

In brief

Obtaining IRN for E-invoicing within 30 days is compulsory

Due date of Quarterly GSTR-1 is changed to 13th of month succeeding quarter for certain RPs



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Notifications and Circulars CGST

E-Invoicing: Obtaining IRN

[Notification No. 73/2020-Central Tax, Dated 1st October 2020](#)

The Notification requires the registered person (**RP**) to prepare the tax invoice in manner specified under sub-rule (4) of Rule 48 during the period from 1st Oct to 31st Oct 2020. The RPs, who have not prepared invoice in said manner, shall follow the special procedure to obtain an Invoice Reference Number (**IRN**) for such invoice by uploading specified particulars in FORM GST INV-01 on the GST Portal, within 30 days from the date of invoice, failing which the same shall not be treated as an Invoice.

GSTR-1 Due Date

[Notification No. 74/2020- Central Tax dated 15th October 2020 &](#)

[Notification No. 75/2020- Central Tax dated 15th October 2020](#)

The Central Government (**CG**) has notified the due date for furnishing Quarterly GSTR-1 by the RPs having turnover up to Rs. 1.5 Crore in preceding Financial Year (**FY**) or current FY.

Sr. No.	Quarter for which GSTR-1 is to be furnished	Time Period for Furnishing GSTR-1
1	Oct 2020-Dec 2020	13 th January 2021
2	Jan 2021-Mar 2021	13 th April 2021

The CG has notified the due date for furnishing monthly GSTR-1 by the RP having turnover more than Rs. 1.5 Crore in preceding FY or current FY till the 11th of succeeding month.

This Notification has been superseded. [Read](#)

In brief

Due dates of furnishing GSTR-3B notified state wise for different categories of RP

Option to furnish GSTR-9 by RP having aggregate turnover up to Rs. 2 crores for FY 2019-20

Mentioning of HSN code in tax invoice is compulsory from 1st April 2021

GSTR-3B Due Date

[Notification No. 76/2020-Central Tax, dated 15th October 2020](#)

The CG has notified the due date for furnishing GSTR-3B for each of the months from October 2020 to March 2021.

Turnover	States	Due Date
More Than Rs. 5 Crores	PAN India	20 th of succeeding month.
Up to Rs. 5 Crores	CH, MP, Gujarat, MH, Karnataka, Goa, Kerala, TN, Telangna, AP, Daman Diu, Dadra & Nagar Haveli, Puducherry, Andaman & Nicobar	22 nd of succeeding month.
Up to Rs. 5 Crores	HP, Punjab, UK, Haryana, Rajasthan, UP, Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Tripura, Meghalaya, Assam, WB, Jharkhand, Odisha, J&K, Ladakh, Chandigarh, Delhi.	24 th of succeeding month.

Annual Return for F.Y 2019-20

[Notification No. 77/2020-Central Tax, Dated 15th October 2020](#)

The CG has notified that the RPs whose aggregate turnover in FY 2019-20 does not exceed Rs. 2 crores shall have option to furnish the Annual Return u/s 44 of the CGST Act, 2017.

HSN Code

[Notification No. 78/2020-Central Tax, Dated 15th October 2020](#)

The CG has notified that, w.e.f. 1st April 2021, the RPs having specified aggregate turnover shall mention the digits of HSN Codes in a tax invoice issued by him.

Sr. No.	Aggregate Turnover in Preceding F.Y.	No. of Digits of HSN Codes.
1.	Up to Rs. 5 crores	4
2.	More than Rs. 5 crores	6

Provided that, RP having aggregate turnover up to Rs. 5 Crores in the previous FY may not mention the no. of digits of HSN code in a tax invoice issued to unregistered persons.

In brief

NIL returns can be filed through SMS and verified by OTP facility

Every RP shall get his accounts audited whose aggregate turnover exceeds Rs. 5 crores

Provisions relating to Advance Ruling shall come into force from 10th November 2020

CGST (12th) Amendment Rules, 2020

[Notification No. 79/2020-Central Tax, dated 15th October 2020](#)

The CG has notified following rules to amend the CGST Rules, 2017:

- a. In Rule 46, the Board may specify the-
 - i) No. of digits of HSN code for class of RPs shall be required to mention.
 - ii) Class of goods or service for which digits of HSN required to be mentioned.
 - iii) Class of RPs persons that would not be required to mention the HSN codes.
- b. In Rule 67A, RP can file “NIL” GSTR-1, GSTR-3B & CMP-08 for a period through a Short Messaging Service (SMS) using registered mobile number and said return will be verified by One Time Password (OTP) facility.
- c. In Rule 80, in sub-rule (3), the following proviso shall be substituted- “provided that for FY 2018-19 & FY 2019-20, every RP whose aggregate turnover exceeds Rs. 5 crores shall get his accounts audited under Sec 35(5) in GSTR-9C.”
- d. In Rule 138E related with Blocking of E-Way Bill Generation, following proviso shall be inserted- “the restriction in 138 E shall not apply during the period from 20th March 2020 till 15th October 2020 in case GSTR-1, GSTR-3B or CMP-08 has not been furnished for the period February 2020 to August 2020.”
- e. In Rule 142, in sub rule(1A), proper officer “may” before service of notice to the RP under Section 73 & 74, communicate the details of tax, interest, penalty in Part A of FORM GST DRC -01A.
- f. There are some changes in FORM GSTR-1, GSTR-2A, GSTR-5, GSTR-5A, GSTR-9, GSTR-9C.

Extension of GSTR-9 due date for F.Y. 2018-19

[Notification No. 80/2020-Central Tax, dated 28th October 2020](#)

The notification amends the notification no. 41/2020 for extending the due date for furnishing of GSTR-9 & GSTR-9C for the FY 2018-19 from 31st October 2020 to 31st December 2020.

Advance Ruling

[Notification No. 81/2020-Central Tax, dated 10th November 2020](#)

The notification appoints 10th November 2020 on which provisions of Section 97 (Advance Ruling) shall come into force.

Supersession of Notification 74/2020 & 75/2020- Central Tax

[Notification No. 83/2020-Central Tax, dated 10th November 2020](#)

The notification supersedes notification 74 & 75/2020 and extends the time limit for furnishing of GSTR-1 for each of the month, till the 11th of succeeding month. The time limit for furnishing of GSTR-1 for every quarter shall be extended.

In brief

Threshold limit of aggregate turnover for E-Invoicing reduced to Rs. 100 Crore from Rs. 500 Crore w.e.f. 1st January 2021

Penalty is waived for not having QR code for B2C invoices from 1st December 2020 to 31st March 2021

Provided that time limit for furnishing of GSTR-1 for every quarter shall be extended till 13th of the month succeeding such tax period.

This notification comes into force w.e.f. 1st January 2021.

Rescinds Notification 76/2020

[Notification No. 86/2020-Central Tax, dated 10th November 2020](#)

The CG rescinds [Notification 76/2020](#) (containing due date for GSTR-3B for October 2020 – March 21) in public interest.

Extension of GST ITC-04 time limit

[Notification No. 87/2020-Central Tax, dated 10th November 2020](#)

W.e.f. 25th October 2020 the Notification extends the time limit for furnishing Form GST ITC-04 in respect of goods dispatched or received from job worker during the period from July 2020 to September 2020 till 30th November 2020.

E-Invoicing

[Notification No. 88/2020-Central Tax, dated 10th November 2020](#)

W.e.f. 1st January 2021 the Notification amends the threshold limit of aggregate turnover in any preceding FY from 2017-18 onwards, for the RPs who shall prepare E-invoicing from Rs. 500 crore to Rs.100 crore rupees

Waives Penalty for non-compliance of QR code

[Notification No. 89/2020-Central Tax, dated 29th November 2020](#)

The Notification waives the penalty payable by any RP (Complying with E-invoicing) for not having Dynamic QR code for B2C invoices between 1st December 2020 to 31st March 2021, subject to person complies with the provision from 1st April 2021.

HSN code in Tax Invoice

[Notification No. 90/2020-Central Tax, dated 1st December 2020](#)

The Notification amends the Notification no. 12/2017 by inserting a proviso containing table specifying class of supply for which 8-digit HSN code is compulsory to be mentioned in tax invoice.

Time Limit for Completion & Compliance u/s 171 (Anti-profiteering Measure)

[Notification No. 91/2020-Central Tax, dated 14th December 2020](#)

The Notification amends the N.no 35/2020 by extending the time limit for completion & compliance for the periods from 20th March 2020 – 30th March 2021 to 31st March 2021.

In brief

Sections related to Appeals, Offences and Penalties shall come into force from 1st January 2021

RP can claim ITC only to the extent of 105% of eligible ITC reflected in 2B

If taxable value in a month exceeds Rs. 50 lakhs- ITC shall not be utilized in excess of 99% of such tax liability

Time limit for verification and approval of GST registration increased

Section 119-124, 126, 127 & 131

[Notification No. 92/2020-Central Tax, dated 22nd December 2020](#)

The notification appoints 1st January 2021 on which provisions of Section 119-124,126,127 and 131, that are related Appeals, Offences & Penalties, shall come into force.

