

for  
CA / CMA / CS  
*Intermediate*

# **INDIRECT TAXATION**

**AMENDMENT BOOKLET**

**FOR DEC 2021 EXAM**

*(covering amendments from 1/11/2020 to 30/4/2021)*

**CA. Raj Kumar**



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## About CA RAJ KUMAR

CA Raj Kumar is a dynamic & qualified Chartered Accountant. As a brilliant student and a position holder at Graduation & Post Graduation level, during his **12 years of glorious teaching experience** in the field of **Indirect Taxation** he has taught **over 1,25,000 students**.

He is a favorite amongst CA Students for the astute & insightful academic inputs provided by him and for his pleasing & endearing personality and **lucid art of teaching**.

He firmly believes in **blending studies with fun** and this is quite evident in his classes wherein he goes beyond theoretical reading of the subject, makes students **solve practical problems**, gives them practical **real life examples** and pushes them to achieve their goals with full precision.

In the subject Indirect Tax Laws, his students have continued to score **All India Highest Marks for 10 times till now**. He has also been entrusted by Government agencies to **show the ropes to IRS Officers** in training, which is a **testament to his caliber** as a subject matter expert.

He is famous for **concepts linkage** from the very beginning till the end which helps in understanding the topic, acing the exams and in post CA life as well. **His unique use of GST portal during the class** to link theory with Practical makes him stand apart from the crowd. His **classes are practical, conceptual and concise**. He is also the author of bestselling titles 'GST Compact Book'.

# Amendments Summary/Analysis

## CA/CMA/CS Intermediate: For Dec. 2021 Exam

FINANCE ACT, 2020	APPLICABLE.
Notifications, Circulars etc.	Upto 30 <sup>th</sup> April 2021

### GST: Chapter wise Amendments

Introduction and Constitution	
Definitions	
Goods and services	
Supply	<p><b>Rectification of error under schedule II under section 7</b></p> <ol style="list-style-type: none"> <li>1. Permanent transfer of business assets will be considered as supply of Goods <del>[WHEATHER FOR CONSIDERATION OR FOC]</del></li> <li>2. Temporary transfer of business assets for personal purpose will be treated as supply of service. <del>[WHEATHER FOR CONSIDERATION OR FOC]</del></li> </ol> <p>[Earlier it was written WHEATHER FOR CONSIDERATION OR Free of cost .. Now THE wordings have been removed because under schedule II we are not defining Supply but clarifying, Is it a supply of goods or service.]</p>
Taxable person	
Exemptions	
Computation	<p><b>Under section 10 Composition scheme</b></p> <p>Following persons shall not be eligible for composition scheme in CFY if the person is ..</p> <ol style="list-style-type: none"> <li>1. Engaged in inter-state supply of Goods/<del>SERVICE.</del></li> <li>2. Engaged in Non-Taxable supply of Goods/<del>SERVICE.</del></li> <li>3. Engaged in making supply of Goods/<del>SERVICE</del> through E-Commerce Operator.</li> <li>4. etc.</li> </ol> <p>[SERVICE word has been added at 3 places]</p> <p><b>Question.</b> A person engaged in the business of selling watch in Haryana and also engaged in providing Repairing services ON INTER STATE BASIS (within the limit of Rs.5,00,000 or 10%) whether the person will be eligible for Composition scheme.</p> <p>Answer. As per old law: YES, will be eligible</p> <p style="padding-left: 40px;">As per Amended Law: NO, he will not be eligible</p>

