer can assess their GSTR-2B through Login to GST Portal > Return Dashboard > Select Return period > GSTR2B.

7.2. GSTR-3B: Furnishing of Returns

1. Form GSTR-3B is a simplified summary return.

As stated above, GSTR-2 and GSTR-3 have not been made operational yet. As a stop-gap arrangement, to ensure that the Government's tax collections are not disrupted for the interregnum period, a return in Form GSTR-3B was introduced effective July 2017 to declare the summary of outward and inward supplies and discharge the net tax liability.

Care needs to be taken since GSTR-3B once filed cannot be revised. Adjustment, if any, may be done while filing GSTR-3B for the subsequent period.

(a) Relevant Section and Rules: Section 39 of the Act and Rule 61, 61A of the Rules

(b) Applicability

- (i) Persons whose aggregate turnover during the financial year exceeds the threshold limit (except those registered under Section 10 of the Act).
- (ii) Casual taxable persons.

In essence, every registered person who is liable to file Form GSTR-1 is required to file GSTR-3B. Nil return needs to be furnished even if there is no business activity during a particular tax period.

(c) Due date: Due date for furnishing Form GSTR-3B is 20th of the succeeding month.

As per Section 37 of the CGST Act, 2017 read with Rule 59 of the CGST Rules, 2017, every

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registered person (other than Input Service Distributor, Composition taxable person, non-resident taxable person, Person liable to deduct tax at source and person liable to collect tax at source) is liable to file a monthly return in form GSTR 1, containing details of outward supplies made by them, on or before 10th day of the succeeding month. Quarterly filing facility of GSTR-1 is also available for those tax payers whose aggregate turnover is below Rs.1.5 Crore in the preceding financial year.

As per Section 38 (2) of the Act read with Rule 60 of the CGST Rules, 2017, every registered person (other than Input Service Distributor, Composition taxable person, Non-resident taxable person, Person liable to deduct tax at source and person liable to collect tax at source) shall file a monthly return on inward supplies received by him, after the 10th day but before the 15th day of the succeeding month, in Form GSTR -2. This return has not at all been operationalised. As per Section 39 of the CGST Act, 2017 read with Rule 61 of the CGST Rules, 2017, every registered person (other than Input Service Distributor, Composition taxable person, Non-resident taxable person, Person liable to deduct tax at source and person liable to collect tax at source) is liable to file a comprehensive monthly return in form GSTR 3, containing details inward and outward supplies made by them, input tax credit availed, tax payable and tax paid, within such due dates, as may be specified. This return has not at all been operationalised and instead a summary monthly return in Form GSTR 3B is required to be filed. There was no facility of filing GSTR-3B on quarterly basis.

During the budget speech 2019, the Hon'ble FM informed that quarterly return filing would be introduced for those having annual turnover upto Rs. 5 Crore. Accordingly the following proviso was inserted under Section 39 (1) vide Section 97 of the Finance Act, 2019 along with certain other consequential amendments in the said section.

Provided that the Government may, on the recommendations of the Council, notify certain class of registered persons who shall furnish a return for every quarter or part thereof, subject to such conditions and restrictions as may be specified therein.

Further, a new sub-section (7) of Section 39 has been substituted which provides that those tax payers who are eligible to file the return on quarterly basis, shall pay their tax dues on monthly basis, in the manner to be prescribed. Now, vide Notification 81/2020 Central Tax dated 10.11.2020, the above amendment has come into effect from 10.11.2020

Central Tax Notification No. 84/2020 dated 10.11.2020 provides that Taxable persons having aggregate turnover of upto Rs. 5 crore in the preceding financial year, are notified as persons who shall be entitled to file GSTR 3B on quarterly basis from January 2021. However in order to avail this benefit of quarterly filing, following conditions should be satisfied:

1. On the date of exercising the option of filing Form GSTR-3B on quarterly basis, such persons should have filed their GSTR-3B returns which are due till then.
2. Once such option is exercised, such persons shall continue to file GSTR-3B on quarterly basis, unless they revise such option

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3. After having opted to file GSTR 3 B on quarterly basis, if the registered person's turnover exceeds Rs.5 Crore in the current financial year, he shall not be eligible to file quarterly return from the first month of the succeeding quarter.

According to Rule 61 of CGST Rules, 2017, the due date of filing GSTR-3B in case of quarterly return filers are as follows:

S.No	Class of Registered Persons	Due date
1	Registered persons whose principal place of business is in the States of Chhattisgarh, Madhya Pradesh, Gujarat, Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Telangana, Andhra Pradesh, the Union territories of Daman and Diu and Dadra and Nagar Haveli, Puducherry, Andaman and Nicobar Islands or Lakshadweep.	22 nd of the month succeeding such quarter
2	Registered persons whose principal place of business is in the States of Himachal Pradesh, Punjab, Uttarakhand, Haryana, Rajasthan, Uttar Pradesh, Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya, Assam, West Bengal, Jharkhand or Odisha, the Union territories of Jammu and Kashmir, Ladakh, Chandigarh or Delhi.	24 th of the month succeeding such quarter

Section 39(7) lays down that the tax payers who opt to file their GSTR 3B returns on quarterly basis shall pay the tax on monthly basis, in the manner to be prescribed. Such manner is prescribed vide Notification 85/2020 Central Tax dated 10.11.2020.

As per this notification such tax payers may pay their tax liabilities for the first two months of the quarter as below.

1. If they have filed quarterly return for the preceding period, 35 % of the tax liability paid by them by way of debit in electronic cash ledger in the preceding quarter shall be paid by them for the first two months.
2. If they have filed monthly return for the preceding period, the tax liability paid by them by way of debit in electronic cash ledger in the preceding month shall be paid by them for the first two months.
3. The above payments shall be made by way of depositing such cash in the Electronic Cash Ledger and no debit needs to be made from the Electronic Cash Ledger. During the first month, if the balance in electronic cash ledger and Electronic credit ledger is more than the tax payable as above, no further amount needs to be paid (For example, if 35 % of the tax paid in cash during last quarter was Rs.3,50,000 and there is a

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balance of Rs.2,00,000/- in electronic cash ledger and Rs.1,50,000/- in Electronic credit ledger, no further amount is payable for the first month. If the tax liability for the first month of the quarter is NIL, then also no amount needs to be paid.

4. During the second month, if the balance in electronic cash ledger and Electronic credit ledger is more than the tax payable for the two months, no further amount needs to be paid (For example, if 35 % of the tax paid in cash during last quarter was Rs.3,50,000, then tax payable under this option for the first two months of the quarter is Rs.7,00,000 and if there is a balance of Rs.4,00,000 in electronic cash ledger and Rs.3,00,000 in Electronic credit ledger, no further amount is payable for the second month.

The above said special procedure is not applicable unless the tax payer has filed all returns upto the preceding complete tax period. Apart from the above option, the tax payer can also choose to pay the actual tax liability for the first two months.

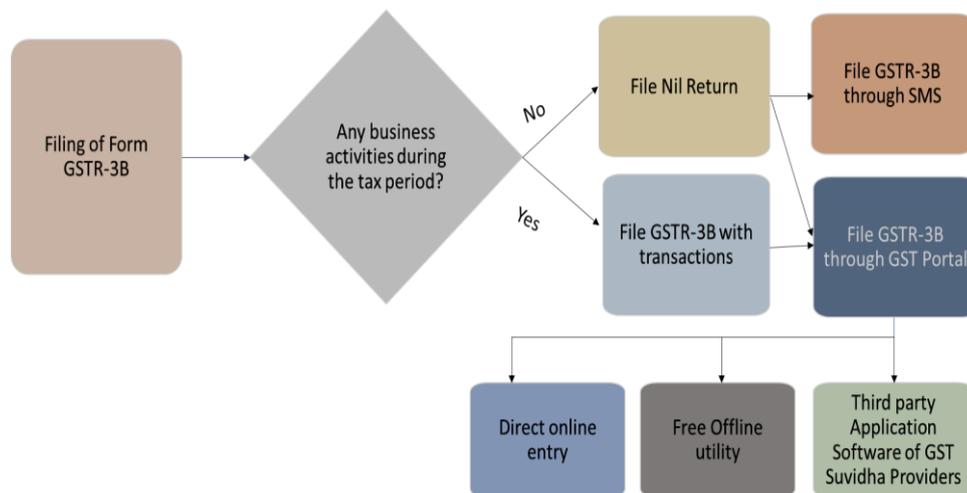
Every registered person required to furnish return, every quarter, under clause (ii) of sub-rule (1) shall pay the tax due under proviso to sub-section (7) of section 39, for each of the first two months of the quarter, by depositing the said amount in **FORM GST PMT-06**, by 25th day of the month succeeding such month.

Few clarifications issued by way of Circular No. 143/13/2020 dated 10.11.2020 relating to Quarterly Return and Monthly Payment (QRMP) scheme are as follows:

- Aggregate turnover during preceding financial year to determine the eligibility to opt for QRMP shall be based on the details furnished in the returns filed during the preceding financial year.
- The QRMP scheme is GSTIN based. So for each GSTIN this facility can be opted subjected to that GSTIN's aggregate turnover in the preceding financial year being less than Rs. 5 Crores. It is not entity based.
- Apart from paying fixed sum as tax for the first two months of the quarter explained above, the taxpayer can also ascertain the exact tax liability for the first two months and after considering the balance available in electronic credit ledger pay the balance amount into electronic cash ledger.
- A registered person, who has opted for the Scheme, had paid a total amount of Rs. 100/- in cash as tax liability in the previous quarter of October to December. He opts to pay tax under fixed sum method. He therefore pays Rs. 35/- each on 25th February and 25th March for discharging tax liability for the first two months of quarter viz. January and February. In his return for the quarter, it is found that liability, based on the outward and inward supplies, for January was Rs. 40/- and for February it was Rs. 42/-. No interest would be payable for the lesser amount of tax (i.e. Rs. 5 and Rs. 7 respectively) discharged in these two months provided that he discharges his entire liability for the quarter in the FORM GSTR-3B of the quarter by the due date.

- A registered person, who has opted for the Scheme, had paid a total amount of Rs. 100/- in cash as tax liability in the previous quarter of October to December. He opts to pay tax under fixed sum method. He therefore pays Rs. 35/- each on 25th February and 25th March for discharging tax liability for the first two months of quarter viz. January and February. In his return for the quarter, it is found that total liability for the quarter net of available credit was Rs. 125 but he files the return on 30th April. Interest would be payable at applicable rate on Rs. 55 [Rs. 125 – Rs. 70 (deposit made in cash ledger in M1 and M2)] for the period between due date of quarterly GSTR 3B and 30th April.
- For registered person making payment of tax by opting Self-Assessment Method, Interest amount would be payable as per the provision of Section 50 of the CGST Act for tax or any part thereof (net of ITC) which remains unpaid / paid beyond the due date for the first two months of the quarter.
- No late fee is applicable for delay in payment of tax in first two months of the quarter. But late fee is applicable only in case of delay in filing the quarterly returns.

(d) Procedure for filing GSTR-3B



2. Mode of filing GSTR-3B.

2.1. Through Short Messaging Service (SMS)

All returns under goods and services tax are to be filed by logging on to gst.gov.in. However, newly introduced Rule 67A of the Rules states that if the registered person wants to file a Nil return, it will be considered as being submitted, provided a Short Messaging Service (SMS) is sent from the registered mobile number and further validated the transaction through a One-time password.

2.2. When can Nil return be filed?

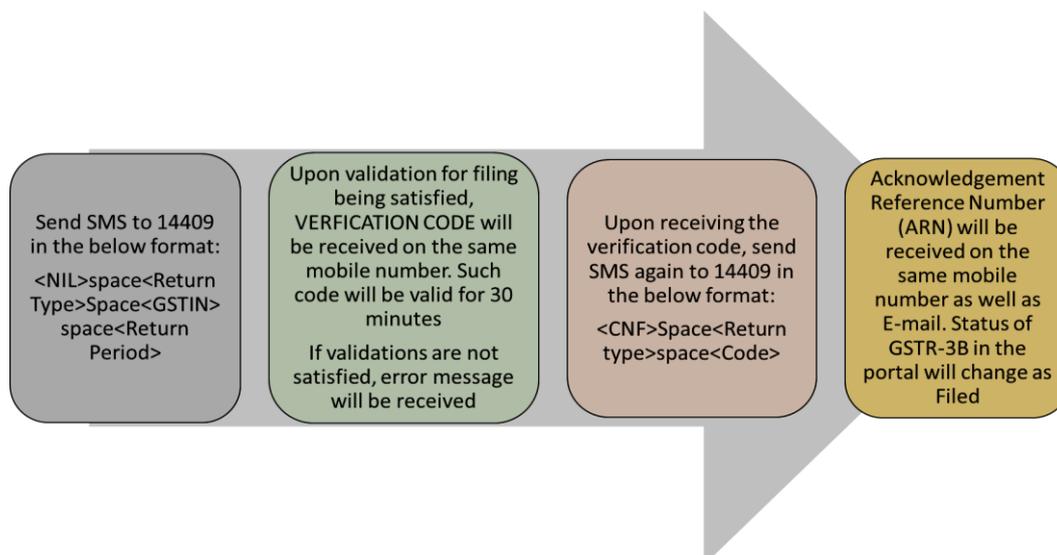
'Nil' return may be filed by a taxpayer for a particular tax period, where such taxpayer, does not have any of the following:

- Outward supply
- Reverse charge liability
- Input tax credit
- Liability for that particular or earlier tax periods

2.3 Pre-requisites to file Form GSTR-3B through SMS: Any taxpayer who wishes to file Nil Form GSTR-3B through SMS should fulfill all the following conditions:

- The taxpayer must be registered as a normal taxpayer/ casual taxpayer/ SEZ Unit / SEZ Developer and must have a valid GSTIN.
- Authorized signatory and his/ her phone number must be registered on the GST Portal.
- There is no pending liability of previous period by way of tax, interest or late fee while filing Nil Form GSTR-3B.
- All GSTR-3B returns of previous tax periods must be filed.
- There must not be any data in the saved stage, in the online version of Form GSTR-3B, on the GST Portal.

2.4. Steps to be followed to file GSTR-3B through SMS has been described by way of the following flowchart:



2.5.Points to remember while filing Form GSTR-3B through SMS

1. Only authorised representatives for a particular GSTIN, with unique mobile number, are allowed to file Nil return in Form GSTR-3B through SMS.
2. If there are more than one Authorized Signatories registered on the GST Portal with the same number, then following steps are to be followed:
 - (a) Non-core amendment process for updating unique mobile number for every authorised signatory for a particular GSTIN should be made.
 - (b) Upon the amendment being effective the authorised signatory will be able to file Nil GSTR-3B return through SMS from his registered mobile number.
3. In case, incorrect verification code is provided for more than three times during a day, the GSTIN and Mobile number combination for that particular day, will be blocked for filing through SMS. However, filing through GST Portal will continue to be available through online mode even during that 24 hours.
4. For a particular tax period, GSTR-3B can be filed only on or after 1st of the following month of the tax period. Otherwise, an error message will be received.
5. For a new taxpayer also, User ID has to be activated on the GST Portal, before attempting to file Nil return in Form GSTR-3B through SMS.
6. If a taxpayer has changed the authorized signatory, then reactivation of the User ID on GST Portal is required, before filing Nil Form GSTR-3B through SMS.

