

GIST OF IMPORTANT RELIEF TO THE TAXPAYERS IN VIEW OF SPREAD OF NOVEL CORONA VIRUS (COVID- 19)



04th April 2020

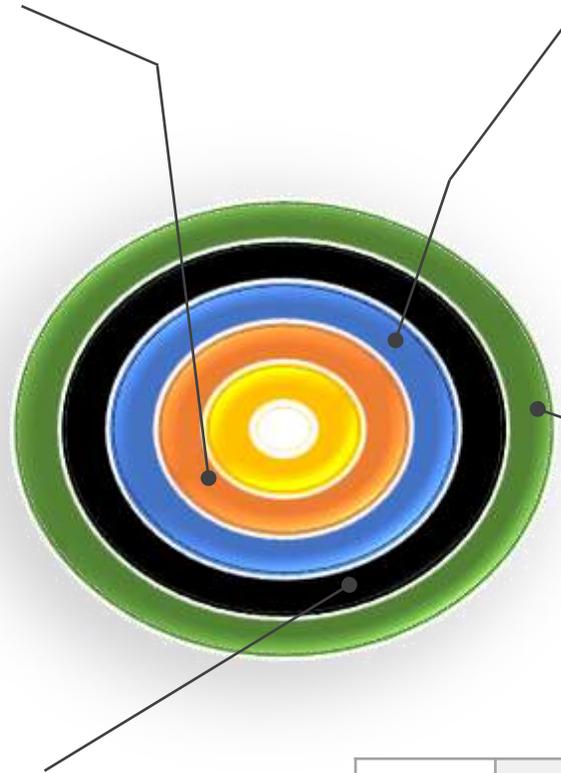
LAW & PROCEDURE

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•Taxpayers opting for the Composition Scheme for the financial year 2020-21 to file their option in FORM CMP-02 till **30th June, 2020 (**)**

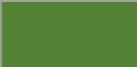
•An amendment has been made w.e.f. 3rd April 2020 in the Rule 36(4) of CGST Rules 2017 which provides 10% limit for availment of mismatch credits (ITC on invoices which are not reflected in GSTR-2A). As per amendment, the condition of 10% will now be applicable cumulatively for the months February to August 2020 and accordingly the adjustment of 10% of mis-match credit need to be done and reported in the GSTR-3B return for the month of September 2020.

Late fees prescribed for delay in filing form GSTR-1 has also been waived off for all classes of registered persons for the months of March, April and May 2020 and for quarter ending 31st march 2020 if form GSTR-1 for these periods are furnished on or **before 30th June 2020**.



Late fees prescribed for delay in filing GSTR-3B return has also been waived off for all classes of registered persons for the months of February, March and April 2020 if GSTR-3B return for these months are furnished on or before the dates notified in the table mentioned in next slide.

For Composition dealers, the due date for filing of statement containing details of payment of tax in Form GST CMP-08 for quarter ending 31st March 2020: on/before **7th July 2020**. Similarly, due date for filing of GSTR-4 return for quarter ending 31st March 2020 is amended to **15th July 2020**.

Color	Notification No.
	30/2020- Central Tax, dated 03.04.2020
	32/2020- Central Tax, dated 03.04.2020
	33/2020- Central Tax, dated 03.04.2020
	34/2020- Central Tax, dated 03.04.2020

Relaxations for composition dealers or for those who are planning to opt for composition for FY 2020-21

- Furnish the statement of details of payment of self- assessed tax in FORM GST CMP-08 for the quarter January to March, 2020 by 7th July 2020
- Furnish the return in FORM GSTR-4 for the financial year 2019-20 by 15th July 2020
- In addition to the above, taxpayers opting for the composition scheme for the financial year 2020-21, have been allowed, as per the notification No. 30/2020-Central Tax, dated 3rd April 2020, to,-
 - file an intimation in FORM GST CMP-02 by 30.06.2020; and
 - furnish the statement in FORM GST ITC-03 till 31.07.2020

Relaxation for taxable person in tax payment with lower rate of interest in case delay within prescribed period– Notification No. 31/2020 – Central Tax dated 03.04.2020

S. No.	Class of Registered person	Tax Period	Rate of Interest (ROI)*				
			Original Due date	Paid within 15 days form original Due date	ROI	Paid after 15th day upto 24.06.2020 – ROI	Paid after 24th June, 2020 - ROI
1.	Tax payers having aggregate turnover > Rs. 5 crores in preceding F.Y	Feb-20	20-03-2020	04-04-2020	0%	9%	18%
		Mar-20	20-04-2020	05-05-2020	0%	9%	18%
		Apr-20	20-05-2020	04-06-2020	0%	9%	18%
2.	Tax payers having aggregate turnover > Rs. 1.5 crores but upto 5 crores in preceding F.Y.	February 2020 and March 2020	0%, If GSTR-3B is furnished on/before 24 th June,2020				
		Apr-20	0%, If GSTR-3B is furnished on/before 30 th June,2020				
3.	Tax payers having aggregate turnover upto Rs. 1.5 crores	Feb-20	0%, If GSTR-3B is furnished on/before 30 th June,2020				
		Mar-20	0%, If GSTR-3B is furnished on/before 3 rd July,2020				
		Apr-20	0%, If GSTR-3B is furnished on/before 6 th July,2020				