RCM							
Invoice	<p><b>Section 31- Alternate document can be issued in place of invoice eg in case multiplex, passenger transportation service ticket will be treated as invoice.</b></p> <table border="1" data-bbox="423 321 1523 787"> <thead> <tr> <th data-bbox="423 321 971 384">Old Provision</th> <th data-bbox="971 321 1523 384">Amended Provision</th> </tr> </thead> <tbody> <tr> <td data-bbox="423 384 971 569">Alternate document can be issued for SERVICES in place of invoice OR Tax INVOICE may not be issued <b>[SUBJECT TO CONDITIONS PRESCRIBED]</b></td> <td data-bbox="971 384 1523 569">Alternate document can be issued for services in place of invoice OR Tax Invoice may not be issued SUBJECT TO CONDITIONS PRESCRIBED</td> </tr> <tr> <td data-bbox="423 569 971 787">----</td> <td data-bbox="971 569 1523 787">Govt. has power to specify the categories of <b>services or supplies</b> in respect of which a tax invoice shall be issued, within such time and in such manner as may be prescribed; <b>[Without any condition]</b></td> </tr> </tbody> </table> <p><b>Rule 48: E- INVOICE –</b> Limit for issuing E-Invoice has been reduced to Rs. 50 crore. [earlier it was 500 crore – Rs 100 crore – now it is Rs. 50 Crore]</p> <p><b>Rule 46: Dynamic QR Code:</b> here the Specified Registered person required to link invoice with payment BY WAY OF GENERATING DYNAMIC QR CODE.</p> <p><b>Circular:</b> If a person not to Generate Dynamic QR code eg payment made in cash or due to any other reason but the person otherwise follow the system or maintain record to link invoice with payment then requirement of Generating DYNAMIC QR code shall be deemed to be complied.</p>	Old Provision	Amended Provision	Alternate document can be issued for SERVICES in place of invoice OR Tax INVOICE may not be issued <b>[SUBJECT TO CONDITIONS PRESCRIBED]</b>	Alternate document can be issued for services in place of invoice OR Tax Invoice may not be issued SUBJECT TO CONDITIONS PRESCRIBED	----	Govt. has power to specify the categories of <b>services or supplies</b> in respect of which a tax invoice shall be issued, within such time and in such manner as may be prescribed; <b>[Without any condition]</b>
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----	Govt. has power to specify the categories of <b>services or supplies</b> in respect of which a tax invoice shall be issued, within such time and in such manner as may be prescribed; <b>[Without any condition]</b>						
Time of supply							
Registration	<p><b>Section 25 (6D)- N/N: 03/2021- NOW Aadhaar not required for:</b></p> <ul style="list-style-type: none"> <li>- Not a citizen of India;</li> <li>- Government Departments/ establishment</li> <li>- A local authority;</li> <li>- A statutory body;</li> <li>- A Public Sector Undertaking;</li> <li>- UIN HOLDER</li> </ul> <p><b>Section 29(1)(c): Cancellation of Registration</b></p> <ul style="list-style-type: none"> <li>▪ The taxable person is no longer liable to be registered under section 22 or section 24 or</li> <li>▪ Intends to opt-out of the registration taken on voluntarily basis. (Newly added) ie now on the person can apply for de-register on voluntarily basis.</li> </ul> <p><b>Section 30 Revocation of cancellation</b></p> <p><b>Extension allowed in time limit of application for revocation of cancellation...</b></p> <table border="1" data-bbox="423 1881 1523 1938"> <tr> <td data-bbox="423 1881 812 1938">For 30 days (Maximum)</td> <td data-bbox="812 1881 1523 1938">by Additional Commissioner or the Joint Commissioner</td> </tr> </table>	For 30 days (Maximum)	by Additional Commissioner or the Joint Commissioner				
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Further 30 days (Maximum)	by Commissioner
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### Rule 8(4A): Application for Registration:

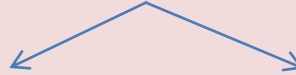
[Except the persons exempted from Aadhaar required ] Every application shall be followed by

<b>If he has opted for Aadhaar authentication</b>	Biometric-based Aadhaar authentication and taking photograph, OR
<b>If he has opted not to get Aadhaar authentication</b>	Taking biometric information, photograph and verification of such other KYC documents.

**The application shall be deemed to be complete only after completion of above process.**

### Rule 9: Verification of Application and Approval

The application forwarded to officer and the officer verifies the application along with documents. Whether Officer is Satisfied



#### YES

Then the officer GRANT registration within 7 [30] working days from the date of submission of application

#### NO

Then the officer intimate the deficiency within 7 [30] working days from the date of submission of application.

And applicant shall provide clarification or satisfy officer within 7 working days of receipts of information.

After this the officer is-

- Satisfied: ok grant registration within 7 working days.
- Not satisfied: Reject the application.