3. Through Online Portal

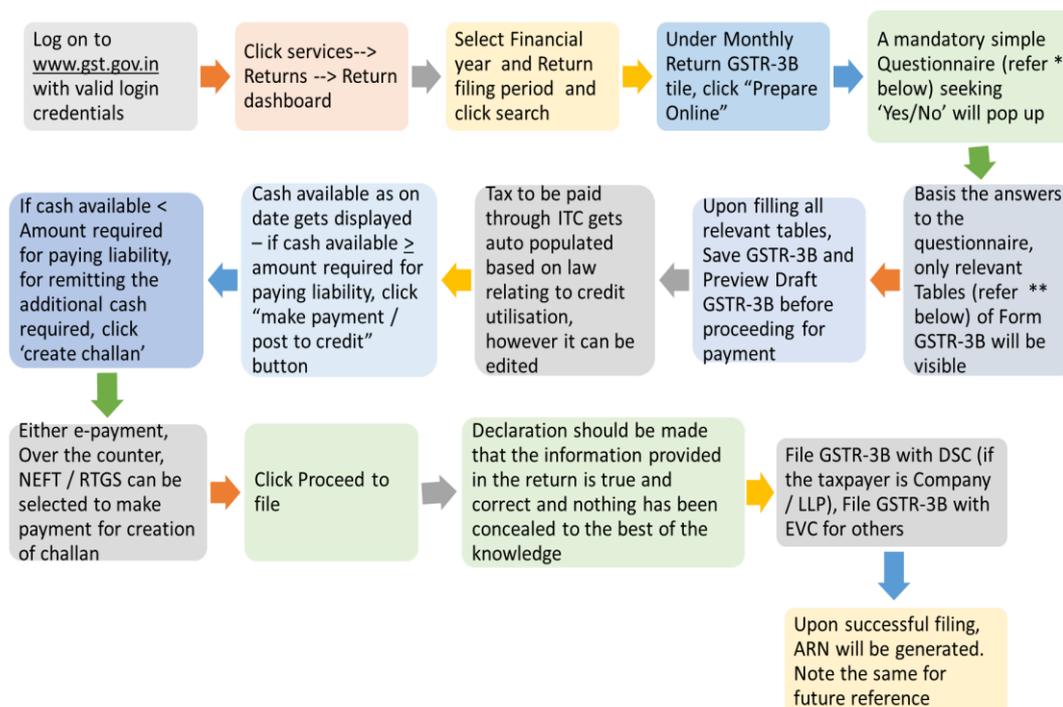
For filing Form GSTR-3B through an online portal, any of the following modes can be adopted:

1. Direct online entry in GST portal
2. Using free offline utility
3. Third party application software provided by GST Suvidha Providers (GSPs).

Direct online entry in GST portal

Following are the steps to be followed for direct online entry in GST portal.

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* Questionnaire

The taxpayer is prompted to answer all the following questions mandatorily:

S.No	Questions	Reply
A.	Do you want to file Nil return?	Yes / No
B.	Have you made any supply of goods/ services (including nil rated, exempt and non-GST supplies) or received any supplies liable to reverse charge during this tax period? (Table 3.1)	Yes / No
C.	Have you made any inter-State supplies to unregistered persons, composition taxable persons or UIN holders (Table 3.2)	Yes / No
D.	Do you have any claim / reversal of Input tax credit (ITC) on purchase of goods / receipt of services? (Table 4)	Yes / No
E.	Have you received any nil rated, exempt or non-GST supplies during this tax period? (Table 5)	Yes/No
F.	Do you have any interest or late fee liability (including carry forward late-fee) (Table 6.1)	Yes / No
G.	Do you have any tax liability due to GST TRAN-1 (system populated) (Table 6)	Yes/No

**** Tables in GSTR-3B**

Table Number	Heading	Description	Additional points for consideration
3.1	Tax on outward and reverse charge inward supplies	Summary details of outward supplies and inward supplies liable to reverse charge and tax liability thereon	Export invoices shall not be processed for transmission in ICEGATE if the correct IGST amount is not filled in this table. Processing of refunds will get impacted.
3.2	Inter-State supplies	To provide details of inter-State supplies to unregistered persons, composition taxable persons and UIN holders and tax thereon	IGST amount mentioned in this Table should not exceed the amount of IGST mentioned in Table 3.1
4	Eligible ITC	To provide summary details of: A. ITC available (including (1) imports of goods (2) import of services (3) inward supplies liable to reverse charge, (4) inward supplies from ISD, (5) all other ITC) B. ITC reversals (as per Rules 42, 43 and others) C. Net ITC available D. ineligible ITC	The registered person has to classify his credit, based on the documentary proof for such ITC: (a) Bill of Entry – Import of Goods (b) Self Invoice – Import of Services (c) Self Invoice (unregistered purchase) Tax Invoice (registered purchase) under RCM – Inward Supplies liable for reverse charge. (d) ISD Invoice – Inward Supplies from ISD. (e) Tax Invoices from registered person and place of supply is registered State – all other ITC. (This entry will also include ineligible ITC,

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			which has to be reversed under the sub-heading 'Reversal')
5	Exempt, Nil and non-GST inward supplies	To provide summary details of exempt, Nil and non-GST inward supplies	
6.1	Interest and late fee	To provide details of interest and late fee payable	<p>1. Late fee is auto-populated by the portal based on the number of days elapsed after the due date of filing.</p> <p>2. Interest needs to be computed and inputted by the taxpayer</p>
6.	Payment of tax	To provide details of payment of taxes, interest and late fee	<p>1. Set off amount available against electronic credit ledger (based on the utilisation of credit prescribed by the legislation) is auto-populated but it can be edited. The edited information will be available only for 2 days. After that, the system suggested utilisation will be reflected,</p> <p>2. Balance amount is reflected as against being set off against electronic cash ledger</p>
6.2	TDS / TCS Credit	TDS/TCS credit received from deductor/e-commerce operator would be auto-populated in the electronic cash ledger, once it is accepted by the deductee in case of TDS/ supplier in case of TCS.	

Important Points to remember

1. No invoice matching is available in GSTR-3B as it was proposed in GSTR-3. Hence appropriate control checks need to be developed by the taxpayer to ensure that the invoice level breakup is available for all the numbers declared.
2. The return period prior to the effective date of registration cannot be selected for filing Form GSTR-3B.
3. Clicking 'Save Form GSTR-3B' is a pre-requisite before clicking 'Proceed for payment'. In case of failure, either of the following issues can occur:
 - (a) The values will automatically be changed as 'zero' and the status of the Form will be shown as 'submitted'.
 - (b) An error message will be displayed stating that 'the information found in form seems old and invalid'.
4. Table 3.2 is available as the last table in the GST portal.
5. There is no option to 'Reset Form GSTR-3B' – if need be, individual values have to be deleted and modified.
6. Care needs to be taken to ensure that ineligible credits under Section 17(5) of the Act should be considered while reporting the gross value in Table 4A and reversed under other reversals in Table 4B(2) of GSTR-3B. Common mistakes of entering values without including ineligible ITC in Table 4A and 4B are noticed.
7. Other ITC reversals mentioned in Table 4B(2) should include only current month's ITC reversals like non-payment for the amount of supply along with tax liability within 180 days by the recipient to the supplier. If there is an ineligible credit availed during the previous month, and if the same has been detected on self-assessment in the subsequent month, the said amount should be added in Table 3.1 (a), and not in Table 4B(2) of subsequent month's GSTR-3B.
8. Though Rule 43 of the Rules provides that the tax paid on capital goods used for exempt supplies shall be added to output tax liability, the machinery provisions are such that it is shown as a reversal under Table 4B(1) of GSTR-3B.

Free offline utility

GSTR-3B Excel utility has been designed by the GST Network to help taxpayer to prepare his GSTR-3B offline.

It is available for download in gst.gov.in under the following path:

Downloads --> offline tool --> GSTR-3B offline utility

The same fields as available in the GST portal are available in the Excel based offline utility as well. The 'Reset' option which was not present in the online utility, is available in offline utility by way of 'clear all' button.

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Special features of offline Excel based utility are stated below. Other steps are the same as applicable to direct online entry:

1. Entering valid GSTIN is required, whereas the 'legal name of registered person' is optional. It will not lead to validation failure.
2. Late fee is auto-computed even in the offline utility, depending on the number of days of delay, whereas interest needs to be manually entered.
3. Once all details are entered, click the 'Validate' button to validate the GSTR-3B worksheet. If validation is complete, the sheet status shows as Validation successful, otherwise it shows 'validation failed'.
4. In case of validation failure, check for cells that have failed validation and correct errors as per help text. To view the comments for fields with errors, you can click the Review tab > Show All Comments link.
5. Once all errors are rectified, click the Validate button to validate the GSTR-3B worksheet. If it is successfully validated, one can proceed to generate a JSON file, which is used for upload to the GST portal. The JSON file is created on the desktop under the 'GSTR' folder.
6. It is possible to upload JSON multiple times on GST portal till submission. However, earlier uploaded data would be overwritten by the latest file. Tables and Preview would reflect only the last data uploaded.

7.3. GSTR-4 : Return for financial year of registered person who has opted to pay under Section 10 of CGST Act, 2017

Relevant Section and Rules: Sections 10 and 39 of the Act and Rule 62 of the Rules.

Applicability: Every person who has opted for composition scheme under Section 10 of the Act are required to furnish GSTR-4. It is mandatory to file GSTR-4 in case one has opted for composition scheme, even if there is no business activity.

Following persons are covered under Section 10 of the Act:

1. **Section 10(1) of the Act:** Every registered person whose Aggregate turnover during the preceding financial year does not exceed Rs 1.5 Crores (Rs 75 Lakhs in case of States like Arunachal Pradesh, Mizoram, Manipur, Meghalaya, Nagaland, Sikkim, Tripura, Uttarakhand) may opt to pay subsidised tax under Section 10(1) of the Act. Such persons may be either:
 - (a) Manufacturers or
 - (b) Restaurant Service providers (as covered under Para 6(b) of Schedule II of the Act).
 - (c) Other suppliers of goods

Persons who opt to pay tax under (a), or (b) or (c) as specified above, may supply services (other than restaurant service) but such value should not exceed, higher of the following:

- (a) 10% of turnover in a State or Union Territory in the preceding Financial year
- (b) Rs 5 Lakhs

2. Section 10(2A) of the Act: Every registered person whose aggregate turnover during the preceding financial year does not exceed Rs 50 Lakhs may opt to pay tax under Section 10(2A) of the Act. There is a condition that those taxpayers covered under this sub-section should not be covered under Section 10(1) of the Act.

There are some additional restrictions placed on persons opting for composition scheme under Section 10 of the Act. It is advisable to refer in detail to the relevant provisions to check on the eligibility to adopt the composition scheme.

Due date: The due date for furnishing Form GSTR-4 till FY 2018-19 is 18th of the month following the quarter for which the return is filed.

From FY 2019-20, the quarterly requirement has been changed to annual. The due date is 30th April following the end of the financial year. However, for FY 2019-20, the due date has been deferred to 15th July 2020.

Procedure for filing: The mode of filing GSTR-4 can be any of the following:

- 1. Direct online entry
- 2. Free Excel based offline utility
- 3. Third party application software provided by GST Suvidha providers

The GST portal does not have the Annual GSTR-4 updated yet.

However, following are the expected Tables in GSTR-4 as per the form made available in the Central Goods and Services Tax (Fourth Amendment) Rules, 2017 through Central tax Notification No. 31/2019 dated 28th June 2019:

- (1) GSTIN
 - (2) A. Legal name of the registered person
B. Trade name, if any
 - (3) A. Aggregate turnover in the preceding financial year
B. ARN
C. Date of ARN
auto-generated after filing
- Auto-populated once logged into GST portal with valid login credentials

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Table Reference	Description	Remarks, if any
4A.	Inward supplies received from a registered supplier (other than supplies attracting reverse charge)	<ol style="list-style-type: none"> 1. Consolidated information relating to inward supplies, rate wise, GSTIN wise is to be furnished. 2. Tax is auto-computed if the place of supply, taxable value and rate applicable are entered. <p>(Form GSTR-4A available in a 'view only' form can be used as a reference to input the values in this Table)</p> <p><i>Note: As on date, since the system is not autopopulating the details of inward supplies, this entry has been made optional.</i></p>
4B.	Inward supplies received from a registered supplier (attracting reverse charge)	<ol style="list-style-type: none"> 1. Consolidated information relating to inward supplies attracting reverse charge, rate wise, GSTIN wise is to be furnished. 2. Tax is auto-computed if the place of supply, taxable value and rate applicable are entered. 3. Tax is to be discharged in case of inward supplies attracting reverse charge even in case of composition taxpayers.
4C.	Inward supplies received from an unregistered supplier	<ol style="list-style-type: none"> 1. Consolidated information rate wise is to be furnished. 2. Since supplies are received from unregistered suppliers, GSTIN is not a mandatory field in this Table. 3. Tax is auto-computed if the place of supply, taxable value and rate applicable are entered. <p><i>Note: There is no option of categorising the supplies as applicable to reverse charge or not. Since the tax is auto-computed under this category, it is suggested to input only those inward supplies received from unregistered suppliers covered under reverse charge.</i></p>

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4D.	Import of service	<ol style="list-style-type: none"> 1. Consolidated information rate wise is to be furnished. 2. Since supplies are received from unregistered suppliers, GSTIN is not a mandatory field in this Table. 3. Tax is auto-computed if the place of supply, taxable value and rate applicable are entered.
5	Summary of self-assessed liability as per Form GST CMP-08	<p>Taxable value, tax paid details and interest thereon of the following as filed in quarterly filing of Form CMP-08 gets auto populated in this Table:</p> <ol style="list-style-type: none"> 1. outward supplies (including exempt supplies), 2. inward supplies attracting reverse charge, 3. inward supplies arising out of import of service <p>Note:</p> <ul style="list-style-type: none"> - outward supplies carried over from CMP-08 includes even exempt supplies. - inward supplies attracting reverse charge and import of service is a combined number in CMP-08. Hence, when the figures are auto-populated in GSTR-4 from CMP-08, breakdown would not be available. Hence, upon introduction of GSTR-4, such breakdown would be done away with or manual entry would be required.
6.	Details of outward supplies and inward supplies attracting reverse charge during the year	<p>Rate wise details of outward supplies and inward supplies attracting reverse charge is manually entered.</p> <p>Tax liability thereon is auto computed by the Portal using (Rate x Taxable value) logic.</p>
7	TDS / TCS credit received	<p>If there has been a tax deduction made under Section 51 of the Act / if the e-commerce operator has made a tax collection at source under Section 52 of the Act – the credit of the same gets auto populated in this Table.</p>

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8	Tax, interest, late fee payable and paid	Balance amount of tax payable (major head wise) is computed by comparing the following auto-populated values: <ol style="list-style-type: none">1. Amount of tax payable (as per Table 6)2. Actual amount paid through Form CMP-08 (as per Table 5) Along with the tax payable, if there are Interest and late fee payable – the same also gets reflected
9	Refund claimed from electronic cash ledger	If there are any refunds due to the taxpayer, which may be tax / interest /penalty /fee, etc. – the same needs to be reflected under this Table. Additionally, the bank account details for crediting the refund due should be mentioned under this Table.

7.4. GST CMP-08 : Statement for payment of self-assessed tax by taxpayers covered under Section 10 of CGST Act, 2017

GST CMP-08 is an abridged form for payment of self-assessed tax liabilities of a quarter by a composition tax payer.

Relevant Section and Rules: Sections 10 and 39 of the Act and Rule 62 of the Rules.

Applicability: Every person who has opted for composition scheme under Section 10 of the Act is required to furnish GST CMP-08. Even if there is no business activity, every person registered under composition scheme is required to file this form for the quarter. Once filed, Form GST CMP-08 cannot be revised. However if there are is no business activity, applicability of filing NIL Form CMP-08 through Short Messaging Service (SMS) can be verified.

NIL CMP-08:

Through Short Messaging Service (SMS): All returns under goods and services tax are to be filed by logging on to gst.gov.in. However, newly introduced Rule 67A of the Rules, effective from 1st July 2020, states that if the registered person wants to file a NIL return, it will be considered as being submitted, provided a Short Messaging Service (SMS) is sent from the registered mobile number and further validating the transaction through a One-time password.

When can Nil return be filed?

