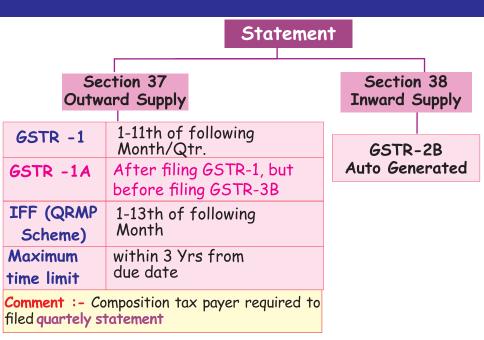
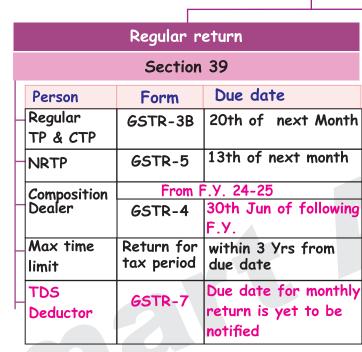
# **Chapter 13 - RETURN**



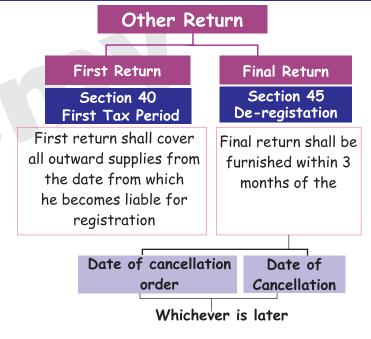
# Statement / Return

Normal Return





# Annual return Section 44 Person Regular Composition TP TP Form GSTR-9 GSTR-9A Due date 31st Dec of the next F. Y. Max. within 3 Yrs from due Time Limit date of Annual return



# Outward and Inward Supply Statement (Sec 37 & Sec 38)

Type of TP	Form No.	Periodicity	Due date	Not Applicable to		
Every registered	GSTP_1	Monthly (Details of outward supplies)	11th of the next	(a) Composition taxpayer		
		- // .	month	(b) NRTP (c) ISD		
/	GSTR-1A	Amended or Additional	Between 11th to	(d) Person liable to TDS & TCS		
2		details of Outward supply	21st of next month	(e) OIDAR		
		9 3	•			

Details of O	utward Supply	Rectification of Error:
Invoice	⇒ Inter-State and Intra-State supplies made to RP, and	RP can rectify error in
wise	⇒ Inter-State supplies with invoice value more than ₹ 1L made	GSTR 1 & GSTR 3B (other
details	to URP ISION FOR	than scrutiny, Audit &
Consolidated	⇒ Intra-State supplies made to URP for each rate of tax, and	Inspection)& time limit is
details	Office wise filler office supplies with invoice value up to \ 15	Earlier of 30th Nov or Date
	made to URP for each rate of tax	of Annual return

# 3) Annual Return

		Periodicity		
Registered	GSTR-9	Annual	31st Dec	(a) Supplier of OIDAR services (b) Composition taxpayer
Normal taxpayer		Return	of next	(c) NRTP (d) ISD (e) Person deducting TDS&TCS
				f) CTP (g) those referred to in the proviso to sec 35(5),

a self-certified reconciliation statement, reconciling the value of supplies declared in the return furnished for the F.Y.,

with the audited annual financial statement for every financial year electronically,

# Furnishing of Returns [Sec 39]

Type of TP	Form No.	Periodicity	Due date	Not Applicable to
Every registered	GSTR-3B	Monthly (or a part of the month)	20th of	(a) Supplier of OIDAR services
person		Note: - In case of QRMP scheme	the next	(b) Composition taxpayer (c) NRTP
		refer next page)	month	(d) ISD (e) Person deducting TDS &TCS