**\*\*\* 30 days limit applicable where not to opt for Aadhaar and in such a case registration will be granted only after physical verification of premises. This provision is applicable to the persons for whom Aadhaar requirement is applicable.**

**Deemed Registration: Where Registration is not granted by the Officer with in 7 Days or 30 days as specified above then Registration shall be deemed to be granted.**

### Rule 21: Cancellation of registration:

#### Additional Grounds are added for cancellation of Registration

The registration granted to a person is liable to be cancelled, if the said person,-

- issues invoice or bill without supply of goods or services **or both** in violation of the provisions of the Act/Rules

	<ul style="list-style-type: none"> <li>- avails input tax credit in violation of the provisions of section 16 of the Act/Rules</li> <li>- Value of GSTR 1 higher than the value of GSTR 3B of said period.</li> <li>- Violates the provision of Rule 86B [Game of 99%]</li> </ul> <p><b>Rule 21A: Suspension of Registration</b></p> <p>1. Now no opportunity of being heard shall be given for suspension of Registration</p> <p><b>Newly added ground for suspension</b></p> <p>2. Where,</p> <ul style="list-style-type: none"> <li>- a comparison of the returns furnished by a registered person under section 39 with <b>FORM GSTR-1; or FORM GSTR 2A/ GSTR 1 OF SUPPLIER OR such other analysis carried out</b></li> <li>- show that there are significant differences or anomalies indicating contravention of the provisions of the Act /Rules,</li> <li>- leading to cancellation of registration of the said person,</li> <li>- his registration shall be suspended and</li> <li>- the said person shall be intimated</li> <li>- highlighting the said differences and anomalies and</li> <li>- asking him to explain, within a period of 30 days,</li> <li>- as to why his registration shall not be cancelled.”;</li> </ul> <p>3. Now- No refund u/s 54 shall be granted during the period of suspension.</p> <p>4. Now the suspension may be revoked by the proper officer, anytime during the pendency of the proceedings for cancellation, if he deems fit.</p> <p><b>5. Some corresponding effect on Rule 22. [may be ignored]</b></p>
Input tax credit	<p><b>Section 16(4): Conditions For availing ITC</b></p> <p>A registered person shall not be entitled to take input tax credit</p> <ul style="list-style-type: none"> <li>▪ in respect of <b>any invoice or debit note</b> for supply of goods or services or both</li> <li>▪ after the due date of furnishing of the return under section 39 for the month of September following the <b>end of financial year to which such invoice or [invoice relating to such”] debit note pertains or</b></li> <li>▪ furnishing of the relevant annual return,</li> <li>▪ Whichever is earlier.</li> </ul> <p><b>Rule 36 (4): ITC in case of Missing invoice in GSTR 1/ IFF</b></p> <p>GST Involved in such invoices                      xxx</p> <p>5% of Amount reflected in GSTR 2A            xxx</p> <p><b>[Whichever is LOWER ]</b></p>
Manner of payment	<p><b>Newly added: Rule 86B: Restrictions on use of amount available in electronic credit ledger.-</b></p> <p>If TAXABLE TURNOVER of a registered person in a particular month is Rs 50 lakh or more – then the person need to pay atleast 1% from E cash ledger even if has sufficient balance of credit to pay of all output GST.</p>



However following persons will not be covered under the above provision..

1. Owner, director, karta etc paid income tax of Rs. 1 lakh each in last 2 F.Y.
2. Claim Refund of ITC of Rs. 1 lakh
3. Government Department/ PSU/local Authority/Statutory Body.
4. If paid excess in preceding period then no need to pay in cash in current period ie cumulative benefit shall be allowed.
5. Registered person may request to officer for relaxation.

## Filing of Return

### INTRODUCTION of QRMP scheme (Quarterly Return Monthly Payment ) [optional ] AND IFF (Invoice furnishing Facility)

**1. What is QRMP scheme:** Filing of GSTR 3B on Quarterly Basis but payment of Tax on Monthly Basis.

**2. Who is eligible:**

- (a) Aggregate Turnover in PFY (as per GST portal) limited to Rs. 5 cr and the person will remain eligible in CFY till the Quarter in which the person cross the turnover of Rs. 5cr.
- (b) Last return which was due on the of exercising the option must be filed.
- (c) The person should not be OIDAR service provider to non- taxable person in India.