* The reduced rate of interest is subject to the condition that the registered person must furnish the returns in FORM GSTR-3B on or before 24th day of June, 2020

Extending due date for compliances which falls during the period from the 20th day of March, 2020 to the 29th day of June, to 30th day of June, 2020 – Notification No.35/2020- Central Tax dated 03.04.2020

- Where time limit for any action by any authority like issuance of notice, passing of order, filing of an appeal, submission of reply etc. or by any person has been specified/prescribed/notified and which falls during the period from **20th March 2020 to 29th June 2020**, the time limit for such actions has been extended up to **30th June 2020**.

The above extension shall not be applicable to provisions relating to following:

- Input Tax Credit
 - E Way bill
 - Provisions relating to Tax Invoice, Furnishing of returns and details of outward supplies, Levy of late fees, Interest on payment of tax, provision relating to arrest, provisions relating to Penalty, Detention; seizure and release of goods & conveyance in transit, Time limit for Composition dealer, Registration procedure, provisions prescribed for casual and non-resident taxable person,
- E Way Bill:
Where E Way bill has been generated and its period of expiry expires during the period **20th March 2020 to 15th April 2020** then the validity of such e way bills are deemed to be extended till **30th April 2020**.

Relaxation in Due date for filing of GSTR-3B return for the month of May 2020 stands extended which is mentioned below:

S. No.	Category of GST registered person	Due Date
1.	Taxpayers having aggregate turnover of more than Rs. 5 crores in previous FY	27 th June 2020
2.	Taxpayers having aggregate turnover upto Rs. 5 Crores and having principal place of business in the State 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, Pondicherry, Andaman and Nicobar Islands or Lakshadweep	12 th July 2020
3.	Taxpayers having aggregate turnover upto Rs. 5 Crores and having principal place of business Himachal Pradesh, Punjab, Uttarakhand, Haryana, Rajasthan, Uttar Pradesh, Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya, Assam, West Bengal, Jharkhand or Odisha, Union territories of Jammu and Kashmir, Ladakh, Chandigarh or Delhi	14 th July 2020

Clubbing Of Refund Claims Across Different Financial Years Allowed – Circular No. 135/05/2020 - GST dated 31.03.2020

Previously

No refund available if I purchase goods in last quarter F.Y. 2018-19 and export in F.Y. 2019- 20



Now

Thanks to this Circular. Now I can claim my Refund for tax period by clubbing different Financial years



As per the Circular, there is no bar in claiming refund by clubbing different months across successive Financial Years

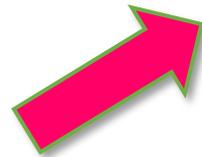
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Refund of accumulated Input Tax Credit on account of reduction in GST Rate on same good - Circular No. 135/05/2020 - GST dated 31.03.2020

An applicant who purchased goods by paying applicable GST @18% which will be supplied further.

Later on, the Government reduced the rate of GST on said goods to 12%.

Can the applicant file the refund refund? Does the case of the applicant falls under Inverted Rate structure?



Circular states that reduction in GST rate where input and output is same does not falls under Inverted Rate structure. And thus,
NO REFUND!

Change in manner of refund of tax paid on supplies other than zero rated supplies - Circular No. 135/05/2020 - GST dated 31.03.2020

Categorizes of Refund:-

- a. Refund of unutilized ITC for exports without payment of tax;
- b. Refund for export of services with payment of tax;
- c. Refund of unutilized ITC for supplies made to SEZ Unit/SEZ Developer without payment of tax and with payment of tax;
- d. Refund of unutilized ITC on account of accumulation due to inverted tax structure;
- e. Refund to supplier for deemed export supplies;
- f. Refund to recipient for deemed export supplies;
- g. Refund of excess balance in the ECL;
- h. Refund of excess payment of tax;
- i. Refund for intra-State supply subsequently held to be inter- State supply and vice versa;
- j. Refund on account of assessment/provisional assessment/appeal/any other order;
- k. Refund on account of “any other” ground or reason.



Refund of tax paid on supplies admissible proportionately in the respective original mode of payment i.e. in cases of refund, where the tax to be refunded has been paid by debiting both electronic cash and credit ledgers, the refund to be paid will be in the same proportion in which the cash and credit ledger has been debited for discharging the total tax liability. Such amount, shall be accordingly paid by issuance of order in FORM GST RFD-06 for amount refundable in cash and FORM GST PMT-03 to re-credit the amount attributable to credit as ITC in the electronic credit ledger

Guidelines for refunds of Input Tax Credit under Section 54(3)

The refund on accumulated ITC shall be restricted to the invoices uploaded through GSTR1 by suppliers and reflecting in GSTR 2A of claimant by modifying Section 36(4) of CGST Act

New Requirement to mention HSN/SAC*:

The applicant in addition to details already prescribed is now required to mention HSN/SAC code in the statement of invoices to inward supply Annexure-B of the circular No. 125/44/2019- GST (as mentioned in next slide) dated 18.11.2019 except where HSN/ SAC code is not mandated in respect of such an inward supply.