# 2) Return by Composition taxpayer (Sec. 39(2) and rule 62)

Type of TP	Form No.	Periodicity	Due date
Composition	GSTD A	Yearly (or part thereof) Note: Furnish a statement every	30th June
taxpayer	651K-4	quarter or, part thereof containing the details of	following the end
		payment of self-assessed tax in FORM GST CMP -08 till	of such F.Y
		the 18th day of the month succeding such quarter	
		SCISION FOR	

# 4) Final Return

Type of taxable person	Form No.	Periodicity	Due date	
RP and whose registration	<i>GSTR-10</i>	Final Return	within 3 months of date of cancellation or date of	
has been cancelled			order of cancellation (whichever is later)	

## 5) OIDAR Services & Online money gaming from outside India

Type of taxable person	Form No.	Periodicity	Due date
OIDAR Services to NTOR or other RP & Online money gaming	GSTR-5A	Monthly Return	On or before 20th day of succeeding month

### First Return (Sec 40)

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

# Rule 59(6): - Restriction on furnishing GSTR -1 or IFF

# Restriction on furnishing GSTR -1 or IFF: - Notwithstanding anything contained in this rule,

- (a) RP (Monthly Scheme): Can not furnished if he has not furnished the return in FORM GSTR-3B for GSTR-1
- (b) RP (QRMP Scheme): Can not furnished if he has not furnished the return in FORM GSTR-3B for GSTR-1 or using IFF preceding tax period
- (d) If intimation is issued under Rule 88C(1):- RP cannot furnish GSTR-1 or using IFF for a subsequent tax period, unless he deposits intimated amount or furnishes a reply to explain it
- (e) If intimation is issued under rule 88D(1):- RP cannot file GSTR-1 or using IFF for subsequent tax period, unless he pays such excess ITC or furnishes a reply to explain it.
- (f) Bank details under rule 10A:- RP cannot file GSTR-1/using IFF, if he has not furnished details of bank account as per rule 10A.

# Late fee u/s 47 for delayed filing of GSTR-1 and/or GSTR-3B

	₹20 per day(i.e. ₹10 per day each under <i>CG</i> ST & <i>SGST</i> ) but max.=₹ 500 (i.e. 250 under <i>CG</i> ST & <i>SG</i> ST each)				
2) RP other than those covered in (1) above (i.e. there is	cr. in PFY	⊃ max.=₹2000 (i.e. 1000 under CGST & SGST each)			
on tax payable as per 65 TK-	than 1.5 Cr but ≤	<ul><li>₹50 per day(i.e. ₹25 per day each under CGST &amp; SGST)</li><li>max.=₹5000 (i.e. 2500 under CGST &amp; SGST each)</li></ul>			

3) RP having Agg. T/o > 5 Cr. in ₹ 50 per day (i.e. ₹25 per day each under CGST & SGST) but max.=₹10,000 PFY

# Late fee u/s 47 for delayed filing of GSTR - 4 under Composition scheme

		· 💆 - Programme and the control of
1)		⇒₹20 per day(i.e.₹10 per day each under CGST & SGST/UTGST) but
	4 is Nil	⊃ maximum=₹500 (i.e. 250 under CGST & SGST/UTGST each)
2)	If RP other than in (1) above	⊃₹50 per day(i.e.₹25 per day each under CGST & SGST/UTGST) but
		⇒ maximum=₹2000 (i.e. 1000 under CGST & SGST/UTGST each)

# Late fee u/s 47 for failure to furnish annual return by due date [N/No. 07/2023- CT]

	1)	RP having an aggregate turnover <= ₹5 Cr. in relevant F.Y.	⇒ ₹50 per day(i.e.₹25 per day each under CGST & SGST/UTGST) but ⇒ maximum= 0.04% (i.e. 0.02 % under CGST & SGST/UTGST each) of T/o in State or UT
[	2)	RP having an Agg. T/O of > ₹ 5 Cr & and <= ₹20 Cr in relevant F.Y.	⇒ ₹100 per day (i.e. ₹50 per day each under CGST & SGST/UTGST) but ⇒ maximum=0.04% (i.e. 0.02 % under CGST & SGST/UTGST each) of T/o in State or UT
;	3)	RP having an Agg T/O of > ₹20 Crores in relevant F.Y.	<ul> <li>₹200 per day (i.e. ₹100 per day each under CGST &amp; SGST/UTGST) but</li> <li>0.50% of the turnover in State/UT (0.25 % under CGST &amp; SGST/UTGST each)</li> </ul>