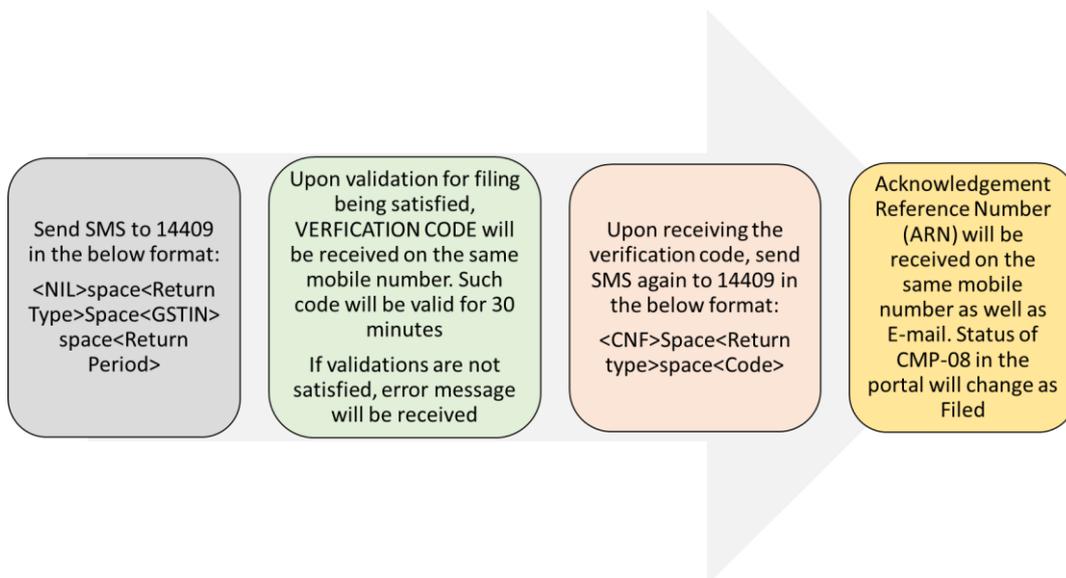
'Nil' return may be filed by a taxpayer for a particular tax period, where such taxpayer, does not have any of the following:

- (i) Outward supply
- (ii) Supplies on which reverse charge liability is applicable
- (iii) Amendments to supplies declared in earlier returns
- (iv) Credit notes / debit notes
- (v) Amendment of credit notes / debit notes declared in earlier returns
- (vi) Advances received for services
- (vii) Adjustment of advances received for services

Pre-requisites to file Form CMP-08 through SMS: Any taxpayer who wishes to file Nil Form CMP-08 through SMS should fulfill all the following conditions:

- The taxpayer must be registered as a composition taxpayer and must have a valid GSTIN.
- Authorized signatory and his/ her phone number must be registered on the GST Portal.
- There must not be any data in the saved stage, in the online version of Form CMP08, on the GST Portal.

Steps to be followed to file CMP-08 through SMS has been described by way of the below chart:



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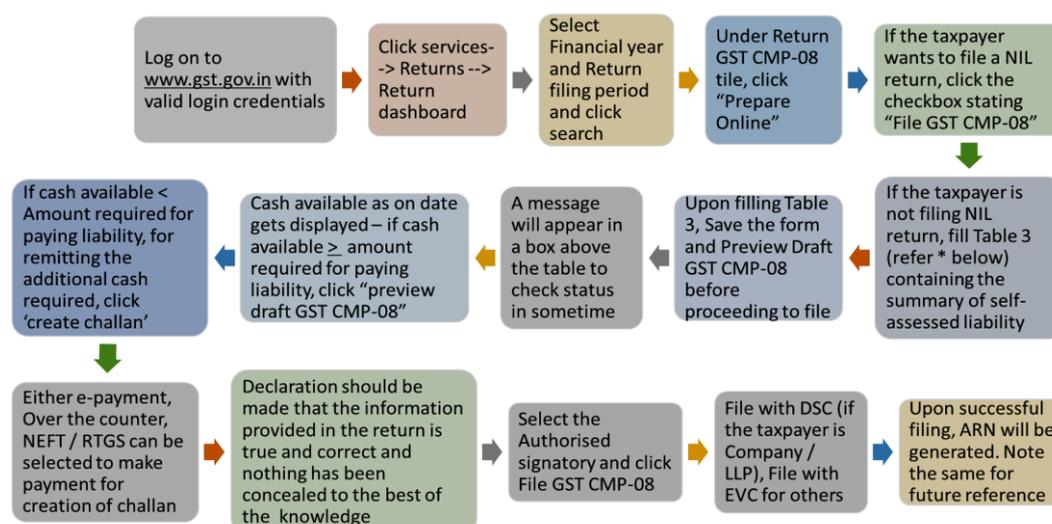
Points to remember while filing Form CMP-08 through SMS:

1. Only authorised representatives for a particular GSTIN, with unique mobile number, are allowed to file Nil return in Form CMP-08 through SMS.
2. If there are more than one Authorized Signatories registered on the GST Portal with the same number, then following steps are to be followed:
 - a. Non-core amendment process for updating unique mobile number for every authorised signatory for a particular GSTIN should be made.
 - b. Upon the amendment being effective the authorised signatory will be able to file Nil CMP-08 return through SMS from his registered mobile number.
3. In case, incorrect Verification Code is provided for more than three times during a day, the GSTIN and Mobile number combination for that particular day, will be blocked for filing through SMS. However, filing through GST Portal will continue to be available through online mode even during that 24 hours.
4. For a particular tax period, CMP-08 can be filed only on or after 1st of the following month of the tax period. Otherwise, an error message will be received.
5. For a new taxpayer also, User ID has to be activated on the GST Portal, before attempting to file Nil Form CMP-08 through SMS.
6. If a taxpayer has changed the authorized signatory, then reactivation of the User ID on GST Portal is required, before filing Nil Form CMP-08 through SMS.

Due date: The due date for furnishing Form GST CMP-08 is 18th of the month following the quarter for which the return is filed and the said form is effective from FY 2019-20. The first quarter for which the form would be applicable is April 2019 to June 2019.

No late fee is payable in case CMP-08 is not filed within the due date.

Procedure for filing Form GST CMP-08



Special points for consideration: Following are some of the special points for consideration:

1. Form GST CMP-08 should have been filed for all previous quarter(s), to be able to file the form for the applicable quarter.
2. There is no offline tool for preparing the Form. It can be prepared only online.
3. Liabilities if any in Form GST CMP-08 can be paid only in cash and not through Input tax credit, since composition tax payer cannot claim Input tax credit.

* Table 3 of GST CMP-08 contains a summary of self assessed liability along with the value of the outward supplies and inward supplies. Such outward and inward supplies are reflected, net of advances, credit and debit notes, and other adjustments due to amendments.

Value of outward supplies entered in this Table should include even the exempt supplies.

7.5. GSTR-5 : Return for Non-Resident Taxable Person

Relevant Sections: Sections 27 and 39 of the Act, Rule 63 of the Rules

Applicability: Non-resident taxable persons (NRTP) is defined under Section 2(77) of the Act. A person would be regarded as a non-resident taxable person if he undertakes the supply of goods or services or both:

1. Occasionally and not on a regular basis;
2. Either as principal or agent or in any other capacity;
3. In the taxable territory (i.e. India), he has no fixed place of business or residence.

Only those persons who undertake transactions occasionally are covered; however the law does not define the term 'occasionally'. Due to the applicability of a higher rate of withholding under Income-tax Act on remittances made from India, non-residents who have no active business presence in India are also found to have secured PAN numbers and for this purpose, have designated representative with an address being either admitted premises of operations or simply for correspondence. Care must be taken to determine whether such designated representative and address would be 'fixed place of business'.

Section 27 of the Act requires such persons to apply for registration at least 5 days prior to commencement of business. The registration for such persons is not valid in perpetuity, but only for a period of 90 days or the period specified in the application for registration, whichever is earlier. Also given their transient nature, they are mandated to pay estimated advance tax liability at the time of taking registration. The registration can be extended, with an application and an additional advance tax, for a maximum period of succeeding 90 days.

The input tax credit shall not be available in respect of goods or services or both received by a non-resident taxable person except on goods imported by him. On the other hand, the taxes paid by a non-resident taxable person shall be available as credit to the respective recipients to whom tax invoice is issued.

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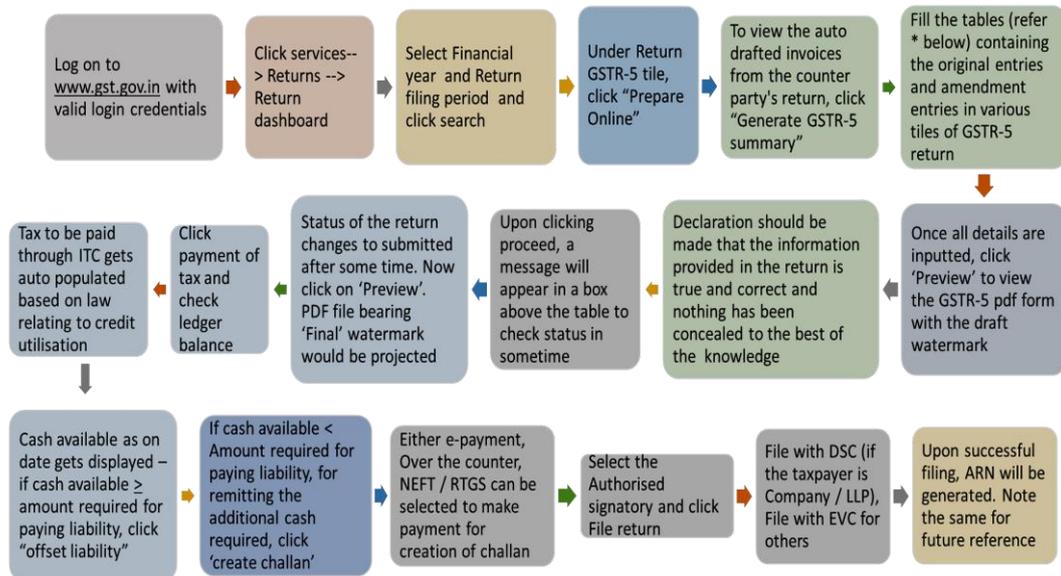
Non-resident taxable persons are liable to pay tax on Reverse Charge for transactions specified under Section 9(3) and 9(4) of the Act. It is a double whammy that tax needs to be discharged, but the resultant credit is not available either to the supplier or the recipient. The reason being the supplier is usually unregistered in such case and the recipient being the Non-resident person is not eligible for any input tax credit for any transaction except imports.

Due date: The due date for furnishing Form GSTR-5 shall be the earlier of:

20th of the following month, or

7 days after the last day of the validity period of registration

Procedure for filing: There is no offline tool for Form GSTR-5. The only option is to prepare it online.



* Various tables of GSTR-5 are as follows:

Table reference	Description	Remarks
3	Inputs/capital goods received from overseas (Import of goods)	Details of inputs and capital goods received from overseas is to be furnished. Upon entering the Port code, Bill of entry number, date and value, taxable value against the applicable rate – tax values are auto-populated. Select 'Eligibility for ITC' from the dropdown, Amount of ITC available gets auto-populated.

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4	Amendment of details furnished in any earlier return	This Table is provided to add details of amendments to the import of goods. Upon entering the originally provided port code and bill of entry number along with financial year, an amendment to that bill of entry will be facilitated. Differential ITC (positive/negative) will get computed based on the amendment.
5	Taxable outward supplies made to registered persons (including UIN holders)	Details of taxable outward supplies made to <i>registered persons, including UIN holders</i> are to be furnished. Receiver's name and GSTIN /UIN, Invoice number, date and value, place of supply, supply type are to provided. Upon inputting the taxable value against the respective rates – tax values get auto-populated.
6	Taxable outward inter-state supplies made to unregistered persons whose invoice value is more than Rs 2.5 Lakhs	Details of Inter-State outward supplies where invoice value is more than Rs 2.5 Lakhs – invoice level detailing is to be furnished.
7A, 7B	Taxable supplies (net of debit notes and credit notes) to unregistered persons – other than the supplies mentioned in Table 6 above	For the following outward supplies State wise, rate wise details are to be furnished: (i) Inter-State outward supplies where invoice value is not more than Rs 2.5 Lakhs (ii) Intra-State outward supplies
8A	Amendments to taxable outward supply details furnished in returns for earlier tax periods in Table 5 and 6 – if the invoice details furnished earlier were incorrect	(i) Details of amendments to outward supplies to registered persons (including UIN holders) are to be furnished. Upon referencing the financial year and original invoice number amendment of the invoice is facilitated (ii) Details of amendments to inter-State outward supplies to unregistered persons, whose invoice value is more than Rs 2.5 Lakhs are to be furnished. Upon referencing the financial year and original invoice number – amendment of invoice is facilitated

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8B	Amendments to taxable outward supply details furnished in returns for earlier tax periods in Table 5 and 6 – Debit notes / credit notes (original)	<p>(i) Details of credit / debit notes issued during the tax period to registered persons. This field will contain the receiver's GSTIN/UIN, original invoice details, debit note / credit note details</p> <p>(ii) Details of credit / debit notes issued during the tax period to unregistered persons and such note pertain to inter-State supply with invoice value more than Rs 2.5 Lakhs. This field will contain the original invoice details, debit note / credit note details.</p>
8C	Amendments to taxable outward supply details furnished in returns for earlier tax periods in Table 5 and 6 – Debit notes / credit notes (amendment of debit notes/ credit notes furnished in the earlier tax periods)	<p>(i) Details of amendments to credit / debit notes issued to Registered persons in the earlier tax period. Referring to the financial year and original debit note / credit note number, this field will facilitate the amendment of the debit note/ credit note.</p> <p>(ii) Details of amendments to credit / debit notes issued to unregistered persons (in case of inter-state supplies where the original value is more than Rs 2.5 Lakhs) in the earlier tax period. Referring to the financial year and original debit note / credit note number, this field will facilitate the amendment of the debit note/ credit note</p>
9	Amendments to taxable outward supply to unregistered persons furnished in returns for earlier tax periods in Table 7	<p>Details of amendments pertaining to following outward supplies made to unregistered persons are to be furnished:</p> <p>(i) Inter-State supplies, where invoice value is not exceeding Rs 2.5 Lakhs</p> <p>(ii) Intra-State supplies</p> <p>Upon referencing the financial year, month, place of supply and applicable rate – amendment is facilitated.</p>
10	Total tax liability (including reverse charge liability, if any)	<p>Tax liability arising on account of the following needs to be furnished:</p> <p>A. outward supply</p> <p>B. differential ITC being negative in Table 4</p> <p>C. inward supplies liable to reverse charge</p>

Special points for consideration

1. Upon clicking the 'Submit' button, all the invoices uploaded in Form GSTR-5 for the tax period will be frozen. No further upload is possible for that month.
2. A refund from Electronic Cash Ledger can be claimed in the last return only. And such last return will be decided after considering the extended period of registration.
3. A refund from Electronic Cash Ledger is allowed only if the Electronic Liability Register has zero liability across all major and minor heads.
4. The non-resident taxable person has to file his returns with diligence; since in the event of further liability, the same has to be paid with interest and penalty during the assessment of the return. In practice, it has been observed that the option for voluntary payment through DRC 03 is made available in the portal.

7.6. GSTR-5A: Details of Supplies of Online Information and Database Access or retrieval services by a person located outside India to non-taxable online recipient in India

Relevant Sections: Section 14 of IGST Act, 2017; Section 39(5) of the Act and Rule 64 of the Rules.

Applicability: The supplier of Online Information and Database Access or Retrieval (OIDAR) services would be liable to pay integrated tax and file returns in GSTR-5A, every month if all the following conditions are satisfied.

Such OIDAR services should be:

1. Supplied by a person in non-taxable territory;
2. To an unregistered person (it may be Government / local authority / governmental authority / Individual / any other person);
3. Provided in relation to any purpose other than commerce, industry or any other business or profession, located in the taxable territory.

Such services are almost impossible to perform in the absence of information technology. Such services are generally delivered through the IT network. It is generally automated and minimum physical intervention is involved. To be more relatable, examples of OIDAR service providers are as follows.