Now I will have to track each and every invoice for identifying HSN/ SAC code



Annexure–B of the circular No. 125/44/2019- GST dated 18.11.2019

HSN and SAC code
column added in the
table of Annexure B

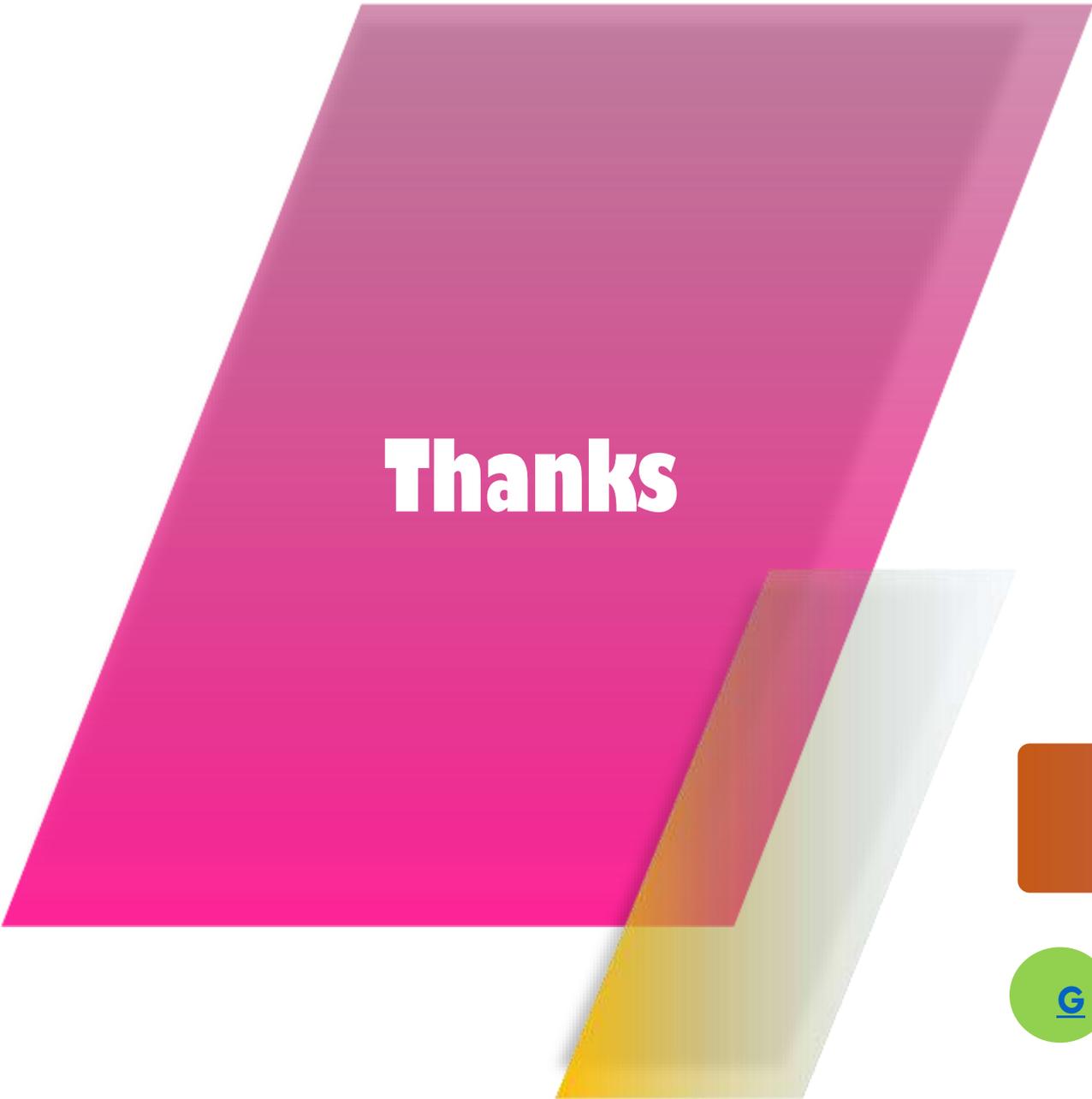
Annexure-B

Statement of invoices to be submitted with application for refund of unutilized ITC

Sr. No	GSTIN of the Supplier	Name of the Supplier	Invoice Details			Category of input supplies		Central Tax	State Tax/ Union Territory Tax	Integrated Tax	Cess	Eligible for ITC	Amount of eligible ITC
			Invoice No.	Date	Value	Inputs/Input Services/capital goods	HSN/SAC						
1	2	3	4	5	6	7	8	9	10	11	12	13	14

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