### Late fee u/s 47 for delayed filing of GSTR - 7 by person liable to deduct tax at source u/s 51

 $\bigcirc$  ₹50 per day(i.e. ₹25 per day each under CGST & SGST/UTGST) but maximum = ₹2000 (i.e. 1000 under CGST & SGST/UTGST each)

# Goods and Service Tax Practitioners

### Concept of GSTP

- ⇒ A RP may authorised an approved GSTP to furnish information, on his behalf, to the Government.
- ⇒ GSTN will provide separate user ID and Password to GSTP to enable him to work on behalf of his clients without asking for their user ID and passwords.
- ⇒ They can do all the work on behalf of taxpayers as allowed under GST Law.
- ⇒ A taxpayer may choose a different GSTP by simply unselecting the previous one and then choosing a new GSTP on the GST portal.

### Eligibility Criteria for GSTP

Basic Conditions: - 1) Citizen of India 2) Person of Sound Mind 3) Not adjudication as insolvent 4) not been convicted by court

Other Conditions:- 1) Retired officer of Govt. Not below lower the rank of group B gazetted officer for not less than 2 years

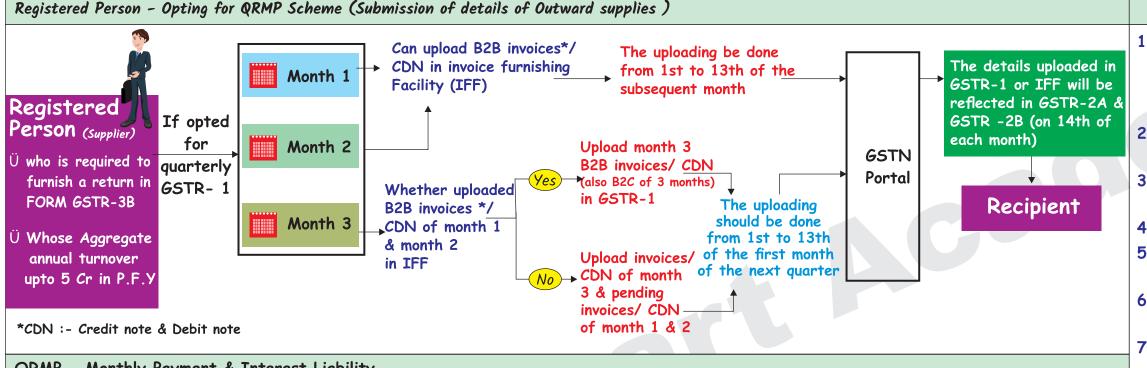
- 2) enrolled as a sales tax practitioner or tax return preparer under the existing law for a period of not less than five years
- 3) he has passed, (i) a graduate of postgraduate degree (ii) a degree of any Foreign University recognized by any Indian University or
- (iii) any other examination notified by the Government, or (iv) He has passed a) ICAI; or b) ICAI (CMA); or c) ICSI.

