

CNK & Associates LLP

GST News Flash – Relief measures announced on account of second wave of COVID-19

RETURNS AND PAYMENTS:

GSTR-3B	Aggregate Turnover in the preceding financial year					
	> 5 crores			< 5 Crores (Taxpayers who have not opted for QRMP Scheme)		
Relief in respect of filing of GSTR-3B for the month of March 2021						
Filing Date	Upto 20.04.2021	21.04.2021 to 05.05.2021	After 05.05.2021	Upto 05.05.2021	06.05.2021 to 20.05.2021	After 20.05.2021
Interest p.a.	0%	9%	9% upto 05.05.2021 and 18% thereafter	0%	9%	9% upto 20.05.2021 and 18% thereafter
Late Fees	Nil	Nil	Applicable after 05.05.2021	Nil	Nil	Applicable after 20.05.2021
Relief in respect of filing of GSTR-3B for the month of April 2021						
Filing Date	Upto 20.05.2021	21.05.2021 to 04.06.2021	After 04.06.2021	Upto 04.06.2021	05.06.2021 to 19.06.2021	After 19.06.2021
Interest p.a.	0%	9%	9% upto 04.06.2021 and 18% thereafter	0%	9%	9% upto 19.06.2021 and 18% thereafter
Late Fees	Nil	Nil	Applicable after 04.06.2021	Nil	Nil	Applicable after 19.06.2021

Return & Payment	Taxpayers who have opted for Composition Scheme			
	CMP-08			
January 2021 to March 2021	Upto 18.04.2021	19.04.2021 to 03.05.2021	04.05.2021 to 18.05.2021	After 18.05.2021
Interest p.a.	0%	0%	9%	9% upto 18.05.2021 and 18% thereafter
Late Fees	Nil	Applicable	Applicable	Applicable

Return & Payment	Taxpayers who have opted for Quarterly Return Monthly Payment (QRMP) Scheme					
	Category I*			Category II*		
Relief in respect of filing of GSTR-3B for March 2021[^]						
Filing Date	Upto 07.05.2021	08.05.2021 to 22.05.2021	After 22.05.2021	Upto 09.05.2021	10.05.2021 to 24.05.2021	After 24.05.2021
Interest p.a.	0%	9%	9% upto 22.05.2021 and 18% thereafter	0%	9%	9% upto 24.05.2021 and 18% thereafter
Late Fees	Nil	Nil	Applicable after 22.05.2021	Nil	Nil	Applicable after 24.05.2021
Relief in respect of payment for the month of April 2021 in Form GST PMT-06						
Payment Date	Upto 09.06.2021	10.06.2021 Upto 24.06.2021	After 24.06.2021	Upto 09.06.2021	10.06.2021 Upto 24.06.2021	After 24.06.2021
Interest p.a.	0%	9%	9% upto 24.06.2021 and 18% thereafter	0%	9%	9% upto 24.06.2021 and 18% thereafter

*Category I – Principal place of business located 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.

*Category II - Principal place of business located 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

[^] No relaxation is given in respect of monthly payments under QRMP Scheme for the month of January 2021 and February 2021 and the aforesaid relaxation is applicable only in respect of payment for the month of March 2021 and GSTR-3B to be filed for the period January 2021 to March 2021.

(Notification No.8/2021-Central Tax and Notification No.9/2021-Central Tax dated 1st May, 2021)

OTHER RETURNS:

Returns	Present Due Date	Revised Due Date	Notification No.
Outward supplies in Form GSTR-1 for the month of April 2021 for regular taxpayers	11 th May, 2021	26 th May, 2021	12/2021-Central Tax dated 1 st May, 2021
Outward supplies by taxpayers who have opted for QRMP Scheme through Invoice Furnishing Facility (IFF) for the month of April 2021	13 th May, 2021	28 th May, 2021	13/2021–Central Tax dated 1 st May, 2021
Annual Return in Form GSTR-4 for F.Y 2020-21 in respect of taxpayers who have opted for Composition Scheme	30 th April, 2021	31 st May, 2021	10/2021–Central Tax dated 1 st May, 2021
Declaration in Form GST ITC-04 , in respect of goods dispatched to a job worker or received from a job worker, during the period from 1 st January, 2021 to 31 st March, 2021	25 th April, 2021	31 st May, 2021	11/2021-Central Tax dated 1 st May, 2021

