GST NOTES

Suryansh Pratap Singh

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Returns under GST

(I) Meaning of Return :

(1) Return is a statement of information furnished by the taxpayer to tax administrations, at Regular intervals.

(2) Filing of Return constitutes the most important compliance procedure which enables the Govt/tax administrator to estimate the Tax collection of a particular period and all compliances are fulfiled (or) Not.

(II) Modes of filing Returns :

(1) GSTN Portal (www.gst.gov.in)
(or)
(2) offline utilities provides by GSTN.
(or)
(3) GST Suvidha Provider (GSP's) → Third Party.

Step 1 : visit site
Step 2 : Download offline tool of GSTR-1
Step 3 : open such form in P.C. You will see excel sheet (or) form Type, fill all Detail.

(III) : Furnishing the detail of outward supply / State ment of outward supply. (Sec 27 + Rule-54)

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GSTR-1

Step 4 : once filled then click - Generate JSON file. Then Portal will Read your Data & You can submit and file "Return Online."

Who is Require to furnish the detail of outward supply ... ?

Ans : All Registered Persons including CTP EXCEPT

(1) ISD
(2) NRTP
(3) Composition Tax Payer
(4) TDS Deductor
(5) TCS collection
(6) OIDAR service providers.

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Due Date of GSTR-1

Class of R.P	Time limit
① RP opt QRMP	13th Day of the month succeeding such quarter.
② Other person	11th Day of the month succeeding said month.

(IV) : Invoice furnishing facility for Taxpayers opting for QRMP scheme....

→ IFF is an optional Facility

→ Provided to quarterly Taxpayers who are in QRMP Scheme.

→ To file their details of Outward supplies in First Two month of the Quarter.

→ Between the first Day of the suceeding month till the 13th Day of the succeeding month.

→ To Pass on the credit to their Receipient.

(V) : What Are the cases where a R.P is debarred from furnishing Details of the Outward supply in Form GSTR-1 / IFF.

① R.P Not allowed to furnish GSTR-1

→ Return not furnished in form GSTR-3B for the preceding Tax Period.

→ Person opt QRMP, has not furnished GSTR-3B for pre eding Quarter.

→ Person to whom intimation has been issued under Rule 88 C.

When GSTR-1 sales > GSTR 3B sale, GSTN sends an intimation

You must : ⊙ Pay the Difference (or) ⊙ Reply and explain the Reason → until you do that, you can't furnish GSTR-1

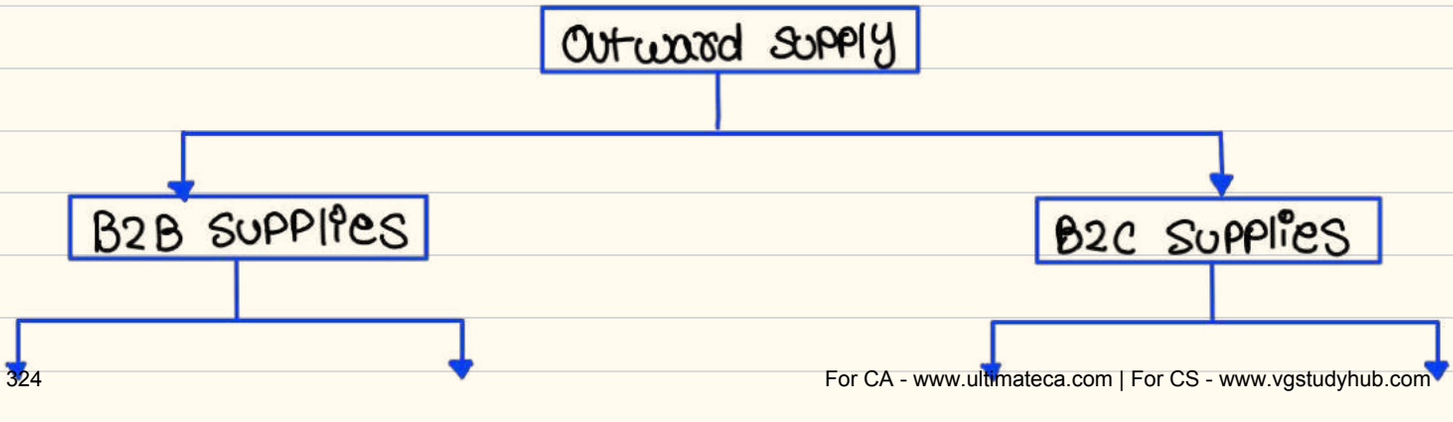
→ Person to whom intimation has been issued under Rule - 88 D