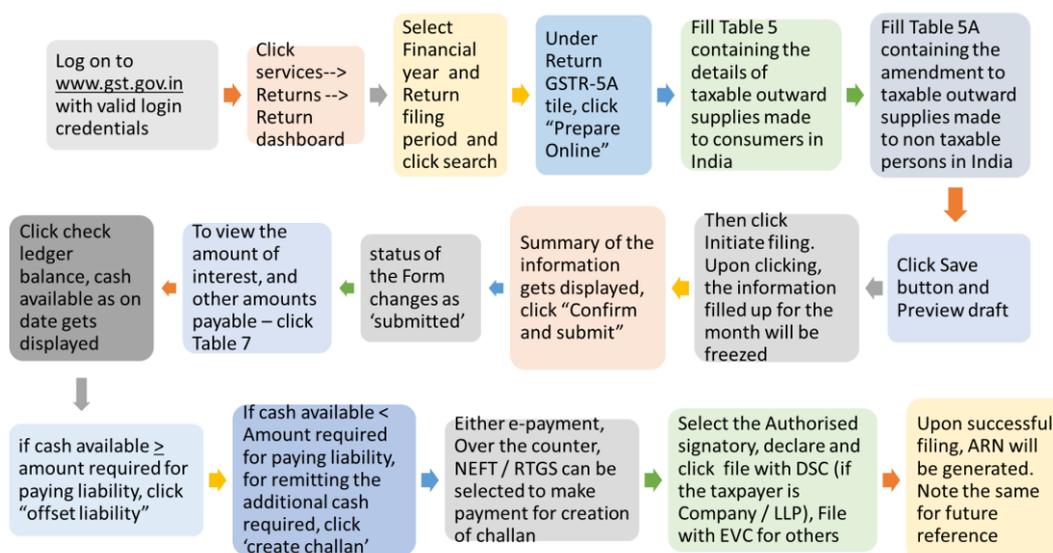
<i>Description of OIDAR Services</i>	<i>Examples</i>
Advertising on the internet	Facebook
Providing cloud services	GoDaddy
Providing e-books	Kindle

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Providing e-music	Saavn
Providing e-movie	Amazon Prime, Netflix
Providing data or information, retrievable or otherwise, to any person in electronic form through a computer network;	Taxmann; taxindiaonline
Online supplies of digital content	Automated distance learning (udemy, unacademy)
Digital data storage	Google drive, onedrive, dropbox
Online gaming	Zubat, playstore games with payments

Due date: As per Section 39(5) of the Act read with Rule 64 of the Rules, such OIDAR service providers shall file return in GSTR-5A on or before the 20th of the following month.

Procedure for filing



Special points for consideration:

- GSTR-5A needs to be filed even if there is no transaction (Nil Return) during the tax period.
- Disclosure of Interest/ Penalty will have to be made State wise in accordance with the Place of supply.
- Liabilities, if any, in Form GSTR-5A can be paid only in cash and not through Input tax credit. It would be interesting to note that such a restriction of not being able to claim input tax credit by a OIDAR service provider has been imposed by the Form, but is not existing in the Act.

7.7. GSTR-6 : Return for Input Service Distributor

Relevant Sections: Sections 20 and 39 of the Act; Rule 65 of the Rules.

Applicability: All those persons who are registered as Input service distributors (ISD) are required to file return in GSTR-6.

As per sub-section (61) of section 2 of the Act, ISD is an office of the supplier of goods or services or both where:

- (i) a document (like invoice) of services attributable to other locations/registration having the same PAN are received; and
- (ii) the corresponding credit should be transferred to such locations/registration having the same PAN, since the services relate to other locations.

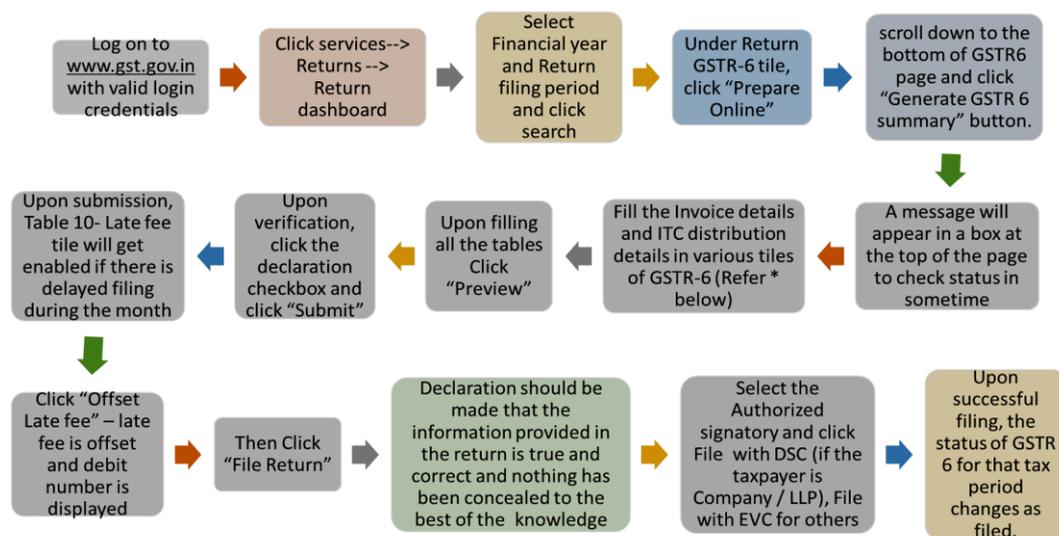
One cannot use ISD registration if there is a liability to pay tax. It can only receive input tax credits on invoices related to input services and distribute such credits in the manner specified in Section 20 of the Act and Rule 65 of the Rules.

Due date: ISD will have to furnish the details of tax invoices on which credit has been received and tax invoices on which credit has been issued in Form GSTR-6 by 13th of the following month.

GSTR-6 once filed cannot be revised. A 'Nil' return must be filed in case of no ITC being available for distribution or no ITC is being distributed during the month.

Procedure for filing: Form GSTR-6 can be either prepared online or can be prepared offline using excel based utility, which is available for download in gst.gov.in under the following path:

Downloads --> offline tool --> Return offline tool



* Various Tables in GSTR-6:

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Invoice details

Table Reference	Description	Remarks
3	Input tax credit received for distribution	Input tax credit for distribution shall be available only against such inward supplies wherein the place of supply is the same as the State where the ISD is registered. Both inter-State as well as intra-State inward supplies are part of this Table and are to be entered with invoice level details.
6A	Amendment to information furnished in earlier returns in Table 3, if such information was incorrect.	Upon giving the original invoice details, amendment of information furnished in earlier returns will be facilitated.
6B	Debit notes/ credit notes are received pertaining to invoices furnished in Table 3 of the earlier returns.	The original invoices details along with the details of the debit note / credit note issued during the month are to be furnished in this Table.
6C	Amendment required to debit notes/ credit notes issued during the earlier periods which was part of Table 3 of the earlier returns.	Furnish the original debit note / credit note details and click "Amend Document" to input the revised details.

ITC distribution

4	Total ITC available for distribution for the tax period	Click 'Calculate ITC' button – based on the numbers entered in Tables 3, 6A and 6C, the values in Table 4 gets auto-populated.
5,8	Distribution of ITC received in Table 4 and 6B	Upon selection of eligibility of ITC, select the Unit type to whom the ITC distribution is being made: <i>In case of distribution of ITC is made using:</i> <i>1. ISD invoice:</i> Enter GSTIN of recipient (if distributed to registered recipient), ISD invoice number,

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		<p>invoice date and amount of IGST/CGST and SGST/UTGST being distributed.</p> <p>2. ISD credit note: Enter GSTIN of the recipient (if distributed to registered recipient), ISD credit note number, ISD Credit note date, original ISD invoice number, amount of IGST/CGST and SGST/UTGST being distributed.</p>
9	Redistribution of ITC distributed in earlier returns	<p>If ITC was earlier distributed to a wrong recipient and taxpayer wants to redistribute the ITC – redistribution can be done in this Table.</p> <p>Enter the original ISD invoice number/credit note that needs amendment – enter the revised distribution amount.</p>

Special points for consideration

1. GSTR-6 needs to be filed even if the counterparties have not filed their respective GSTR-1 or GSTR-5.
2. It is pertinent to note both eligible and ineligible ITC needs to be distributed to the recipients.
3. GSTR-6A will get auto-populated based on the details uploaded by the counterparty supplier in Form GSTR-1. Such form though available just for viewing, can be used as a comparison for inputting the invoice details of Form GSTR-6.

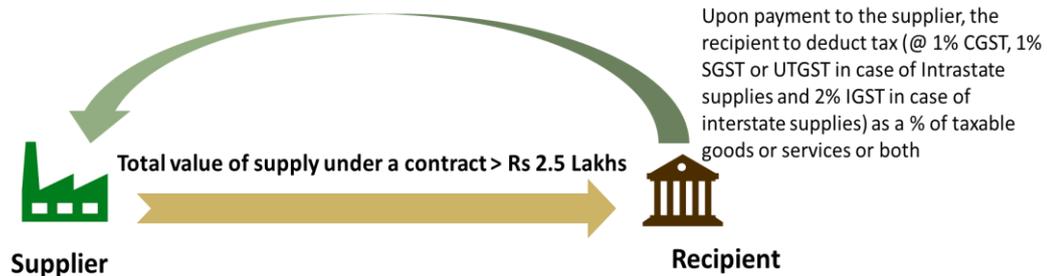
Rule 36(4) restriction allowing not more than 20% of the eligible credit of what is being reflected by the Supplier in his GSTR-1, will be applicable even to ISD as a recipient.

7.8. GSTR-7 : Return for Tax Deducted at Source

Relevant Sections: Sections 39 and 51 of the Act and Rule 66 of the Rules.

Applicability: GSTR-7 is required to be filed by all persons who are liable to deduct tax under Section 51 of the Act.

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Exception:

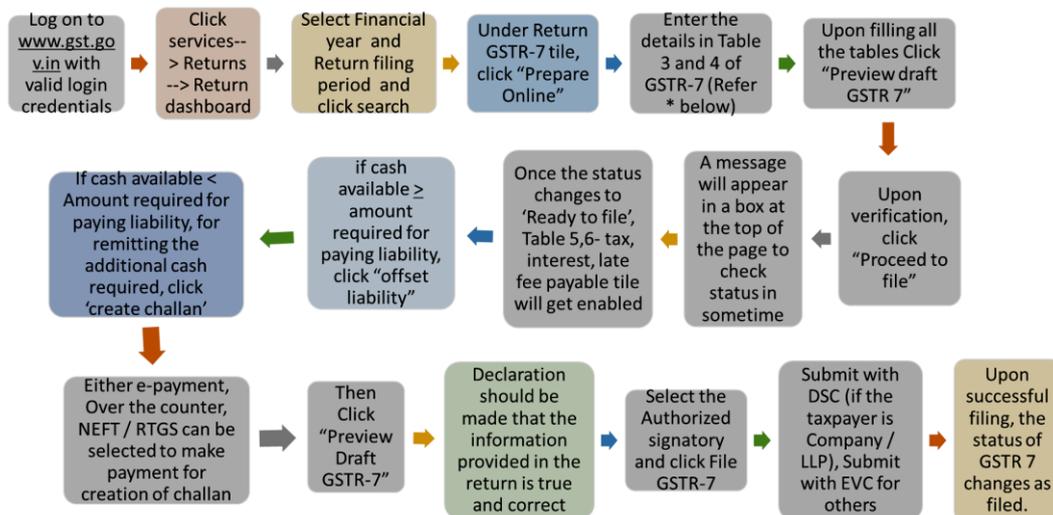
No TDS is applicable if:
Location of supplier and Place of Supply is in a State or Union Territory which is different from the State or Union territory of registration of the recipient

1. Department or establishment of Central Govt./ State Govt.
2. Local Authority
3. Government Agencies
4. Such persons / category of persons notified:
 - a. Authority / board/any other body
 - i. set up by an act or parliament or a State legislature, or
 - ii. Established by any Government
 - iii. with 51% or more participation by way of equity or control, to carry out any function
 - b. society established by the Central Government or the State Government or a Local Authority under the Societies Registration Act, 1860
 - c. Public Sector Undertakings

Due date: Every person who is liable to deduct tax under Section 51 of the Act is required to furnish return in Form GSTR-7 on or before 10th of the following month.

It is not mandatory to file NIL return, if no tax is deducted during a particular tax period.

Procedure for filing



*** Tables 3 and 4 of GSTR-7**

Table Reference	Description	Remarks
3	Details of tax deducted at source	GSTIN of the deductee, amount paid to the deductee on which tax has been deducted and TDS thereon would be furnished in this Table. Based on the State code in GSTIN, nature of supply would be determined, and columns of IGST or SGST/UTGST and CGST would appear.
4	Amendments to TDS details in respect of any earlier tax period	<ul style="list-style-type: none"> - Details of TDS in respect of any earlier tax period can be amended (in “uploaded by deductor” tab), - TDS details rejected by deductee can be modified (in “rejected by deductee” tab).

Special points for consideration

1. Against every deductee’s GSTIN, consolidated entry needs to be entered. No invoice level detailing is required.
2. TDS liability should be discharged through Electronic Cash Ledger only at the time of filing return.
3. The deductee can accept/ reject the TDS details auto-populated to TDS credit received table of his/her return. Taking action by deductee is mandatory for crediting the amount of TDS to cash ledger.
Hence it is important to note that the deductor will not be able to make amendments if the deductee has already accepted the original entry of the deductor.
4. If the deductee rejects the TDS credit entries, the relevant details will be required to be amended by the deductor in Form GSTR-7 of next tax period. Post correction of such details in Form GSTR-7, the data will automatically flow to concerned GSTIN (supplier) for accepting or rejecting it. This process will be repeated until TDS details are accepted by counter-party.
5. Refund from electronic cash ledger can be claimed by the supplier only when all the TDS liability for that tax period have been discharged.

7.9. GSTR-8 : Statement for Tax Collection at Source

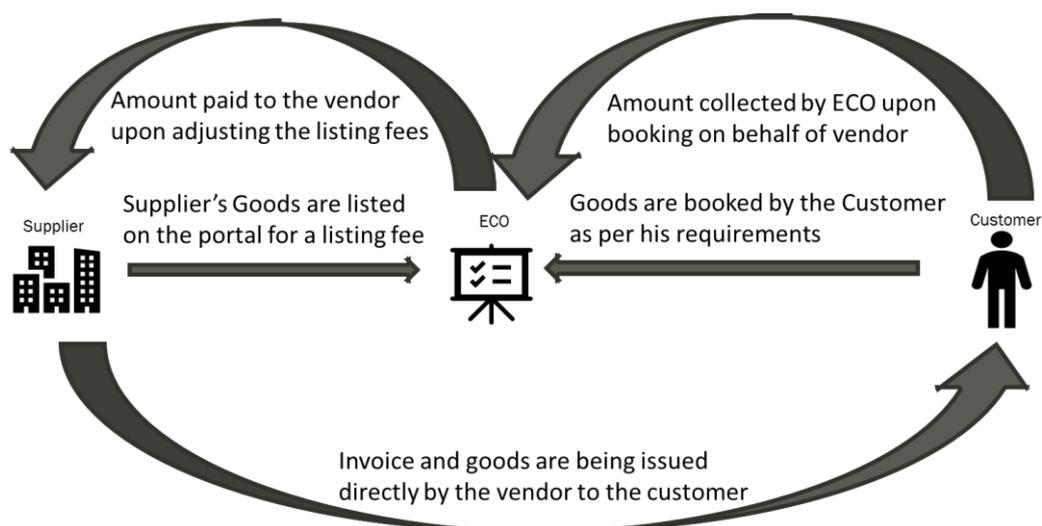
Relevant Sections : Section 52 of the Act and Rule 67 of the Rules

Applicability : As per Section 52 of the Act, every electronic commerce operator, is liable to collect tax at source tax (@ 1% CGST, 1% SGST or UTGST in case of Intra-State supplies

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and 2% IGST in case of inter-State supplies) as a percentage of net value of taxable goods or services or both, when all the following conditions are satisfied.