CGST (14th Amendment) Rules, 2020

[Notification No. 94/2020-Central Tax, dated 22nd December 2020](#)

- a. **Invoices not furnished by Supplier - claim of eligible input tax credit (ITC) reduced from 10% to 5% (w.e.f. 1st January 2021):** Claim of ITC is now reduced from 10% to 5% for invoices/ debit notes that are not furnished by the supplier. Therefore, from 1st January 2021, a recipient can avail ITC only to the extent of 105% of the eligible ITC that is reflected in GSTR-2B of the month.
- b. **New Rule 86B - Restriction on use of ITC Balance in Electronic Credit Ledger (ECL) for discharging Output Tax Liability (w.e.f. 1st January 2021):** Rule 86B has been inserted with a non-obstante clause stating that a RP shall not utilize the amount available in ECL for payment of his tax liability in excess of 99% of such tax liability, where the value of taxable supply other than exempt supply and zero-rated supply, in a month exceeds Rs. 50 lakh. This restriction shall not apply where:
 - i) A RP or a proprietor or any 2 partners/directors/members have paid income tax of more than Rs. 1 lakh in last 2 FYs;
 - ii) A RP has received a refund of more than Rs. 1 lakh in the preceding FY on account of unutilized ITC;
 - iii) A RP has discharged his output tax liability through Electronic Cash Ledger in excess of 1% of the total output tax liability cumulatively up to the said month;
 - iv) The RP is a - i) Government Department, ii) a PSU, iii) a Local Authority, iv) a Statutory Body.
- c. **Blocking of GSTR-1 for Non-filing of GSTR-3B:** If GSTR-3B is not filed for preceding 2 months or for preceding tax period (in case of quarterly return filing), a RP shall not be allowed to file GSTR-1 or use invoice furnishing facility (IFF). The above condition also applies to a RP who is restricted from using ITC to discharge his tax liability in excess of 99% of such liability as per Rule 86B.
- d. **Time limit for verification and approval of application for GST registration increased:** The time limit for verification of registration application/ issuing notice in Form GST REG-03 is increased from 3 days to 7 days from the date of submission of application. Further, the time limit for approval of registration is increased from 7 days to 30 days from the date of submission of application in case where approval of registration is after physical verification by officer.

In brief

Registration may be cancelled if provisions related to ITC are violated or there are significant differences in GSTR-1 & GSTR-3B

E-way Bill validity now made 200 Km per day from 100 Km per day

Time limit of GSTR-9 for F.Y. 2019-20 is extended till 28th February 2021

QRMP scheme notified for small RPs w.e.f. 1st January 2021

- e. **Cancellation of Registration in certain circumstances:** The registration of a RP may be cancelled if he –
- i) avails ITC in violation of the provisions of Section 16 of the Act or the rules made thereunder or
 - ii) reports lower outward supplies in GSTR-3B than in GSTR-1 for one or more tax periods or
 - iii) violates the provisions of rule 86B.
- f. **Suspension of Registration:** No opportunity of being heard shall be given before suspending registration of a RP where, significant differences are observed in details of taxable supply shown in GSTR-1 and GSTR-3B or in ITC claimed in GSTR-3B and that reflected in GSTR-2A/2B or such other anomalies indicating contravention of the provision of the Act. However, the RP shall be intimated in Form GST REG-31 highlighting the differences and anomalies and giving him an opportunity to explain the differences within 30 days before cancelling the registration.
- A RP, during the period of suspension, shall not be granted any refund and shall not be allowed to furnish the information in Part A of Form GST EWB-01.
- g. **The distance for which an E-Way Bill shall be valid per day increased to 200 km from 100 km** except in cases of over dimensional cargo or multimodal shipment in which at least one leg involves transport by ship (w.e.f. 1st January 2021).
- h. **New Biometric-based Aadhaar Authentication/ Verification for GST Registration: (effective date to be notified)** Every application of registration, unless specifically exempted, shall be followed by –
- i) biometric-based Aadhaar authentication and taking photograph, if he has opted for authentication of Aadhaar number or
 - ii) taking biometric information, photograph and verification of such other KYC documents, as notified, if he has opted not to get Aadhaar authentication done.

GSTR-9 for FY 2019-20

[Notification No. 95/2020-Central Tax, dated 30th December 2020](#)

The notification extends the time limit for furnishing Annual Return under Section 44 read with Rule 80, for FY 2019-20 till 28th February 2021.

Quarterly Return Monthly Payment (QRMP) Scheme

[Notification No. 82/2020-Central Tax](#), [Notification No. 84/2020-Central Tax](#), [Notification No. 85/2020-Central Tax](#) and [Circular No. 143/13/2020-Central Tax](#), dated 10th November 2020.