If your ITC claimed in GSTR 3B > ITC available in GSTR 2B, GSTN sends an intimation

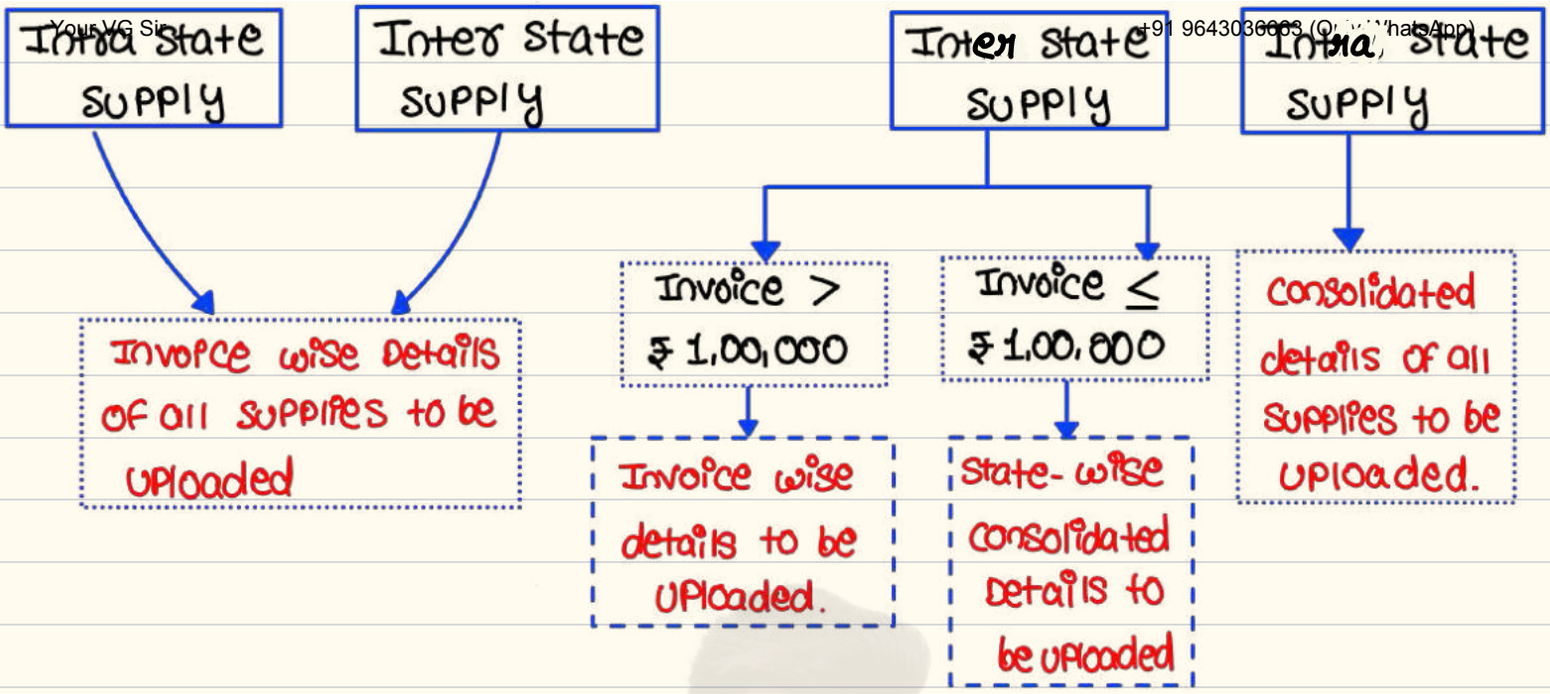
You must : ⊙ Pay Excess ITC (or) ⊙ Reply and explain the Reason → until you do that, you can't furnish GSTR-1

→ R.P has not furnish the Detail of Bank Account under Rule 10 A.