# Activities which can be undertaken by a GSTP

- (a) furnish the details of outward supplies;
- (b) furnish monthly, quarterly, annual or final return;
- (c) make deposit for credit into the electronic cash ledger;
- (d) file a claim for refund;
- (e)file an application for amendment or cancellation of registration;
- (f) furnish information for generation of e-way bill;
- (g) furnish details of challan in FORM GST ITC-04;
- (h) file an application for amendment or cancellation of enrolment under rule 58; and
- (I) file an intimation to pay tax under the composition scheme or withdraw from the said scheme:
  - Provided that where any application relating to
  - a claim for refund or
  - an application for amendment or
  - cancellation of registration or
  - where an intimation to pay tax under composition scheme or to withdraw from such scheme has been submitted

# QRMP SCHEME (This new Scheme will be effective from 01.01.2021)





### QRMP - Monthly Payment & Interest Liability

Registered

Person(Supplier)

(Whose Aggregate

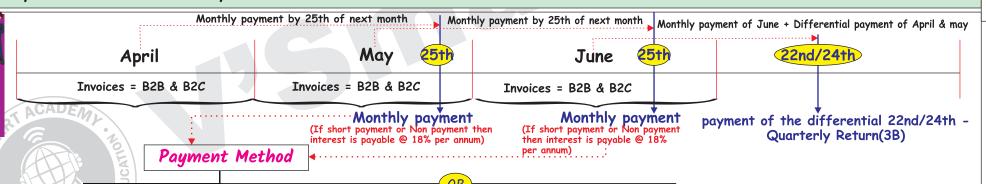
annual turnover

upto 5 Cr in P.F.Y)

Example

**IGST** 

Cess



month.

# 1. Fixed Sum Method (FSM)

Payment of tax in the 1st and the 2nd month of the quarter. Type of Taxpayer Tax to be paid Sr. No. Who furnished GSTR-3B quarterly 35% of tax paid in cash(E-Cash for the last quarter Ledger) in the preceding quarter 100% of tax paid in cash in the last Who furnished GSTR-3B monthly during the last guarter month of the immediately preceding quarter

The balancing amount of tax is to be paid in the 3rd month.

In case the last return filed was on quarterly basis for Quarter Ending March. 2021: Tax paid in Cash in Quarter Tax required to be paid in each (January - March, 2021) of the months - April and May, 21 CGST 100 CGST 35 SGST 100 SGST 35

IGST

Cess

175

17.5

500

50

In case the last return filed was monthly for tax period March

IThst two months of the quarter.

In case the last return flied was monthly for tax period march, 2021.							
Tax paid in Cash in	Tax paid in Cash in March,21		d in each of the months				
CGST	50	CGST	50				
SGST	50	SGST	50				
IGST	80	IGST	80				
Cess		Cess					

on inward and outward supplies and as per the ITC available.

There are certain conditions where no tax needs to be paid:

2. Self-Assessment Method (SAM)

Here the taxpayer can pay the tax liability by considering the tax liabilities

· 1st Month of Quarter: The tax liability is Nil. OR The balance in the

electronic cash ledger is adequate for the tax liability for the same

2nd Month of Quarter: The tax liability is Nil. OR The balance in the electronic cash ledger is adequate for the cumulative tax liability for the

# Important Points

- 1. The aggregate annual turnover for the P.F.Y. shall be calculated in the common portal taking into account the details furnished in the returns by the taxpayer for the tax periods in the P.F.Y.
- 2. Value of supply in IFF shall not exceeds ` 50 lakhs for each month
- 3. After 13th of the month, this facility for furnishing IFF for previous month would not be available.
- 4. Details given in IFF not required to be given again in GSTR-1
- 5. Where QRMP option has been exercised once, they shall continue unless RP revise the said option.
- 6. It is further clarified that the option to avail the QRMP Scheme is GSTIN wise
- 7. Some GSTINs of same PAN can opt for the QRMP Scheme and remaining GSTINs may not opt for the Scheme.

### Rule 61A: Manner of opting Quarterly return

Student Notes :-

ÜFacility to avail the Scheme on the common portal would be available throughout the year.

ÜA registered person can opt in for any quarter from first day of second month of preceding quarter to the last day of the first month of the quarter.

Jan	Feb	Mai	n	April	May	June
•	01.02	.XXXX	3	0.04.XXXX	,	
time	limit to opt	for QRM	P (in	Quarter- Ap	oril-June)	