1. There is a supplier who is supplying through e-commerce operator
2. Electronic commerce operator is not acting as an agent of the supplier
3. Consideration in respect of such supplies are received by the e-commerce operator from the final customer.



Net taxable supplies on which TCS is required to be computed is the difference between (1) and (2):

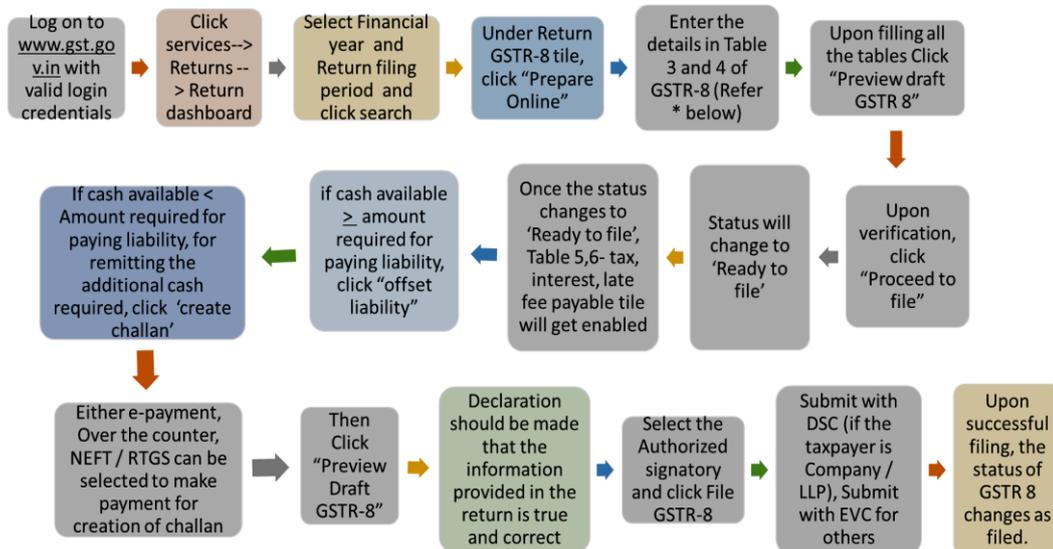
- (1) Aggregate value of taxable supplies of goods / services/ both other than those services notified u/s 9(5) made during the month.
- (2) Aggregate value of taxable supplies returned to suppliers during the month. Billing basis and not collection basis.

All such e-commerce operators who are liable to collect tax at source are required to file GSTR-8.

Due date: Every e-commerce operator who is liable to collect tax under Section 52 of the Act is required to furnish return in Form GSTR-8 on or before 10th of the following month.

It is not mandatory to file NIL return, if no tax is collected at source during a particular tax period.

Procedure for filing



*Tables 3 and 4 of GSTR 8

Table Reference	Description	Remarks
3	Details of supplies attracting TCS	Supplier wise following details needs to be disclosed: <ol style="list-style-type: none"> 1. GSTIN of the supplier 2. Gross value of supplies made (with a breakdown of supplies made to registered persons and unregistered persons separately) 3. Value of supplies returned (with a breakdown of supplies made to registered persons and unregistered persons separately) 4. Amount of tax collected at source
4	Amendments to details of supplies attracting TCS	<ul style="list-style-type: none"> - Details of TCS in respect of any earlier tax period can be amended (in "Uploaded by e-commerce operator" tab), - TCS details rejected by supplier can be modified (in "Rejected by Supplier" tab).

Special points for consideration

1. Against every supplier's GSTIN, consolidated entry needs to be made. No invoice level detailing is required.
2. TCS liability should be discharged through Electronic Cash Ledger only at the time of filing return.
3. The supplier can accept/ reject the TCS details auto-populated to TCS credit received table of his/her return. Taking action by supplier is mandatory for crediting the amount of TCS to his cash ledger.

Hence it is important to note that the e-commerce operator will not be able to make amendments if the supplier has already accepted the original entry of the e-commerce operator.

4. If the supplier rejects the TCS credit entries, the relevant details will be required to be amended by the e-commerce operator in Form GSTR-8 of the next tax period. Post correction of such details in Form GSTR-8, the data will automatically flow to concerned GSTIN (e-commerce operator) for accepting or rejecting it. This process will be repeated until TCS details are accepted by counter-party.
5. Refund from electronic cash ledger can be claimed by the e-commerce operator only when the entire TCS liability for that tax period has been discharged.

7.10.GSTR-9 : Annual Return

Relevant Sections: Section 44 of the Act and Rule 80 of the Rules.

Applicability: Persons whose aggregate turnover during the financial year exceeds the threshold limit (except those registered under Section 10 of the Act) anytime during the financial year are required to file annual return in Form GSTR 9.

One of the important pre-requisites of Form GSTR-9 is that all Forms GSTR-1 and GSTR-3B applicable for that particular Financial year need to be filed, without which filing of GSTR-9 is not possible.

Even if there are no transactions during the year, a Nil GSTR-9 return needs to be furnished.

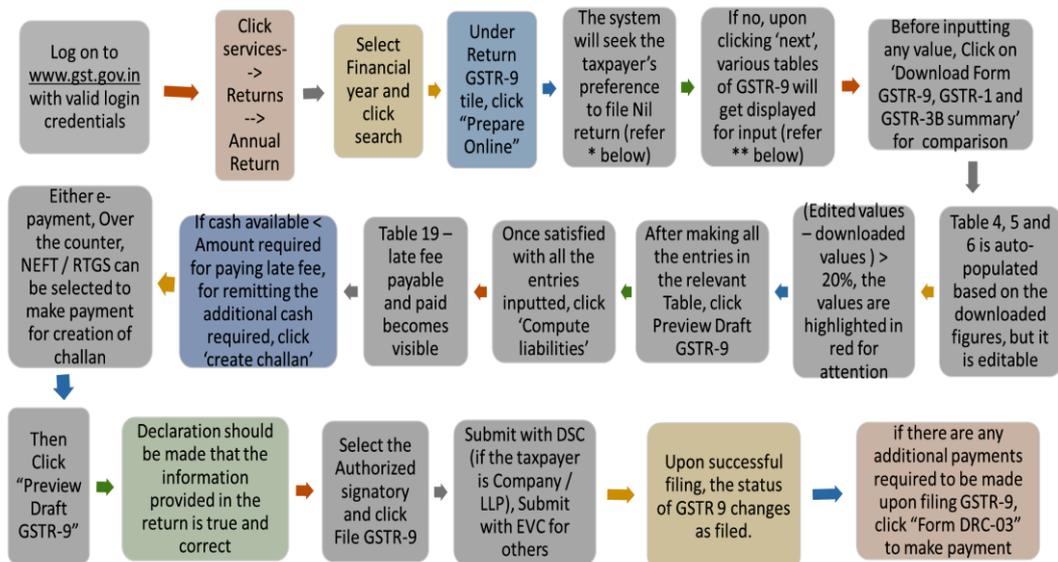
It is important to note that GSTR-9 should be furnished for every registered person (i.e. for every GSTIN) separately and not on PAN India basis.

Those small taxpayers whose aggregate turnover during the financial year does not exceed Rs 2 Crores (whether or not covered under composition) can opt not to file annual return for FY 2017-18 and FY 2018-19. However, it is also stated that if the return is not furnished before the due date, it shall be deemed to be furnished on the due date (*Notification No. 47/2019 - Central Tax, dated 9th October 2019*).

Due date: Every registered person as stated above, is liable to file Form GSTR-9 on or before 31st December following the end of such financial year. However as on date, further to multiple extensions, following are the notified due dates for FY 2017-18 and FY 2018-19.

Financial Year	Due date
FY 2017-18	<p>5th February 2020 (in case of Chandigarh, Delhi, Gujarat, Haryana, Jammu and Kashmir, Ladakh, Punjab, Rajasthan, Tamil Nadu, Uttarakhand, Uttar Pradesh)</p> <p>7th February 2020 (in case of Andaman and Nicobar Islands, Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Dadra and Nagar Haveli and Daman and Diu, Goa, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Lakshadweep, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Puducherry, Sikkim, Telangana, Tripura, West Bengal, and Other Territory)</p>
FY 2018-19	31st December 2020

Procedure for filing



* "NIL" GSTR-9 RETURN can be filed by a registered person only when *all* the following conditions are satisfied:

1. No outward supply has been made during the year;
2. No inward supply of goods / services has been received during the year;
3. There is no liability of any kind during the year;

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4. No amount has been claimed as input tax credit during the year
5. No order creating demand has been received during the year;
6. No refund has been claimed during the year

** Various Tables of Form GSTR-9

Part	Description	Tables covered
I	Basic details	1, 2, 3A, 3B
II	Details of outward and inward supplies made during the financial year	4, 5
III	Details of ITC availed during the financial year	6, 7, 8
IV	Details of tax paid as declared in returns filed during the financial year	9
V	Particulars of the transactions for the current financial year declared on or before September's return of the following financial year	10, 11, 12, 13, 14
VI	Other information	15, 16, 17, 18, 19

Table 4: Details of advances, inward and outward supplies made during the financial year on which tax is payable

Table Reference	Description	Remarks	Source table
4A.	Supplies made to unregistered persons (B2C)	<ol style="list-style-type: none"> 1. Aggregate value of supplies made to consumers and unregistered persons (B2C supplies) on which tax has been paid shall be declared here. These will include details of supplies made to unregistered persons / consumers through e-commerce operators, if any. 2. Details are to be declared as net of credit notes or debit notes issued during the financial year. 3. If there is an amendment of B2C transaction as B2B, disclose the amount correctly as B2B, even if the amendment is carried out in the subsequent financial year. 	Table 5, Table 7, Table 9, Table 10 of GSTR-1

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4B.	Supplies made to registered persons (B2B)	<p>1. Aggregate value of supplies made to registered persons (including supplies made to UINs) on which tax has been paid shall be declared here.</p> <p>2. These will include supplies made through e-commerce operators but shall not include supplies on which tax is to be paid by the recipient on reverse charge basis.</p> <p>3. <i>Generally, value of outward supplies, debit notes, credit notes and amendments are to be mentioned separately. However, for FYs 2017-18 and 2018-19, there is an option to fill details net of debit notes, credit notes and amendments in case there is any difficulty in reporting such transactions</i></p>	Table 4A and Table 4C of Form GSTR 1
4C.	Zero rated supply (export) on payment of tax (except supplies to SEZ)	<p>Aggregate value of exports (except supplies to SEZ) on which tax has been paid shall be declared here.</p> <p><i>Generally, value of outward supplies, debit notes, credit notes and amendments are to be mentioned separately. However for FYs 2017-18 and 2018-19, there is an option to fill details net of debit notes, credit notes and amendments in case there is any difficulty in reporting such transactions.</i></p>	Table 6A of GSTR-1
4D.	Supply to SEZ on payment of tax	<p>Aggregate value of supplies to SEZs on which tax has been paid shall be declared here.</p> <p><i>Generally, value of outward supplies, debit notes, credit notes and amendments are to be mentioned separately. However for FYs 2017-18 and 2018-19, there is an option to fill details net of debit notes, credit notes and amendments in case there is any difficulty in reporting such transactions.</i></p>	Table 6B of GSTR-1

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4E.	Deemed Exports	Aggregate value of supplies which are in the nature of deemed exports on which tax has been paid shall be declared here. <i>Generally, value of outward supplies, debit notes, credit notes and amendments are to be mentioned separately. However for FYs 2017-18 and 2018-19, there is an option to fill details net of debit notes, credit notes and amendments in case there is any difficulty in reporting such transactions.</i>	Table 6C of FORM GSTR-1
4F.	Advances on which tax has been paid but invoice has not been issued (not covered in 4A to 4E above)	Details of all unadjusted advances i.e. advance received and tax paid but invoice not been issued in the current year shall be declared here.	Table 11A of FORM GSTR-1
4G.	Inward supplies on which tax is to be paid on reverse charge basis	1. Aggregate value of all inward supplies (including advances and net of credit and debit notes) on which tax is to be paid by the recipient (i.e. by the person filing the annual return) on reverse charge basis. 2. This shall include supplies received from registered persons and unregistered persons on which tax is levied on reverse charge basis. This shall also include aggregate value of all import of services.	Table 3.1(d) of FORM GSTR-3B
4H.	SUB-TOTAL	(4A+4B+4C+4D+4E+4F+4G)	-
4I.	Credit notes issued in respect of transactions specified in (B) to (E) above (-)	Aggregate value of credit notes issued in respect of B to B supplies (4B), exports (4C), supplies to SEZs (4D) and deemed exports (4E) shall be declared here.	Table 9B of GSTR-1
4J.	Debit notes issued in respect of	Aggregate value of debit notes issued in respect of B to B supplies (4B), exports	Table 9B of

Returns under GST

	transactions specified in (B) to (E) above (+)	(4C), supplies to SEZs (4D) and deemed exports (4E) shall be declared here.	GSTR-1
4K.	Supplies / tax declared through amendments (+)	Details of amendments made to B to B supplies (4B), exports (4C), supplies to SEZs (4D) and deemed exports (4E), credit notes (4I), debit notes (4J) and refund vouchers shall be declared here.	Table 9A & 9C of GSTR-1
4L.	Supplies / tax declared through amendments (-)		
4M.	SUB-TOTAL	4J+4K+4L	-
4N.	Supplies and advances on which tax is to be paid	4H+4M	-

Table 5: Details of outward supplies made during the financial year on which tax is not payable

Table Reference	Description	Remarks	Source table
5A	Zero rated supply (Export) without payment of tax	Aggregate value of exports (except supplies to SEZs) on which tax has not been paid shall be declared here. <i>Generally, value of outward supplies, debit notes, credit notes and amendments are to be mentioned separately. However for FYs 2017-18 and 2018-19, there is an option to fill details net of debit notes, credit notes and amendments in case there is any difficulty in reporting such transactions.</i>	Table 6A of GSTR-1
5B	Supply to SEZs without payment of tax	Aggregate value of supplies to SEZs on which tax has not been paid shall be declared here. <i>Generally, value of outward supplies, debit notes, credit notes and amendments are to be mentioned separately. However for FYs 2017-18 and 2018-19, there is an option to fill</i>	Table 6B of GSTR-1

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		<i>details net of debit notes, credit notes and amendments in case there is any difficulty in reporting such transactions.</i>	
5C.	Supplies on which tax is to be paid by the recipient on reverse charge	Aggregate value of supplies made to registered persons on which tax is payable by the recipient on reverse charge basis. <i>Generally, value of outward supplies, debit notes, credit notes and amendments are to be mentioned separately. However for FYs 2017-18 and 2018-19, there is an option to fill details net of debit notes, credit notes and amendments in case there is any difficulty in reporting such transactions .</i>	Table 4B of GSTR-1
5D	Exempted	Generally, aggregate value of exempted supplies, Nil rated supplies and non-GST supplies shall be separately disclosed. However, there is an option for FY 2017-18 and FY 2018-19 to report all these supplies under 'Exempted' category as a consolidated information. <i>Also generally, value of outward supplies, debit notes, credit notes and amendments are to be mentioned separately. However for FYs 2017-18 and 2018-19, there is an option to fill details net of debit notes, credit notes and amendments in case there is any difficulty in reporting such transactions</i> Notes: D. Exempt income should include interest income and income from high sea sales transactions. E. Non-GST supply or 'No supply' should include income from dividend, sale of securities, liquidated damages, notice pay recovery, sale of land,	Table 8 of GSTR-1
5E	Nil Rated		
5F	Non-GST supply (includes 'no supply')		