(VI) What kind of outward supply are Required to be furnish in GSTR-1.



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Example : M/S Gauri Shiva, a R.P in Punjab, supplier of Goods taxable at 12% in the state of Punjab and Haryana. He furnish following details in Relation to independent supplies made by him in Quarter ending June 2023 :

Supply	Receipient	R.P / U.R.P	Nature	value.	Invoice wise / Consolidated
1	A	R.P	Intra	1,20,000	Invoice wise
2	B	R.P	Inter	1,55,000	Invoice wise
3	C	URP	Intra	1,80,000	Consolidated
4	D	URP	Intra	2,60,000	Consolidated
5	M	URP	Inter	1,20,000	Invoice wise
6	N	URP	Inter	50,000	consolidated
7	O	URP	Inter	1,00,000	consolidated
8	P	URP	Inter	2,80,000	Invoice-wise
9	Q	R.P	Intra	1,50,000	Invoice-wise

- **Amendment of GSTR-1 for current Tax period.**

GSTR-1A : An optional facility

To Add New Records which TaxPayer missed out while filing in form GSTR-1/IFF

→ To Amend Records which were already Reported in same period in GSTR-1.

→ **Due Date :** After furnishing GSTR-1 for a tax period but before filing GSTR-3B for said Tax Period.

Rectification of ERRORS in GSTR-1 filed for previous periods :

Particulars furnished in GSTR-1 of Prior Tax Period can be amended ⇒ By way of Amendment Table given in GSTR-1 of subsequent periods.

Maximum Time limit For Rectification :

→ 30th Nov of Next year
(OR)
→ Date of filing of Relevant Annual Return

} Earlier

Filing of NIL GSTR-1

Filing of GSTR-1 is mandatory for All Normal and CTP even there is NO business Activity in Any particular TAX Period.

Through SMS.

Section 38 : Details of Inward supply

Particulars	GSTR 2A	GSTR 2B
Nature	Dynamic (i.e keep changing).	Static (once generated doesn't change).
Updates	Real time update when supplier files GSTR 1, 5, 6, 7, 8.	Generate once in a month on 13th (or) 14th of next month.
Cut off date?	No cut off Date Invoice Added Any time.	Yes :- Includes only Invoices upload till 13th of next month.
Source	GSTR 1, 5, 6, 7, 8	GSTR - 1, 5, 6, IFF
Whether Import includes ?	NO	Yes
Usefulness	Cross checking with Supplier Data	Claiming ITC in GSTR - 3B
Purpose	To view what supplier filed.	To claim Accurate ITC for the month.
Who should we?	for Audit, Review, Reconciliation	for ITC Claim.

Section 39 : Furnishing of Return.

Return forms under section 39.

- GSTR-3B
  - Monthly Return OR Quaterly Return
    - All Registered Person Except
      - ISD
      - NRTP
      - composition Tax Payer
      - TDS Deductor
      - TCS collector
      - OIDAR
- GSTR-4 — FOR Composition Tax Payer
- GSTR-5 — FOR NRTP
- GSTR-7/8 — FOR TDS/TCS

Due Date of GSTR 3B

Monthly = 20th of the next month

Quarterly GSTR 3B (QRMP Opt) = 22nd OR 24th of Next Month (depending upon state) succeding the quarter

for which return is furnished in case TaxPayer opt QRMP Scheme.

