

GOODS AND SERVICES TAX UPDATE – NOVEMBER 2020

NOTIFICATION UPDATES

- 1. Prescribing due dates for furnishing GSTR 1 for the quarter ending Dec 2020 and Mar 2021 in case of registered persons having aggregate turnover of up to 1.5 cr in the preceding FY or current FY: - Notification No 74/2020-Central GST dated 15.10.2020**

Vide above notification the due dates for filing GSTR 1 for small tax payers who files the return quarterly has been revised. Registered persons whose aggregate turnover in preceding financial year or current year is up to 1.5 Crore, shall file GSTR 1 Quarterly on or before 13th of succeeding month for the tax period October 2020 to March 2021.

- 2. Prescribing due dates for furnishing GSTR 1 for each of months from Oct 2020 to March 2021 in case of registered persons having aggregate turnover of more than 1.5 cr in the preceding FY or current FY: - Notification No 75/2020-Central GST dated 15.10.2020**

Vide above notification, Registered persons whose aggregate turnover in preceding financial year or current year is more than 1.5 Crore, shall file GSTR 1 monthly on or before 11th of succeeding month for the tax period October 2020 to March 2021.

- 3. Prescribing due date for furnishing GSTR 3B for the tax period Oct 2020 to March 2021 – Notification No 76/2020-Central Tax dated 15.10.2020**

Vide above notification, Registered persons having aggregate turnover of up to five crore rupees in previous financial year and whose principal place of business 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, shall file GSTR 3B return for the months of October 2020 to March 2021 on or before twenty second day of the month succeeding such month.

Registered persons having aggregate turnover of up to five crore rupees in previous financial year and whose principal place of 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, the Union territories of Jammu and Kashmir, Ladakh, Chandigarh or Delhi shall file GSTR 3B return for the months of October, 2020 to March 2021 on or before twenty fourth day of the month succeeding such month.

Registered persons having aggregate turnover of more than five crore rupees in previous financial year shall file GSTR 3B return for the months of October 2020 to March 2021 on or before twentieth day of the month succeeding such month.

4. Filing of GSTR 9 for the FY 2019-20 made optional for small tax payers having aggregate turnover up to Rs. 2 Crore – Notification No 77/2020-CT dated 15-10-2020

In case of small tax payers who has aggregate turnover of up to Rs. 2 crores are given option to file annual return in Form GSTR 9 for the financial year 2019-20.

5. Mentioning HSN codes in the tax invoice by the registered persons:
Notification No 78/2020-Central Tax dated 15.10.2020

Vide above notification, number of digits of HSN codes to be mentioned in the tax invoices is prescribed as under:

Serial Number	Aggregate Turnover in the preceding Financial Year	Number of Digits of Harmonised System of Nomenclature Code (HSN Code)
(1)	(2)	(3)
1.	Up to rupees five crores	4
2.	more than rupees five crores	6

However, in case of registered persons having aggregate turnover of up to five crores rupees in the previous financial year may not mention the number of digits of HSN code, as specified in the above table in the tax invoice issued by them in respect of supplies made to unregistered persons.

Above would be applicable with effect from 01st April, 2021.

6. Amendment in CGST Rules 2017 – Notification No 79/2020 dated 15.10.2020 – Notification No 79/2020-Central Tax dated 15.10.2020:

a. Amendment of Rule 46 – Contents of Tax invoice:

First proviso to the said rule is amended to enable the board to specify number of digits of HSN codes to be mentioned in tax invoice and class of registered persons who are not required to mention the HSN codes – *Notification no 78/2020-CT dated 15.10.2020 has been issued for this purpose.*

b. Amendment of Rule 67A – Filing of GSTR 3B, GSTR1 and CMP 08 returns with nil records through SMS

Earlier GSTR 3B and GSTR 1 filing with nil data were allowed through SMS. Now filing of nil CMP-08 is also allowed through SMS.

c. Amendment of Rule 80 – Filing of 9C mandatory only for tax payers with more than Rs. 5Cr aggregate turnover:

For the financial year 2019-20 in addition to FY 2018-19 filing of reconciliation statement in Form 9C shall be mandatory only for those tax payers whose aggregate turnover more than Rs. 5Crores.

d. Generation of Part-A of E-way Bill – Rule 138 E

In case GSTR 3B or GSTR 1 or CMP 08 is not filed for a consecutive two tax periods, part A of e-way bill can not be generated. Vide above notification, this rule is amended to exclude the above restriction during the period 20th day of March, 2020 till 15th day of October,

2020 in case the return in Form GSTR 3B or GSTR 1 of CMP 08 has not been furnished for the period Feb 2020 to August, 2020.

e. Amendment in GSTR 1 form

In column 6 of Table No. 12 where HSN summary of outward supplies are reported, for the words “Total Value”, the words “Rate of tax” shall be substituted

f. Amendment in GSTR 2-A

New form GSTR 2A shall include Part-D where in ITC details arising from import of goods as well as from inward supplies of goods received from SEZ units/ developers shall also be reported.

g. Amendment in GSTR 9

Amendment in Tables of GSTR 9

(a) against serial number 8C, in column 2, for the entry, the following entry shall be substituted, namely: -

“ITC on inward supplies (other than imports and inward supplies liable to reverse charge but includes services received from SEZs) received during the financial year but availed in the next financial year up to specified period”;

(b) against Pt. V, for the heading, the following heading shall be substituted, namely: -

“Particulars of the transactions for the financial year declared in returns of the next financial year till the specified period.”;

Amendments in Instructions of GSTR 9

Following are the important gist of amendments made in the instructions to GSTR 9

- i. In tables 4,5,6 and 7 – Values pertaining to the current financial year shall alone be reported. Values pertaining to preceding financial year shall not be reported.
- ii. From FY 2019-20, in Table 6B,6C and 6E inputs and input services may be reported under “Inputs”. However, capital goods need to be reported under “Capital goods” unlike the reporting for FY 2017-18 and 2018-19 wherein all inputs, input services and capital goods were reported under “inputs” only.
- iii. For the purpose of table 8A, for FY 2019-20, it may be noted that the details from FORM GSTR-2A generated as on the 1st November, 2020 shall be auto-populated in this table.
- iv. Table 8C shall be recaptioned as “Aggregate value of input tax credit availed on all inward 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”
- v. For FY 2019-20, Part V consists of particulars of transactions for the previous financial year but paid in the FORM GSTR-3B between April 2020 to September 2020.
- vi. For the Serial numbers 10&11 following entry is substituted.
“For FY 2019-20, 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 9A, Table 9B and Table 9C of FORM GSTR-1 of April 2020 to September 2020 shall be declared here.”;

- vii. For the serial number 12 following entry is substituted. “For FY 2019-20, Aggregate value of reversal of ITC which was availed in the previous financial year but reversed in returns filed for the months of April 2020 to September 2020 shall be declared here. Table 4(B) of FORM GSTR-3B may be used for filling up these details.” For FY 2019-20, the registered person shall have an option to not fill this table
- viii. For the serial number 13 following entry is substituted. “For FY 2019-20, Details of ITC for goods or services received in the previous financial year but ITC for the same was availed in returns filed for the months of April 2020 to September 2020 shall be declared here.”