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		Schedule III transactions, etc. F. Book adjustment like depreciation written off, bad debt recovery, advances written off, etc. need not be disclosed here.	
5G	Sub-total	5A +5B+5C+5D+5E+5F	-
5H	Credit notes issued in respect of transactions specified in (A to F) above (-)	Aggregate value of credit notes issued in respect of supplies declared in 5A, 5B, 5C, 5D, 5E and 5F shall be declared here.	Table 9B of GSTR-1
5I	Debit notes issued in respect of transactions specified in (A to F) (+)	Aggregate value of debit notes issued in respect of supplies declared in 5A, 5B, 5C, 5D, 5E and 5F shall be declared here.	Table 9B of GSTR-1
5J	Supplies declared through amendments (+)	Details of amendments made to exports (except supplies to SEZs) and supplies to SEZs on which tax has not been paid shall be declared here.	Tables 9A & 9C of GSTR-1
5K	Supplies reduced through amendments (-)		
5L	SUB-TOTAL	5H +5I + 5J+ 5K	-
5M	Turnover on which tax is not to be paid	5G+5L	-
5N	Total Turnover (including advances)	4N +5M-4G	

Table 6: Details of ITC availed during the Financial year

Table reference	Description	Remarks	Source Table
6A.	Total amount of input tax credit availed through FORM GSTR-3B	If the taxpayer has availed credit in excess and it is required to be reversed, it is advisable to carry out the reversal in subsequent Form GSTR-3B as against doing the same through GST DRC-03. The reason being it would lead to cash payment and also the availment of credit can be questioned.	Table 4A of Form GSTR-3B

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6B.	Inward supplies (other than imports and inward supplies liable to reverse charge but includes services received from SEZs)	<p>Aggregate value of ITC availed on all inward supplies</p> <p><i>Includes:</i></p> <p>Supply of services received from SEZs.</p> <p><i>Excludes:</i></p> <p>(1) Supplies on which tax is payable on reverse charge basis</p> <p>(2) ITC which was availed, reversed and then reclaimed in the ITC ledger</p> <p><i>Note: Generally, total ITC availed is to be classified as ITC on inputs, capital goods and input services.</i></p> <p><i>However for FY 2017-18 and FY 2018-19, there is an option to disclose the entire input tax credit under the 'Input' row only.</i></p> <p><i>For FY 2019-20, Input tax credit related to capital goods shall be disclosed separately. However, there is an option to disclose the remaining amounts of inputs and input services under the 'Input' row only.</i></p>	Table 4A(5) of Form GSTR-3B
6C.	Inward supplies received from unregistered persons liable to reverse charge on which tax is paid and ITC is availed	Generally aggregate value of ITC availed on all inward supplies received from unregistered persons (other than import of services) and registered persons on which tax is payable on reverse charge basis are to be reported separately. However for FY 2017-18 and FY 2018-19, there is an option to report consolidated details in Table 6D only.	Table 4A(3) of GSTR-3B
6D.	Inward supplies received from registered persons liable to reverse charge on which tax is paid and ITC is availed	<p><i>Note : Generally, total ITC availed is to be classified as ITC on inputs, capital goods and input services.</i></p> <p><i>However for FY 2017-18 and FY 2018-19, there is an option to disclose the entire input tax credit under the 'Input' row only.</i></p>	Table 4A(3) of GSTR-3B

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		<i>For FY 2019-20, Input tax credit related to capital goods shall be disclosed separately. However, there is an option to disclose the remaining amounts of inputs and input services under the 'Input' row only.</i>	
6E.	Import of goods (including supplies from SEZ)	<p>Aggregate value of ITC availed on all imports of goods including supplies from SEZ.</p> <p>A control check to be made that the values of Table 6E matches with Table 8H.</p> <p><i>Note : Generally, total ITC availed is to be classified as ITC on inputs, capital goods and input services.</i></p> <p><i>However for FY 2017-18 and FY 2018-19, there is an option to disclose the entire input tax credit under the 'Input' row only.</i></p> <p><i>For FY 2019-20, Input tax credit related to capital goods shall be disclosed separately. However, there is an option to disclose the remaining amounts of inputs and input services under the 'Input' row only.</i></p>	Table 4A (1) of GSTR-3B
6F.	Import of services (excluding inward supplies from SEZ)	<p>Aggregate value of ITC availed on all import of services excluding supplies from SEZ.</p> <p><i>Note: Total ITC availed is to be classified as ITC on inputs, capital goods and input services.</i></p>	Table 4A(2) of GSTR-3B
6G.	Input tax credit received from ISD	Aggregate value of input tax credit received from input service distributor	Table 4A(4) of GSTR-3B
6H.	Amount of ITC reclaimed (other than 6B)	<p>Aggregate value of input tax credit availed, reversed and reclaimed under the provisions of the Act shall be declared here.</p> <p>Should include ITC reclaimed only during the current financial year.</p>	-
6I.	SUB-TOTAL	6B+6C+6D+6E+6F+6G+6H	-

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6J	Difference	6I-6A	-
6K	Transition credit through TRAN-1 (including revisions if any)	<p>Details of transition credit received in the electronic credit ledger on filing of FORM GST TRAN-1 including revision thereof (whether upwards or downwards), if any shall be declared here.</p> <p>This field shall be auto filled based on the credit availed through Tran 1. However, this field is open for edit.</p> <p><i>Note:</i> This column should be filled only if the TRAN-1 or revision of TRAN-1 has been made in the financial year in question.</p>	TRAN-1
6L	Transition credit through TRAN-2	<p>Details of transition credit received in the electronic credit ledger after the filing of FORM GST TRAN-2 shall be declared here. This field shall be auto filled based on the credit availed through Tran 2. However, this field is open for edit.</p> <p><i>Note:</i> This column should be filled only if the TRAN-2 has been made in the financial year in question.</p>	TRAN-2
6M	Any other ITC availed but not specified above	<p>Details of ITC availed but not covered in any of the heads specified under 6B to 6L above shall be declared here.</p> <p>E.g.: Details of ITC availed through FORM ITC-01 and FORM ITC-02 in the financial year shall be declared here.</p>	-
6N	SUB-TOTAL	6K+6L+6M	-
6O	Total ITC availed	6I +6N	-

Table 7: Details of ITC Reversed and Ineligible ITC for the financial year

1. Details of input tax credit reversed due to ineligibility or reversals required under rules 37, 39, 42 and 43 of the CGST/SGST Rules, 2017 shall be declared here.
2. This column should also contain details of any input tax credit reversed under section 17(5) of the CGST/SGST Act, 2017 and details of ineligible transition credit claimed through FORM GST TRAN-1 or FORM GST TRAN-2 and then subsequently reversed.

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3. Table 4(B) of FORM GSTR-3B may be used for filling up these details. Any ITC reversed through FORM GST ITC -03 shall be declared in 7H.

Notes :

- (i) Only those reversals which have not been reclaimed should be disclosed as part of this Table.
- (ii) If Section 17(5) reversal is not included in Table 4A of GSTR-3B, then the same need not be included in this Table also.

For the FY 2017-18 and FY 2018-19, there is an option to fill the reversal details separately or report the entire amount under Table 7H.

Table 8: Other ITC related information

Table reference	Description	Remarks	Source Table
8A	ITC as per GSTR-2A	This Table would contain the aggregate of all the input tax credit that have been declared by the corresponding suppliers in their FORM GSTR-1. That is, the total credit available for inward supplies (other than imports and inward supplies liable to reverse charge but includes services received from SEZs) during the relevant financial year would be auto populated here. Note: GSTR-2A as on the end of the Financial year should be considered. If there are incorrect entries, grievance to be raised. For FY 2019-20, details from Form GSTR-2A generated as on 1 st November 2020 shall be autopopulated.	Tables 3 and 5 of GSTR-2A
8B	ITC as per sum total of 6(B) and 6(H) above	6B +6H	-
8C	ITC on inward supplies (other than imports and	Aggregate value of input tax credit availed on all inward	Table 4(A)(5) of GSTR-3B

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	inward supplies liable to reverse charge but including services received from SEZs) received during the Financial Year but availed in the next financial year upto specified period.	supplies (except those on which tax is payable on reverse charge basis but includes supply of services received from SEZs) received during the financial year for which the annual return is being filed for but credit on which was availed in the next financial year within the period specified under Section 16(4) of the CGST Act, 2017. Amount reclaimed in the subsequent financial year to be included as part of this Table.	
8D	Difference	8A – (8B+8C)	-
8E	ITC available but not availed	The credit which was available and not availed in FORM GSTR-3B	Not auto-populated, but ensure control check: 8E + 8F = 8D
8F	ITC available but ineligible	Credit not availed in FORM GSTR-3B as the same was ineligible shall be declared here	
8G	IGST paid on import of goods (including supplies from SEZ)	Aggregate value of IGST paid at the time of imports (including imports from SEZs) during the financial year shall be declared here.	-
8H	IGST credit availed on import of goods	6E	-
8I	Difference	8G-8H	-
8J	ITC available but not availed on import of goods	8I	
8K	Total ITC to be lapsed in current financial year	8E +8F+8J	-

Table 9: Details of tax paid as declared in returns filed during the financial year

Amount of tax paid including cess, interest, late fee, penalty, etc. through cash and through ITC shall be auto-populated based on Table 6.1 of GSTR-3B.

The data under this table cannot be edited.

Tables 10, 11, 12 and 13: Details of the current financial year's transactions reported in the next financial year (before September of the following financial year :

Table reference	Description	Remarks	Source
10	Supplies/tax declared through amendments (+) net of debit notes	Details of additions or amendments to any of the supplies already declared in the returns of the current financial year but such amendments were furnished in Table 9A, Table 9B and Table 9C of FORM GSTR-1 of April to September of the following financial year shall be declared here. <i>Notes:</i> 1. Credit notes not disclosed in GST returns till September of the following financial year need not be considered. 2. Only those debit notes, credit notes issued before September of the following financial year though pertaining to invoices issued in the current financial year need to be disclosed in this Table. 3. RCM of current financial year, discharged in the subsequent FY need not be disclosed here.	Tables 9A, 9B, 9C of GSTR-1 of April to September of the following financial year
11	Supplies/tax reduced through Amendments (net of credit notes)		
12	Reversal of ITC availed during previous	Aggregate value of reversal of ITC which was	Table 4B of GSTR-3B of April to September

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	financial year	availed in the current financial year but reversed in returns filed in the following financial year of April to September return shall be declared here. <i>This table has been made optional for FY 2017-18 , FY 2018-19 and FY 2019-20.</i> Reversal of TRAN-1 credit and other reversals are to be included here. All reversals in the subsequent financial year are to be included here.	of the following financial year.
13	ITC availed for the previous financial year	Details of ITC for goods or services received in the current financial year but ITC for the same was availed in the returns filed for following financial year of April to September shall be declared here. <i>This table has been made optional for FY 2017-18, FY 2018-19 and FY 2019-20.</i>	Table 4A of GSTR-3B of April to September of following financial year.

Table 14: Differential tax

Table reference	Description	Remarks	Source
14	Differential tax paid on account of declaration in Table 10 and 11	10-11	-

Table 15: Particulars of demands and Refunds

Table 15 has been made optional for FY 2017-18, FY 2018-19 and FY 2019-20

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Table reference	Description	Remarks	Source
15A	Total refund claimed	Refund claimed will be the aggregate value of all the refund claims filed in the financial year and will include refunds which have been sanctioned, rejected or are pending for processing. <i>Should also include shipping bills reported in GST returns, since the same is considered as deemed refund application.</i>	-
15B	Total refund sanctioned	Refund sanctioned means the aggregate value of all refund sanction orders.	-
15C	Total refund rejected	-	-
15D	Total refund pending	Refund pending will be the aggregate amount in all refund applications for which acknowledgement has been received and will exclude provisional refunds received. These will not include details of non-GST refund claims.	-
15E	Total demand of taxes	Aggregate value of demands of taxes for which an order has been issued by the adjudicating authority.	-
15F	Total taxes paid in respect of 15E	Aggregate value of taxes paid out of the total value of demand as declared in 15E above shall be declared here	-
15G	Total demands pending out of 15E above	Aggregate value of demands pending recovery	-

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		out of 15E above shall be declared here.	
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Table 16: Information on supplies received from composition taxpayers, deemed supply under section 143 and goods sent on approval basis.

Table 16 has been made optional for FY 2017-18, FY 2018-19 and FY 2019-20

Table reference	Description	Remarks	Source
16A	Supplies received from composition taxpayers	Aggregate value of supplies received from composition taxpayers shall be declared here.	Table 5 of GSTR-3B
16B	Deemed supply under Section 143	Aggregate value of all deemed supplies from the principal to the job-worker in terms of sub-section (3) and sub-section (4) of Section 143 of the CGST Act shall be declared here.	-
16C	Goods sent on approval basis but not returned	Aggregate value of all deemed supplies for goods which were sent on approval basis but were not returned to the principal supplier within 180 days of such supply shall be declared here.	-

Table 17: HSN wise summary of outward supplies

Table 17 has been made optional for FY 2017-18, FY 2018-19 and FY 2019-20.

1. In the HSN field, enter the applicable provision of reporting HSN or Service Classification Code of the outward supplies (The threshold limit for Harmonised System of Nomenclature reporting is applicable as per *Central Tax Notification No. 12/2017 dated 28th June 2017* for FY 2017-18, FY 2018-19 and FY 2019-20. With effect from 1st April 2021, Central Tax Notification no. 78/2020 dated 15th October 2020 will be applicable)
2. In enter details of UQC, total quantity, total taxable value, rate of tax % - tax will be auto-calculated.

3. Click to add the details related to that particular HSN.
4. If the records are huge, then offline utility may be used from the beginning.

Table 18: HSN wise summary of inward supplies

Table 18 has been made optional for FY 2017-18, FY 2018-19 and FY 2019-20.

1. In the HSN field, enter the applicable provision of reporting HSN or Service Classification Code of the inward supplies (The threshold limit for Harmonised System of Nomenclature reporting is applicable as per *Central Tax Notification No. 12/2017 dated 28th June 2017* for FY 2017-18, FY 2018-19 and FY 2019-20. With effect from 1st April 2021, Central Tax Notification no. 78/2020 dated 15th October 2020 will be applicable).
2. Then enter details of UQC, total quantity, total taxable value, rate of tax % - tax will be auto-calculated.
3. Click to add the details related to that particular HSN.
4. If the records are huge, then offline utility may be used from the beginning.

Notes: It is to be noted that the summary details are required to be declared only for those inward supplies which in value independently account for 10% or more of the total value of inward supplies.

General approach to be adopted before filing the Annual return

1. The starting point for reconciliation should be comparison of supplies as per GSTR-3B and supplies as per the Financial Statements.
2. If supply as per Financial Statement > Supply as per GSTR-3B, and if the difference had not been reported in GSTR-3B of April to September of the subsequent financial year, the differential amount of supply should be disclosed in Part II of GSTR-9.
3. If supply as per Financial Statement > Supply as per GSTR-3B, and if the difference had been reported in GSTR-3B of April to September of the subsequent financial year, the differential amount of supply should be disclosed in Part V of GSTR-9.
4. If supply as per Financial Statement < Supply as per GSTR-3B, then supply as per Financial Statement is to be considered and it will lead to excess tax becoming payable. The same will have to be discharged through DRC-03.
5. No amendment to GSTR-9 is permitted once filed.
6. Registered person cannot claim any credit of the Credit Note missed in Form GSTR 1 as well as in the Form GSTR 3B.
7. Registered person cannot claim any ITC if not taken in the Form GSTR 3B. However, if there any additional liability not reported in Form GSTR-3B, the same shall be reported in GSTR-9.

7.11. GSTR-9A : Annual Return for Composition taxpayer

GSTR-9A is the annual return for composition taxpayer.

Relevant Section and Rules: Sections 10 and 44 of the Act and Rule 80 of the Rules.

Applicability: Every person who has opted for composition scheme under Section 10 of the Act is required to furnish GSTR-9A. Even if there is no business activity, every person registered under composition scheme is required to file this form every year. Once filed, the Form cannot be revised.