⇒ QRMP Scheme

- Optional Return filing Scheme.
- Quarterly Return.
- Monthly Payment.

• Eligibility	TaxPayer having aggregate T.O of upto 5 crore in preceeding financial year.
• conditions to be fulfilled for Becoming eligible.	• Tax Payer must have furnished the last Return, as due on the date of excercising such option.
• Manner of excercising option.	• Tax Payer can opt in for any quarter from 1st Day of 2nd month of preceeding quarter to the Last day of first month of quarter for which option is being exercised. Eg:- For July - Sep : 1 may - 31 July time.
• Validity of option once exercised.	Tax Payers are not Required to excercise their option every quarter. where such option is exercised once, they shall continue to furnish Return as per selected option for future tax Periods, unless they Revise the said option.

Options for making monthly payment of Tax under QRMP Scheme.
- → Fixed sum Method
- → Self Assessment method.

Fixed Sum Method (FSM)
(called 35% challan method)

→ This System auto calculate a fixed amount based on Past Return (i.e 35% fixed for 1st 2 month)

→ The TaxPayer Pay Pre-filed amount every month using form GST PMT - 06.

Example : Last Quarter (Jan-March) = Tax = 30,000

- As per FSM require paying 10,500 (i.e 35% of 30,000) each in April & May.
- Final Tax get adjusted when GSTR 3B filed in June.

Self Assement method

→ the Tax Payer calculate actual outward supply and ITC for the month.

→ Then Pay actual nex Tax using GST-PMT 06

Example : In April - Sale = 5,00,000 ; GST = 18%
GST = 90,000
ITC for April = 30,000

⇒ Net GST Payable = 60,000 (90,000 - 30,000)

* Opting for QRMP Scheme is GSTIN-wise

This means that a person may avail QRMP scheme option for some GSTIN(S) and not for other GSTIN(S)

Revision of GSTR-3B → Not Possible ; → Rectification Possible
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Time Limit Same as GSTR-1.

⇒ NIL - GSTR 3B

Filing of GSTR 3B is mandatory for all the normal & CTP even if there is NO Guinuine Activity in any particular Tax Period.
(It means – NO ITC ; NO Inward supply : NO outward supply)

Assessee can file NIL Return through GST Portal (or) SMS.

Other form Number of Return under GST

GSTR 4	Return for a financial year.	• Registered person • Paying tax under composition scheme.	30th June of the next F.Y.
GST CMP 08.	Quaterly statement Payment for self Assessed Tax.	• Registered person • Paying tax under composition scheme.	18th Day of the month Succeeding the Quarter.
GSTR 5	Monthly Return	Registered Non-Resident Tax Payer	13th Day of the next month (OR) within 7 Days after expiry of (whichever is earlier)
GSTR 7	Monthly Return	Registered person required to deduct TDS	10th day of the next month.
GSTR 8	Monthly Statement	E-commerce operator Required to collect Tax at source.	10th Day of the next month.

whole T/O > 2.5 Cr.

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GSTR 9	Annual Return	Registered Person other than ISD, Tax deductor/ Tax collector, CTP & a NR Taxpayer.	31st December of the next F.Y.
GSTR 9A	Annual Return	Composition Scheme.	31st December of Next F.Y.
GSTR 9B	Annual Return	E.C.O	Not yet Notified.
GSTR 9C	Reconciliation Statement	All Registered Period whose T/O > 5 crore other than ISD, CTP, Tax Deductor, Tax collector, NRTP.	31st December of Next F.Y.
GSTR 10	Final Return	Taxable person whose Registration has been surrendered (or) cancelled.	Within 3 months of Date of cancellation (or) Date of order of cancellation; (whichever is later)
GSTR 11	Details of I/w Supplies	Person who have been issued a UIN.	Not Notified

1. Filing of annual return exempted in specific case

Section 44(1) of the CGST Act, 2017 provides that the Commissioner may, on the recommendations of the Council, by notification, exempt any class of registered persons from filing annual return under this section.