The Notifications read with Circular explains the QRMP scheme effective from 1st

In brief

QRMP is eligible for RP having turnover up to Rs. 5 crore

IFF will be provided for the 1st and 2nd month of a quarter

Two monthly payment methods can be opted to deposit amount through GST PMT-06

January 2021. Various issues are clarified here:

- a. **Eligibility:** A RP whose aggregate turnover is up to Rs 5 crore in the preceding FY is eligible for the scheme. Taxpayer can refer the aggregate turnover available on the common portal for the same. Further, in case the aggregate turnover exceeds Rs. 5 crore during any quarter RP will not be eligible for the scheme from next quarter and shall opt-out of the scheme from succeeding quarter.
- b. **Exercising Option for QRMP:** RP can opt-in for scheme in any quarter from 1st day of 2nd month of preceding quarter to the last day of 1st month of the quarter.
- c. For the January to March 2021 quarter, the portal has selected a default option based on turnover of FY 2019-20. However, RP can change the option, as per their desire, from 5th December 2020 to 31st January 2021.
- d. Option to avail QRMP is GSTN wise and not PAN Wise.
- e. RP opting for scheme can avail the IFF for the 1st and 2nd month of a quarter, to furnish the details of outward supply of the concerned month between 1st of the succeeding month till 13th of the succeeding month. This facility is provided so that the ITC related to such supplies are duly reflected in GSTR-2A and GSTR-2B of the concerned recipients. The said details of outward supplies shall, however, not exceed the value of Rs. 50 lakh in each month. As a facilitation measure, continuous upload of invoices would also be provided for the RPs wherein they can save the invoices in IFF from the 1st day of the month till 13th day of the succeeding month.
- f. IFF facility is not mandatory and is only optional facility made available to the RPs under QRMP scheme.
- g. Also, details once furnished using IFF are not required to be furnished again in FORM GSTR-1. Only remaining invoices are to be furnished in GSTR-1 for the quarter.
- h. **Monthly Payment Scheme:** Under QRMP, tax payment for each of the first 2 months of quarter is to be depositing through FORM GST PMT-06, by 25th of the succeeding month.
- i. There are 2 options for monthly payment of tax during first 2 months-
 - i) **Fixed Sum Method:** A pre-filled Challan in FORM GST PMT-06 will be made available on portal. This amount will be equal to 35% of the tax paid in cash in preceding quarter if return was furnished quarterly or preceding month if return was furnished monthly.
 - ii) **Self-Assessment Method:** Said person can assess tax by considering the tax liability and ITC available in GSTR-2B and pay through GST PMT-06.
- j. In case, the balance in Cash ledger or Credit ledger is sufficient for the tax due for the month or there is NIL liability – there is no need to deposit any amount for the said month.

- k. This deposit cannot be used by the taxpayer for any other purpose till filing of return for the quarter. It will be debited solely for offsetting liability declared in GSTR-3B
- l. Due Date for Quarterly GSTR-3B would be 22nd or 24th of the month succeeding such quarter.
- m. Any amount left after filing of GSTR-3B can be claimed as refund.
- n. **Applicability of Interest:**
 - i) **For Fixed sum method:** In case the tax liability net of ITC is higher than the amount paid in challan, then no interest would be charged provided they deposited system calculated amount for each of first 2 months by the due date and filed GSTR-3B by due date. In case, payment of system calculated amount in GST PMT-06 is not done by due date, interest shall be payable at applicable rate from due date of PMT-06 till date of making such payment. Further, if GSTR-3B is not filed by due date- interest shall be payable as per Section 50.
 - ii) **For Self-assessment method:** Interest shall be payable as per Section 50 on the output tax (net of ITC) which remains unpaid or either paid beyond due date.
- o. **Applicability of Late Fees:** Late fee is applicable as per provisions of Section 47. Also, there is no late fee applicable for delay in payment of tax in first 2 months of the quarter.

Return



Key Take Away

- Amendment in Rule 67A for filing of NIL GSTR -1 & GSTR -3B via SMS.
- Time limit of GSTR -4 for FY 2019-20 extended to 30th November 2020.
- E-Invoicing is applicable to registered person having turnover exceeding Rs.100 crores w.e.f. 1st January 2021.
- Due date for filing GSTR-1 by quarterly filers changed to 13th of succeeding month.
- Rules for Authentication of Aadhaar Number for registration.
- QRMP scheme for quarterly return filers.
- Special Procedure for Payment under QRMP scheme.
- Provisions of Advance Ruling u/s 97 comes into force from 10th November 2020.
- Mentioning of digits of HSN code compulsory from 1st April 2021.
- Extension of time limit of GSTR-9/9C for FY 2019-20.
- Applicability of E-Invoicing – Further amendments.
- RP having turnover more than Rs. 500 crores issuing B2C invoice with DQR code w.e.f. 1st April 2021.
- Rule 86B for RP having more than Rs.50 lakhs turnover in a month.
- Distance Validity of E-way Bill under rule 138(10) amended w.e.f. 1st January 2021

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