All GSTR-4 returns for the financial year should be filed, to be able to file Form GSTR-9A. Effective from FY 2019-20, the requirement to file GSTR-4 has been made annual from quarterly filing.

Due date: Every composition dealer as stated above, is liable to file Form GSTR-9A on or before 31st December following the end of such financial year. However as on date, further to multiple extensions, following were the notified due dates for FY 2017-18 and FY 2018-19.

Financial Year	Due date
FY 2017-18	31 st January 2020
FY 2018-19	31 st December 2020

Waiver for FY 2017-18 and FY 2018-19: It is worth recalling that Central Tax *Notification No. 46/2017 dated 9th October 2019*, has notified a special procedure with respect to, those registered persons whose aggregate turnover in a financial year does not exceed Rs 2 Crores and who have not furnished the annual return under Section 44(1) of the Act read with Rule 80 of Rules.

Such persons shall have an option to furnish the annual return for FY 2017-18 and FY 2018-19.

It has been provided that if the return is not filed within the due date, it shall be deemed that the return has been furnished before the due date.

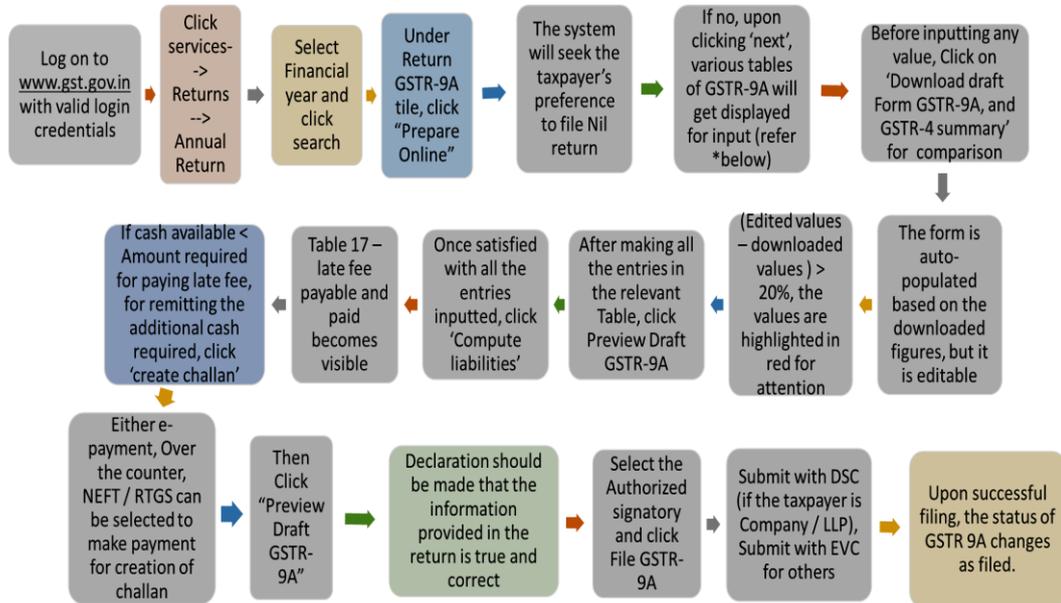
Based on the deeming provision, the following questions may arise:

- Will GST authorities consider GSTR 9A on the basis of the auto populated data appearing from GSTR 4 and assume it to be final and accept the same accordingly?
- If the answer to the above question is yes, will taxpayers get an opportunity to rectify the error(s), if any, that might have occurred at the time of filing of GSTR 4?

Not much clarity has been obtained on the above questions. We will have to wait for the time to come to know the answers.

Procedure for filing: The following flowchart explains the procedure for those who opt to file the annual returns:

Returns under GST



* Various tables of Form GSTR-9A

Table 6: Details of outward supplies made during the Financial Year

Table Reference	Description	Remarks	Source table
6A.	Taxable	Rate wise, aggregate value of all outward supplies net of debit notes / credit notes, net of advances and net of goods returned for the entire financial year shall be declared here.	Table 6 and Table 7 of GSTR-4
6B.	Exempted; Nil rated	Aggregate value of exempted, nil rated and non-GST supplies shall be declared here.	-
6C.	Total	6A + 6B	-

Table 7: Details of Inward supplies on which tax is payable on Reverse charge basis (net of debit / credit notes) for the financial year

Table Reference	Description	Remarks	Source table
7A	Inward supplies liable to reverse charge received from registered persons	Aggregate value of all inward supplies received from registered persons on which tax is payable on reverse charge basis shall be declared here	Table 4B, Table 5 and Table 8A of Form GSTR-4

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7B.	Inward supplies liable to reverse charge received from unregistered persons	Aggregate value of all inward supplies received from unregistered persons (other than import of services) on which tax is payable on reverse charge basis shall be declared here.	Table 4C, Table 5 and Table 8A of FORM GSTR-4
7C.	Import of services	Aggregate value of all services imported during the financial year shall be declared here	Table 4D and Table 5 of FORM GSTR-4
7D	Net tax payable on (A), (B) and (C) above	7A + 7B + 7C	-

Table 8: Details of other inward supplies for the financial year

Table Reference	Description	Remarks	Source table
8A	Inward supplies from registered persons (other than 7A)	Aggregate value of all inward supplies received from registered persons on which tax is payable by the supplier shall be declared here.	Table 4A and Table 5 of GSTR-4
8B.	Import of goods	Aggregate value of all goods imported during the financial year shall be declared here.	-

Table 9: Details of tax paid as declared in returns filed during the Financial year .

Table Reference	Description	Remarks	Source table
9	Tax paid details as declared in returns filed during the financial year	Aggregate value of all payments made during the financial year shall be declared here.	Table 10 & Table 11 of GSTR-4

Table 10, 11, 12 and 13: Details of the Previous Financial Year's transactions reported in the next financial year

Table reference	Description	Remarks	Source
10	Supplies / tax (outward) declared through amendments (+) (net of debit notes)	Details of additions or amendments to any of the supplies already declared in the returns of the previous financial year but such amendments were furnished in Table 7 (relating to outward supplies) of FORM GSTR-4 of April to September of the current financial year or upto the date of filing of annual return for the previous financial year, whichever is earlier shall be declared here.	Table 7 of GSTR-4
12	Supplies/ tax (outward) declared through amendments (-) (net of credit notes)		
11	Inward supplies liable to reverse charge declared through amendments (+) (net of debit notes)	Details of additions or amendments to any of the supplies already declared in the returns of the previous financial year but such amendments were furnished in Table 7 (relating to outward supplies) of FORM GSTR-4 of April to September of the current financial year or upto the date of filing of annual return for the previous financial year, whichever is earlier shall be declared here.	Table 5 of GSTR-4
13	Inward supplies liable to reverse charge reduced through amendments (-) (net of credit notes)		

Table 14: Differential tax

Table reference	Description	Remarks	Source
14	Differential tax paid on account of declaration in Tables 10 and 11	Details of payment made due to additions or amendments to any of the supplies already declared in the returns of the previous financial year but such amendments were furnished in Table 5 (relating to inward supplies) or Table 7 (relating to outward supplies) of FORM GSTR-4 of April to September of the current financial year or upto the date of filing of annual return for the previous financial year, whichever is earlier, shall be declared here.	Table 5 and Table 7 of GSTR-4

Table 15: Particulars of demands and Refunds

Table reference	Description	Remarks	Source
15A	Total refund claimed	“Refund claimed” will be the aggregate value of all the refund claims filed in the financial year and will include refunds which have been sanctioned, rejected or are pending for processing	-
15B	Total refund sanctioned	“Refund sanctioned” means the aggregate value of all refund sanction orders.	-
15C	Total refund rejected	“Refund rejected” means the aggregate value of all refund rejected orders.	-

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15D	Total refund pending	Refund pending will be the aggregate amount in all refund applications for which acknowledgement has been received and will exclude provisional refunds received. These will not include details of non-GST refund claims.	-
15E	Total demand of taxes	Aggregate value of demands of taxes for which an order has been issued by the adjudicating authority	-
15F	Total taxes paid in respect of 15E	Aggregate value of taxes paid out of the total value of demand as declared in 15E above shall be declared here	-
15G	Total demands pending out of 15E above	Aggregate value of demands pending recovery out of 15E above shall be declared here.	-

Table 16: Details of credit reversed or availed

Table reference	Description	Remarks	Source
16A	Credit reversed on opting for the composition scheme (-)	Aggregate value of all credit reversed when a person opts to pay tax under the composition scheme shall be declared here.	Form ITC-03
16B	Credit availed on opting out of the composition scheme	Aggregate value of all the credit availed when a registered person opts out of the composition scheme shall be declared here	Form ITC-01

7.12.GSTR-9C : Reconciliation Statement and Certification

Relevant Sections: Section 35 of the Act and Rule 80 of the Rules

Applicability: As per Section 35(5) of the Act read with rule 80, every registered person whose aggregate turnover during the financial year exceeds Rs 2 Crores for the FY 2017 – 18

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and Rs. 5 Crores for the FY 2018 - 19 are required to get their annual accounts audited by a Chartered Accountant or a Cost Accountant and shall submit the following :

1. Audited annual accounts
2. Reconciliation statement in Form GSTR-9C
3. Such other documents as may be prescribed.

This provision does not apply to the following persons:

1. Input service distributor
2. Person paying tax under section 51 of the Act
3. Person paying tax under Section 52 of the Act
4. Casual taxable person
5. Non-resident taxable person
6. Central Government, State Government, Local authorities whose books of account are subject to audit by Comptroller and Auditor General of India or an auditor appointed for auditing the accounts of local authorities under any law for the time being in force.

All such taxpayers are first required to file Form GSTR-9 (GSTR-9A in case of composition dealers) and then GSTR-9C prepared by the Auditor along with a copy of the audited annual accounts and annual financial statements.

It is important to note that GSTR-9C should be furnished for every registered person separately and not on PAN India basis.

Due date: All those persons who are required to file annual return shall file it on or before 31st December following the end of such financial year

However as on date, further to multiple extensions, the following are the notified due dates for FY 2017-18 and FY 2018-19.

Financial Year	Due date
FY 2017-18	5th February 2020 (in case of Chandigarh, Delhi, Gujarat, Haryana, Jammu and Kashmir, Ladakh, Punjab, Rajasthan, Tamil Nadu, Uttarakhand, Uttar Pradesh) 7th February 2020 (in case of Andaman and Nicobar Islands, Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Dadra and Nagar Haveli and Daman and Diu, Goa, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Lakshadweep, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Puducherry, Sikkim, Telangana, Tripura, West Bengal, and Other Territory)
FY 2018-19	31st December 2020

Procedure to file Form GSTR-9C

1. The taxpayer shall download Form GSTR-9C Tables derived from filed Form GSTR-9 and send it to the Auditor along with filed form GSTR-9 (log onto the GST portal -under Reconciliation statement, click “Initiate filing”, then next page click “download GSTR-9C tables derived from GSTR-9 PDF”
2. The auditor will download GSTR-9C offline utility and prepare GSTR-9C using it. The steps to be performed by the auditor are the following :
 - (a) Download GSTR-9C offline utility
 - (b) Install emSigner from GST portal. To install emSigner, the Auditor needs to perform steps mentioned in the following link: [Manual > Install emSigner](#)
 - (c) Open the GSTR-9C offline utility excel worksheet
 - (d) Add Table wise details in the worksheet
 - (e) Generate Preview PDF file to draft Form GSTR-9C
 - (f) Generate JSON file and affix DSC
 - (g) Send the signed JSON file to the taxpayer to upload on the GST portal
3. The taxpayer shall upload the file sent by the Auditor, by clicking 'Prepare offline' button in GSTR-9C tile. The upload section is displayed. Browse and attach the JSON file for upload.
4. A message above the green box would appear displaying "Your JSON file has been uploaded successfully. And it may take up to 15 minutes to do the validation".
5. In case of error, the upload history will show status as 'Processed error' with the error report generated.
6. Send the downloaded zipped reports to Auditor for rectification
7. In case the Auditor / the taxpayer wants to edit / add data in the GST portal's successfully processed JSON file before filing:
 - (a) download zipped processed GSTR-9C JSON File
 - (b) Send zipped processed GSTR-9C JSON file to the auditor. The auditor will open the zipped error report, correct it in the offline utility, digitally sign and resend the updated and signed JSON to the taxpayer for upload
8. Once the JSON file is successfully uploaded, and no more changes are required to be made, click 'Initiate filing' button in the GSTR-9C tile.
9. GSTR-9C is displayed and on the bottom, click 'make payment for additional liability as recommended by the Auditor via DRC-03' hyperlink to make payment as suggested.
10. In upload, relevant documents section, click choose the file to upload-

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- (a) Balance sheet
- (b) Profit and loss statement / Income and expenditure statement
- (c) Other statements, if any

Upon clicking 'Save', "proceed to file" button gets enabled.

11. Before filing, the taxpayer has an option to 'Preview Draft GSTR-9C PDF'. Upon satisfaction, click 'Proceed to file'
12. Once Ready to file option is displayed, select declaration checkbox and the name of the Authorised signatory. Then click "File GSTR-9C".
13. Then click "File with DSC" in case of company /LLP. Otherwise, Click "File with EVC".
14. After successful verification, Status changes as Filed and ARN gets generated .

A brief about GSTR-9C: GSTR-9C contains two parts – Part A (Reconciliation statement) and Part B (Certification).

A reconciliation statement contains a registration wise, detailed walk of the following components contained in the financial statements and the annual return.

1. Turnover (gross turnover and taxable turnover),
2. Tax paid, and
3. Input tax credit.

In case there is a difference warranting additional payment of tax liability, the auditor makes a recommendation.

The auditor preparing the Reconciliation statement may be different from the person who will be performing the certification of GST audit. Depending on whether they are same or different, I or II of Part B gets displayed.

PART A: Reconciliation statement

Reference	Description	Table Number
PT.I	Basic details	1,2,3A,3B,4
PT.II	Reconciliation of turnover declared in audited annual financial statement with turnover declared in Annual Return (GSTR-9)	5,6,7,8
PT.III	Reconciliation of tax paid	9,10,11
PT.IV	Reconciliation of Input tax credit (ITC)	12,13,14,15,16
PT.V	Auditor's recommendation on additional liability due to non-reconciliation	

PART B : Certification

- I. Certification in cases where the reconciliation statement (Form GSTR-9C) is drawn up by the person who had conducted the audit.
- II. Certification in cases where the reconciliation statement (Form GSTR-9C) is drawn up by a person other than the person who had conducted the audit of accounts.

7.13.GSTR-10 : Final Return

Relevant Section: Section 45 of the Act and Rule 81 of the Rules

Applicability: Section 29 of the Act provides that cancellation of registration can be either on the Proper Officer's motion or it can be based on the application filed by the registered person.

Cancellation by Proper officer on his own motion

Reasons

- Registered Person has contravened the provisions of the Act or Rules made thereunder
- There is a continuous failure in filing the returns
 - For 3 Consecutive tax periods (in case of composition taxpayers under Section 10)
 - For 6 Consecutive tax periods (in case of others)
- Voluntary registration has been obtained by the person, but he has not commenced business within 6 months from the date of registration
- Registration has been obtained by means of fraud, willful misstatement or suppression of facts.