In exercise of above powers, the Commissioner, on the recommendations of the Council, in respect of filing of annual return for the financial year 2024-25 onwards, has exempted the registered person whose aggregate turnover in any financial year is up to two crore rupees, from filing annual return that said financial year.

Important Point :-

IFF to file their details of outward supply in first 2 months of the quarter upto a cumulative value of 50 lakh in each of first 2 month of quarter.

CRUX

IFF के through हम 1 month में maximum 50,00,000 तक के invoice upload कर सकते हैं !!

GST Practitioner (GSTP)

→ Means any person who has been approved u/s 48 to Act as Practitioner.

→ What are functions that GSTP can perform on the GST Portal on behalf of Tax Payer ?

- GSTP authorised by R.P. can do following on his behalf :-
  1) Furnish statement u/s 37 (GSTR-1)
  2) Furnish Return u/s 39 (GSTR-3B/4/5/6/7)
     u/s 44 (Annual Return GSTR 9/9A)
     u/s 45 (Final Return GSTR 10)

- Other Functions :-

1) Deposit E-Cash Ledger.
2) Furnish Details of Form GSTITC-04 (Job worker challan)
3) Furnish information for generation of EWB.
4) Filing application for ammendment / cancellation of Registration.
5) Filing Refund application.
6) Filing intimation to pay tax u/s 10 & withdrawal u/s 10.

NOTE : The Responsibility of correctness of any particular furnished in the Return & other details filed by GSTP shall continue to Rest with the Registered person. on whose behalf such Return and details are furnished.

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- **Eligibility Conditions for GSTP : Rule 83(1)**

A person can apply for enrollment as GSTP if he :-

1) Indian citizen
2) Person of sound mind
3) IS not adjudicated as insolvent.
4) IS not convicted by any competent court.

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Satisfy Any one of the following conditions :-

a) He is Registered Judge of commercial tax Dept. of any SG (or) Retired Judge of CBIC.

b) He has enrolled as sales Tax Practitioner (or) TRP under old law for 5 years (or) more.

c) He has Passed :-
- Graduate / Post graduate from Indian university.
- Degree of any foreign university which is Recognised by Indian university.
- Final Exams of CA / CS / CMA.

⇒ **Manner of Enrollment** {Rule 83(1) + 83(3}

Apply over common Portal for Enrolment (GST.PCT.01)

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P.O check eligibility of Person for Enrollment of GSTP.

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Issuance of Enrollment certificate (GST.PCT.02)

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Enrollment of Permanent unless cancelled.

⇒ Cancellation of Enrollment

GST officer is entitled to Remove GSTP if he is found Guilty of Conduct.

- Manner → • SCN of such misconduct (GST PCT-03)
  - Reply by GSTP
  - Removal order (GSTP PCT 04)

If GSTP aggrieved, then appeal to commissioner. (within 30 days)

⇒ Surrender of Enrollment

1) Surrender application over portal (GSTP PCT 06)
2) Enquiry by commissioner.
3) Enrollment cancellation order (GST PCT 07)

Payment of tax under QRMP scheme

- Tax due in each of the first 2 months of the quarter
- To be paid by depositing in pre filled Form GST PMT-06
- Payment to be made by 25th of the succeeding month

Applicability of interest -

(1) For Fixed Sum method taxpayers

Where auto-calculated fixed sum amount for first 2 months of quarter is paid by due date	•No interest would be applicable even if the liability for the said month was found higher •If GSTR-3B of the quarter is filed by the due date by discharging the entire liability
Where tax payer makes monthly payment beyond due date	•Interest is payable at the applicable rate from due date of furnishing GST PMT-06 till date of making payment
Where Form GSTR-3B is furnished beyond due date	•Interest payable as per provisions of section 50 of the CGST Act, 2017 for the tax liability net of ITC

(2) For Self-assessment method taxpayers

- Interest payable as per provisions 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 2 months of the quarter