



GOODS AND SERVICES TAX ALERT

N. A. SHAH BULLETIN

August 2020


N. A. SHAH ASSOCIATES LLP
Chartered Accountants

M. A. PARIKH & CO. IS NOW A PART OF N. A. SHAH ASSOCIATES LLP

GST COMPLIANCE TO BE DONE ON OR BEFORE 30th SEPTMEBER 2020

In view of the continuing spread of COVID-19 pandemic across the country, Government, on recommendation of GST council, had provided relaxations in respect of certain time-bound compliances. Quite a few of such GST compliances in addition to other yearly GST compliances are falling due by 30th September 2020. To avoid last minute hassle in being compliant, one must adhere to below mentioned deadlines in order to avoid any consequences (like interest, late fees, etc.) for such non-compliances:

GST Return	Particulars
GSTR – 1	<ul style="list-style-type: none"> GSTR 1 for month of August 2020 is to be filed on or before 11th September 2020. Rectification of any error or omission in respect of invoice / debit note/ credit note pertaining to F.Y. 19-20 needs to be done before filing of return for the month of September 2020. GSTR 1 of September 2020 is the last window to report or rectify any transaction pertaining to F.Y. 19-20, such as: <ul style="list-style-type: none"> i. Invoice, debit note or credit note which has not been reported; ii. amendment of invoice, debit note or credit note with respect to change in taxable value and tax, GSTIN, Place of Supply, etc.

GSTR – 3B

- Due date for filing GSTR 3B for month of August 2020 is as under:

Aggregate T/O in Preceding F.Y.	Due Date
More than Rs. 5 Crore	20 th September 2020
Up to Rs. 5 Crore (*State Category I)	1 st October 2020
Up to Rs. 5 Crore (**State Category II)	3 rd October 2020

- Due date for filing GSTR 3B for month of May 2020, June 2020 and July 2020 also falls in the month of September 2020 in following cases:
 - Where aggregate turnover in preceding F.Y. is up to Rs. 5 Crore (*State Category I)

Return Month	Due Date
May 2020	12 th September 2020
June 2020	23 rd September 2020
July 2020	27 th September 2020

- Where aggregate turnover in preceding F.Y. is up to Rs. 5 Crore (**State Category II)

Return Month	Due Date
May 2020	15 th September 2020
June 2020	25 th September 2020
July 2020	29 th September 2020

- For month of May 2020, June 2020 and July 2020, Government has waived interest and late fee till respective due dates.
Where GSTR 3B is filed after revised due dates, interest is payable @ 9% till 30th September 2020 and thereafter @ 18% till date of filing.
- For month of February 2020 to July 2020, late fee will be restricted to Rs. 500 per return for all assesses provided GSTR 3B is filed on or before 30th September 2020.
- Government has waived / capped late fees in respect of delayed filing of GSTR 3B for the period July 2017 to January 2020 as under subject to the condition that said return is filed between **1st July 2020 to 30th September 2020**:
 - Full waiver of late fees where GST payable is NIL; and
 - Maximum late fees payable is Rs. 500 in rest of the cases.
- As per Rule 36(4) of CGST Rules, total ITC availment was restricted to 120% and later to 110% of the eligible invoices reflecting in the GSTR 2A. However, there was a relaxation given from this Rule for the returns pertaining to the period February 2020 to August

	<p>2020. Last date for making cumulative adjustment for the months of February 2020 to August 2020 in respect of invoices not appearing in the GSTR 2A shall be done in GSTR 3B for September 2020.</p> <ul style="list-style-type: none"> Any liability which was under reported or over reported due to error or omission in respect of invoice / credit note / debit note pertaining to F.Y. 19-20 needs to be paid or adjusted before filing of return for month of September 2020. Any liability payable is to be paid along with interest as applicable thereon. Any input tax credit which was not availed, short availed or excess availed in respect of invoice / debit note or credit note pertaining to F.Y. 19-20 needs to be availed or reversed before filing of return for month of September 2020. Interest as applicable is to be paid on amount of ITC which is reversed. Final Common ITC reversal computations under Rule 42 / Rule 43 of CGST Rules for F.Y. 19-20 shall be made and accordingly, short claimed ITC shall be claimed or short reversal in ITC shall be made along with interest in GSTR 3B for the month of September 2020.
Annual Return and Audit Report	<ul style="list-style-type: none"> GSTR 9 / GSTR 9A (Annual Return) for F.Y. 2018-19 is to be filed on or before 30th September 2020.

- GSTR 9 is applicable to a registered person and GSTR 9A is application to a composition dealer.
- Filing of GSTR 9 for F.Y. 2018-19 is optional for registered person having aggregate turnover of less than Rs. 2 Crore in F.Y. 2018-19.
- GSTR 9C (Audit Report) for F.Y. 2018-19 is to be filed on or before 30th September 2020.
- In the 39th GST Council Meeting held on 14th March, 2020, it was recommended to make filing of GSTR 9C for F.Y. 2018-19 optional for Micro, Small, and Medium Enterprises [MSMEs] having aggregate turnover below Rs. 5 crores.

However, no notification to such effect has been issued by the government till date.

***State Category I:** Applicable for the registered persons having business in the states of Chhattisgarh, Madhya Pradesh, Gujarat, Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Telangana or Andhra Pradesh or the Union territories of Daman and Diu and Dadra and Nagar Haveli, Puducherry, Andaman and Nicobar Islands and Lakshadweep.

****State Category II:** Applicable for the registered persons having business 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 or the Union territories of Jammu and Kashmir, Ladakh, Chandigarh and Delhi.

We will be glad to provide any information, elaboration and elucidation you may need in this regard.

From:

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