Cancellation based on Application of Registered Person

Reasons

- Discontinuation of business, including death
- Change in the Constitution of business
- The person who has obtained registration has not applied under Voluntary registration provisions (Section 25) and such person is no longer liable under Section 22 or Section 24 of the Act

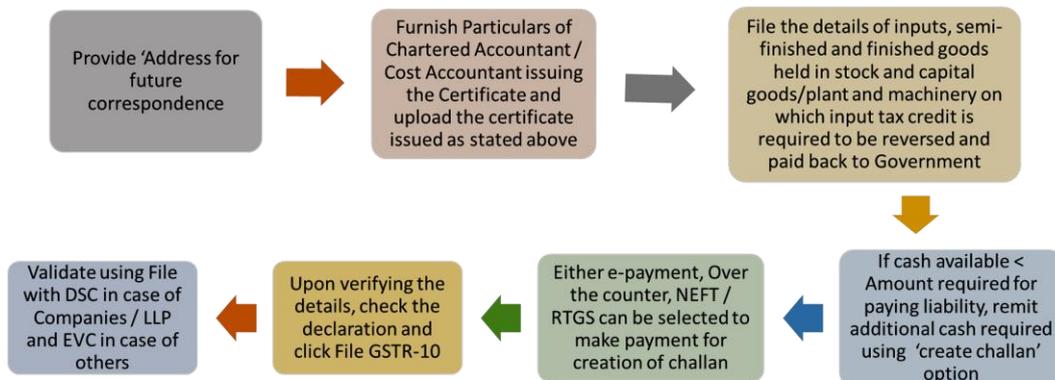
If registration has been cancelled in respect of any of the under-mentioned persons, Form GSTR-10 needs to be filed :

- 1. Every registered person whose aggregate turnover during a financial year exceeds the threshold limit (except composition taxpayers); and
- 2. Casual taxable persons.

Due date: The final return shall be filed within 3 months of the effective date of cancellation of registration or date of cancellation order whichever is later.

Procedural steps for filing

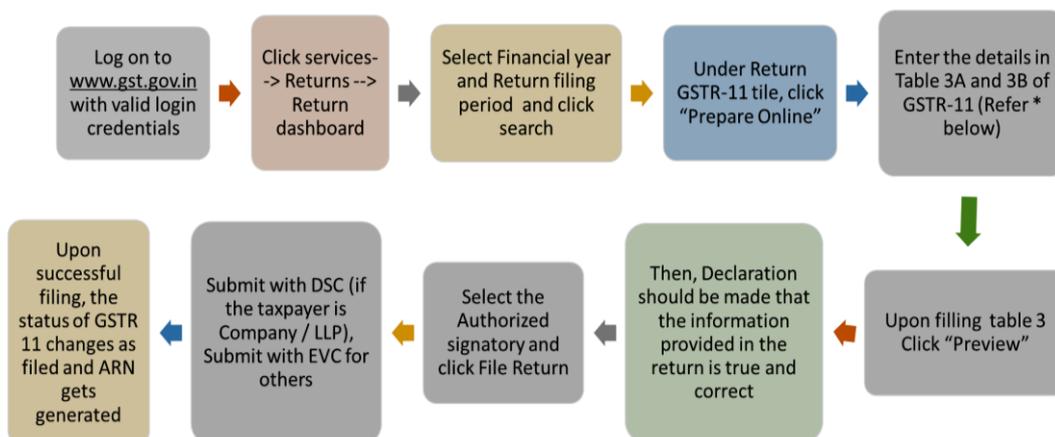
1. Every person who intends to apply for cancellation on his own shall use his valid login credentials, log into www.gst.gov.in
2. Navigate to Services --> Registration --> Application for cancellation of Registration
3. Fill all the fields of the application like address for future correspondence, then select reason for cancellation and date from which registration is to be canceled.
4. Once all the details are filled, declaration should be made that the information provided in the return is true and correct
5. Upon checking the declaration box, select the Authorised Signatory on whose behalf the cancellation of registration is sought.
6. Validate the form using "File with DSC" in case of Companies / Limited liability partnerships and "EVC" in the case of others.
7. Once the application is submitted, a reference number will be generated for future reference.
8. The Proper Officer shall act upon the application within 30 days from the date of receipt of application. The Proper Officer shall notify the registered person to pay arrears of any tax, interest, or penalty including the amount liable to be paid under Section 29(5) of the Act.
9. Once the process is complete and within the later of - 3 months from the date of cancellation of registration or date of cancellation order, the final return in Form GSTR-10 shall be furnished.
10. The final return will be available to be paid for such persons whose registration has been cancelled or cancellation order has been issued under **Services > Returns > Final Return** command.
11. Such a return can be prepared either online or using excel based offline utility.
12. The details furnished in Table 8 of GSTR-10 (Details of inputs held in stock, inputs contained in semi-finished or finished goods held in stock, and capital goods/plant and machinery on which input tax credit is required to be reversed and paid back to Government) needs to be certified by a Practicing Chartered Accountant or Cost Accountant.



7.14.GSTR-11 : Statement of inward supplies by persons having Unique Identification Number (UIN)

1. **Relevant Section:** Sections 25, 54 and Rule 82 of the Rules
2. **Applicability:** Every person who has been allotted a Unique Identity Number (UIN) as provided in Section 25(9) of the Act i.e.
 - (a) any specialised agency of the United Nations Organisation or
 - (b) any Multilateral Financial Institution and Organisation notified under the United Nations (Privileges and Immunities) Act, 1947;
 - (c) Consulate or Embassy of foreign countries; and
 - (d) any other person or class of persons, as may be notified by the Commissioner,
 shall file details of inward supplies of goods or services or both made during that quarter in Form GSTR-11.
3. **Due date:** There is no due date for the filing of Form GSTR-11. UIN holder can file Form GSTR-11 any time after the end of the relevant quarter.
4. **Procedure for filing:** GSTR-11 can be filed either online or through offline excel based utility.

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* Table 3 of GSTR-11

Table Reference	Description	Remarks
3A	Details of invoices received	<p>Invoice details containing the following will have to be furnished:</p> <ol style="list-style-type: none"> 1. Supplier GSTIN 2. Place of supply 3. Invoice number 4. Invoice date 5. Invoice value against the applicable rate of tax <p><i>Note:</i> In the supplier's GSTIN field, only GSTIN of the normal taxpayer or non-resident taxpayer is accepted.</p>
3B	Details of credit/debit notes received	<p>Debit note/credit note details containing the following will have to be furnished:</p> <ol style="list-style-type: none"> 1. Supplier GSTIN 2. Place of supply 3. Debit /credit note number 4. Debit / credit note date 5. Debit / credit note value against the applicable rate of tax <p><i>Notes:</i></p> <ol style="list-style-type: none"> (i) In the supplier's GSTIN field, only GSTIN of the normal taxpayer or non-resident taxpayer is accepted. (ii) Reference to original invoice details is not required to be furnished in the Portal.

II. PAYMENT UNDER GST

8. Various ledgers to be maintained on the common portal and their charter of utilisation

Like Central Excise (older regime), as per section 35 (1) of the Act the registered person is expected to maintain few records and documents. This also includes ledgers say, Credit Ledger (RG 23 A & C Part II), Cash Ledger (PLA in Excise) and Liability Ledgers. Thanks to computerization, these ledgers are available on the common portal.

Under each of the ledgers, there are 4 major Accounting Heads, namely Integrated Tax, Central Tax, State Tax (or) Union Territory tax and cess are available. Any addition to any of the following ledgers will have to be made Account Head wise.

Utilisation of balance from electronic cash ledger and electronic liability ledger can be for any of the 5 minor heads namely tax, interest, penalty, any other amount or fees, whereas balance in the electronic credit ledger can be utilised only towards payment of output tax i.e. tax chargeable under this Act on taxable supply of goods or services or both made by him or by his agent excluding tax payable by him on reverse charge basis. *Tax payout from reverse charge has to be made from cash ledger particularly.*

S. No	Particulars	Electronic cash ledger	Electronic credit ledger	Electronic liability ledger
1	Form for the ledger to be maintained in the common portal	Form GST PMT-05	Form GST PMT-02	Form GST PMT-01
2	Relevant section and rules	Section 49 of the Act and Rule 87 of the Rules.	Section 49 of the Act and Rules 86, 86A of the Rules.	Section 49 of the Act and Rule 85 of the Rules.
3	What are the allowed credits to the ledger (i.e. various additions allowed and mode of addition)	The amount deposited towards payment of tax, interest, penalty or any other amount can be done through challan in Form GST PMT-06. The above referred amounts can be deposited through	Claim of eligible input tax credit as per section 16 read with rule 42 will be credited. In case of refund claimed being rejected, to that extent amount will be recredited in electronic credit	The amount payable towards tax, interest, late fee, penalty, or any other amount payable which can be either: 1. As per the return furnished by the taxable

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		<p>any one of the following authorised means:</p> <ol style="list-style-type: none"> Internet banking Credit card or debit card National Electronic Fund Transfer (NEFT) or Real Time Gross Settlement (RTGS) Over the Counter payments for challans up to Rs 10,000 per challan per tax period (amount restriction not applicable for Government Departments, recovery by the proper officer, the amount collected during investigation or enforcement activity or any adhoc deposit) The OIDAR service provider can make the deposit through international 	<p>ledger by Proper officer by an order made in Form GST PMT-03.</p> <p>After giving reasons in writing, Commissioner or an authorized officer not below the rank of Assistant Commissioner, can block utilisation of credit under Rule 86A of the Rules, if they have reason to believe that the credit has been availed fraudulently or is ineligible.</p> <p>Such restriction shall be removed by the officer, earlier of:</p> <ol style="list-style-type: none"> Completion of 1 year from the date of imposing the restriction The Commissioner or an officer authorised by him, being satisfied that conditions for disallowing credit no longer exists. 	<p>person</p> <ol style="list-style-type: none"> As determined by a proper officer Tax and interest payable as a result of mismatch under Section 42 or 43 or 50 of the Act.
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Payments under GST

		<p>money transfer through Society for Worldwide Inter bank Financial Telecommunication payment network.</p> <p>Upon successful credit, the challan identification number is generated.</p> <p><i>Notes :</i></p> <p>(i) Deductee's electronic cash ledger will reflect cash receipts amount that has been deducted under Section 51.</p> <p>(ii) The supplier's electronic cash ledger will reflect cash receipts amount that has been collected by an electronic commerce operator under Section 52.</p>		
4	What are the allowed debits to the ledger (i.e. various utilisations allowed)	<ol style="list-style-type: none"> 1. Any payment towards tax, interest, penalty, fee or any other amount. 2. Any amount in electronic cash 	<ol style="list-style-type: none"> 1. Discharge liability of tax payout on outward supply. 2. Amount of unutilised input tax credit 	<p><u><i>a. Discharge of the following liabilities:</i></u></p> <ol style="list-style-type: none"> 1. Tax deducted at source under Section 51 of the Act by the deductor.

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		<p>ledger claimed as a refund. In case of refund claimed being rejected, to that extent the amount will be recredited in the electronic cash ledger by the Proper officer by an order made in Form GST PMT-03.</p> <p>Note: Following amounts will have to be necessarily discharged through Electronic cash ledger, even if sufficient balance is available in the electronic credit ledger.</p> <p>a. Amount deducted under Section 51 of the Act by the deductor</p> <p>b. Amount collected under Section 52 of the Act by the electronic commerce operator</p> <p>c. Amount payable on reverse charge</p>	<p>claimed as refund in accordance with Section 54 of the Act.</p> <p>3. Payment of Ineligible ITC taken. (as added to outward tax liability).</p> <p>4. Payment for taxes added to outward liability for non payment of invoice value to the supplier within 180 days.</p>	<p>2. Tax collected at source under Section 52 of the Act by the supplier</p> <p>3. Reverse charge on supply of goods under Sections 9(3) and 9(4) of the Act and Sections 5(3) and 5(4) of Integrated Goods and Services Tax Act, 2017.</p> <p>4. Amount payable under Section 10 of the Act.</p> <p>5. Interest, penalty, fee or any other amount under the Act.</p> <p>b. Amount of demand debited in the electronic liability register shall stand reduced to the extent of relief given by the appellate authority or Appellate Tribunal or court and the electronic tax liability register shall be credited</p>
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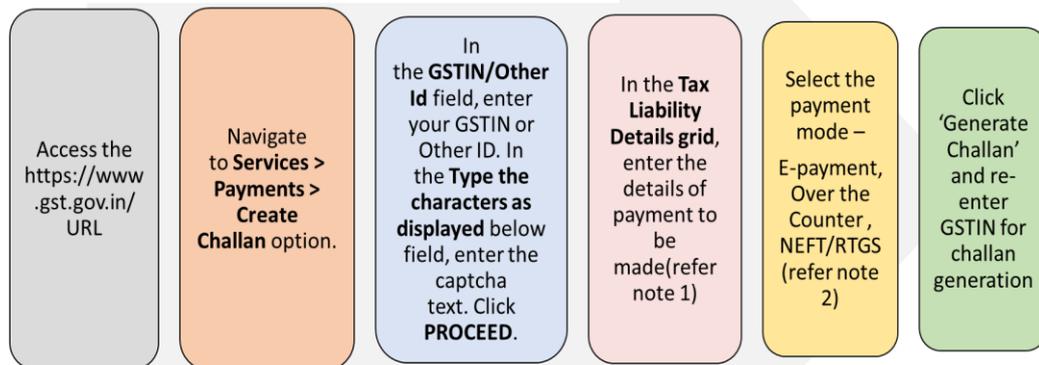
		<p>basis under Section 9(3) and 9(4) of the Act or 5(3) and 5(4) of Integrated Goods and Services Tax Act, 2017.</p> <p>d. Amount payable under Section 10 of the Act.</p>		accordingly.
5	What does the balance in the account signify	Amount available for future payment of tax, interest, penalty, fee or any other amount in the future.	Amount available as input tax credit for payment of output tax in the future.	Amount of liability in the form of tax, interest, penalty or others due to be discharged by the registered person.
7	Can the ledger be used by an unregistered person?	Yes – payment can be made by an unregistered person based on a temporary identification number generated on the common portal.	No	No
8	Transfer of amount lying in one head to another	If an amount is deposited in the wrong head (say, IGST instead of CGST), the registered person need not deposit the amount again in the correct head and claim refund of amount deposited	No option of transferring the credit from one major head to another major head.	No option of transferring the liability from major or minor head to another major or minor head.

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		in the wrong head. Instead transfer of an amount from one account head to another has been made possible by filing Form GST PMT-09.		
9	Action in case of discrepancies	Amount debited in the bank account but Challan identification number not generated – Registered person to represent electronically in Form GST PMT-07 through Common portal to Bank or electronic gateway through which deposit was initiated.	In case of discrepancy in electronic credit ledger, communicate to the officer exercising jurisdiction in Form GST PMT-04.	In case of discrepancy in electronic liability ledger, communicate to the officer exercising jurisdiction in Form GST PMT-04.

9. Generation of Challan

1. Challan can be generated and payment to electronic cash ledger can be made at any point in time. The amount deposited in an electronic cash ledger can be used to set off the liability as and when the liability is due.
2. The steps to generate a challan are as follows:



Note 1: Any amount can be entered irrespective of the liability which will get updated in Electronic Cash Ledger and can be utilized later.

Note 2: In case payment is made through Over the Counter mode, mandate form is valid for 15 days from the date of generation of challan.

10. Order of utilisation of Credit

A conjoint reading of Sections 49, 49A and 49B of the Act read with Rule 88A of the Rules contemplates on the order of utilisation of input tax credit as follows:

Set off	IGST liability	CGST Liability	SGST liability
IGST Credit	(1)	(1)	(1)
CGST Credit	(2)	(2)	Not available
SGST Credit	(3)	Not available	(2)

IGST Credit shall first be set off against IGST liability and the balance would be set off against CGST liability and SGST *liability in that order*.

CGST Credit shall first be set off against CGST Liability and then against IGST Liability.

SGST Credit shall first be set off against SGST Liability and then against IGST Liability.

Set off of CGST Credit against SGST Liability and SGST Credit against CGST liability is not available.

However, Section 49A of the Act imposes an overall condition that balance in IGST credit will have to be first exhausted before considering CGST and SGST credits for setting off of all the liabilities.

11. Conclusion

Goods and services tax is just a 3-year-old toddler, though the fact that, more time than expected is taken for stabilising, can not be overlooked.

As on date, 160 countries have implemented GST. Most of the countries have proclaimed the benefits that this legislation has bestowed like increasing tax base, reducing cascading effect, etc.

Like it is rightly said 'Everything has its time', the day when all the small technical difficulties are corrected and this beautiful country reaps the benefit of this wonderful legislation is not very far.