FILING THROUGH EVC:

Taxpayers registered under Companies Act, 2013 have been allowed to file the return in Form GSTR-3B and filing of the outward supplies details in Form GSTR-1 or using invoice furnishing facility (IFF) through electronic verification code (EVC) during the period 27th April, 2021 to 31st May, 2021.

(Notification No. 07/2021 – Central Tax dated 27th April, 2021)

INPUT TAX CREDIT:

Presently, a tax-payer can avail input tax credit (ITC) only to the extent of 105% matched eligible ITC (i.e. to the extent of vendor invoices reported in GSTR- 2A and returns filed by vendor) on monthly basis. The Government has provided relief with respect to this restriction wherein such restriction would not apply on ITC availed during the period April 2021 but a cumulative adjustment of such restriction on ITC availed during the said period is required to be considered in Form GSTR-3B to be filed for the month of May 2021. The same has been illustrated herein below:

Particulars	April 2021 (Rs.)	May 2021 (Rs.)
Eligible ITC as per books in the respective tax period (A)	4,60,000	4,00,000
Eligible ITC availed in the respective tax period (B)	4,60,000	
Eligible ITC matched with GSTR-2A (C)	4,00,000	3,50,000
105% of the eligible ITC matched for April 2021 (D =105%*C)	4,20,000	
105% of the eligible ITC for May 2021 (E=105%*C)		3,67,500
Excess ITC availed in April 2021 to be adjusted in May 2021 (F=B-D)	40,000	
ITC to be availed in May 2021 [E – F]		3,27,500

(Notification No. 13/2021–Central Tax dated 1st May, 2021)

REJECTION OF REFUND CLAIM:

In case where a notice has been issued for rejection of refund claim, in full or in part and where the time limit for issuance of order in terms of the provisions of sub-section (5), read with sub-section (7) of section 54 of the CGST Act falls during the period 15th April, 2021 to 30th May, 2021 then the time limit for issuance of the said order has been extended to later of the following dates:

- 31st May, 2021
- 15 days after the receipt of reply to the notice from the registered person

(Notification No. 14/2021–Central Tax dated 1st May, 2021)

GENERAL EXTENSION:

The time limit for completion or compliance by any authority or by any person under the GST Act which falls during the period 15th April, 2021 to 30th May, 2021 and which has not been done within such time, then, the time limit for such compliance has been extended upto 31st May, 2021.

Inclusions:

- Completion of any proceeding or passing of any order or issuance of any notice, intimation, notification, sanction or approval or such other action, by whatever name called, by any authority, commission or tribunal;
- Filing of any appeal, reply or application or furnishing of any report, document, return, statement or such other record.

Exclusions:

The aforesaid extension would not be applicable to the following provisions of the Act/Rules.

- Time and value of supply
- Lapse of composition option if the aggregate turnover exceeds the specified limit
- Liability to register under the GST Act
- Validity of registration granted to casual taxable person or a non-resident taxable person
- Issue of tax invoice, credit and debit notes
- Filing of returns, late fees and interest provisions (Specific relief has been provided in this respect)
- Power to arrest
- Intimation of retirement date of the partner to the Commissioner
- Penalties
- Detention, seizure and release of goods and conveyances in transit
- Generation of e-way bill

The time limit for completion of any action, by any authority or by any person, specified under Rule 9 of the Central Goods and Services Tax Rules, 2017 relating to verification of the GST registration application and its approval thereof, falls during the period 1st May, 2021 to 31st May, 2021, and where completion of such action has not been made within such time, then, the time limit for completion of such action, shall be extended upto 15th June, 2021.

(Notification No. 14/2021–Central Tax dated 1st May, 2021)

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