**3. When to exercise the option:** 2 months before and 1 month later ie if any of the person want to exercise the option from April 2021 then he can opt for from 01/02/2021 to 30/04/2021.

**4. How to avail the option:** Eligible person may opt for manually on the GST Portal ...services...Return...opt in...

[Default setting on Portal:]

Turnover	GSTR 1 to be filed	GSTR 3 B to be filed
Turnover upto Rs. 1.5 Cr	Quarterly	Quarterly (QRMP)
	Monthly	Monthly
More than Rs. 1.5 Cr to Rs. 5 cr	Monthly	Monthly

### 5. How to make payment:

**(a) Fixed Sum Method:**

Preceding Quarter/Month	April	May	June
If Preceding Tax Period was a Quarter	35% of cash GST paid in preceding Quarter and to be paid on 25 <sup>Th</sup> may	35% of cash GST paid in preceding Quarter and to be paid on 25 <sup>Th</sup> june	Balance amount on the basis of Final Amount in the return and to be paid on 25 <sup>Th</sup> july
If Preceding Tax Period was a Month	100% of cash GST paid in preceding Quarter and to be paid on 25 <sup>Th</sup> may	100% of cash GST paid in preceding Quarter and to be paid on 25 <sup>Th</sup> may	Balance amount on the basis of Final Amount in the return and to be paid on 25 <sup>Th</sup> july

**(b) Self- Assessment Method:**

Preceding Quarter/Month	April	May	June
.....	Calculate Tax on Actual Basis	Calculate Tax on Actual Basis	Calculate Tax on Actual Basis

Note1: No tax is required to be deposited- Where tax liability is nil OR Have already sufficient balance in E cash Ledger

Note 2: Return under QRMP to be filed on 22nd [for Northern and eastern States] and on 24th For rest of India. In case of other taxpayers Return [GSTR 3B] date will be 20<sup>th</sup> of next month.

Note 3: Date for filing GSTR 1: under QRMP Scheme ; 13<sup>th</sup> , in others cases : 11th

**6. How the registered buyer will get the credit:**

Supplier will file return on quarterly basis after that it will be reflected in GSTR 2A to Receptient....but Receptient need credit on monthly basis ..now what is the solution ?

- Supplier MAY furnish B to B invoices [ Dr/Cr note] under invoice furnishing facility (IFF) for first 2 months in a quarter.
- Now for THE quarter (ie all 3 months) file GSTR 1 except the invoices furnished under IFF.
- Under IFF net value of invoices that can be uploaded is restricted to Rs. 50 lakh per month [by keeping in mind the limit of Rs.5 cr]

**7. Interest calculation:**

- **JAB JITNA MAANGA UTNA DIYA THEN NO INTEREST,**
- **JAB JITNA MAANGA USSE KAM DIYA THEN JITNA KAM DIYA UTNE AMOUNT PAR INTEREST LAGEGA @ 18% PA.**

\* Correspondingly affected section 39, Rule 59, 60, 61, 61A

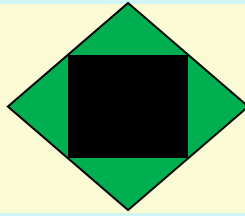
**E-way bill****Validity/Life of E- Way bill**

For Normal Cargo	1 day for every 100-200 km or part thereof.
For Over Dimensional Cargo	1 day for every 20 km or part thereof.
Any Cargo under Multi Model involving Vessel	1 day for every 20 km or part thereof.

**Blocking of E way Bill.**

- (a) Being a person other than a person specified in clause (a), has not furnished the returns for a consecutive period of two tax periods **two months:**
- (b) ONE MORE REASON added for blocking E-way Bill---**The person whose registration has been suspended.** [When to suspend RC .. when application for cancellation of RC made by the person, when officer finds some irregularity, **WHEN THERE IS AN ANAMOLY IN GSTR 1 AND GSTR 2A]**

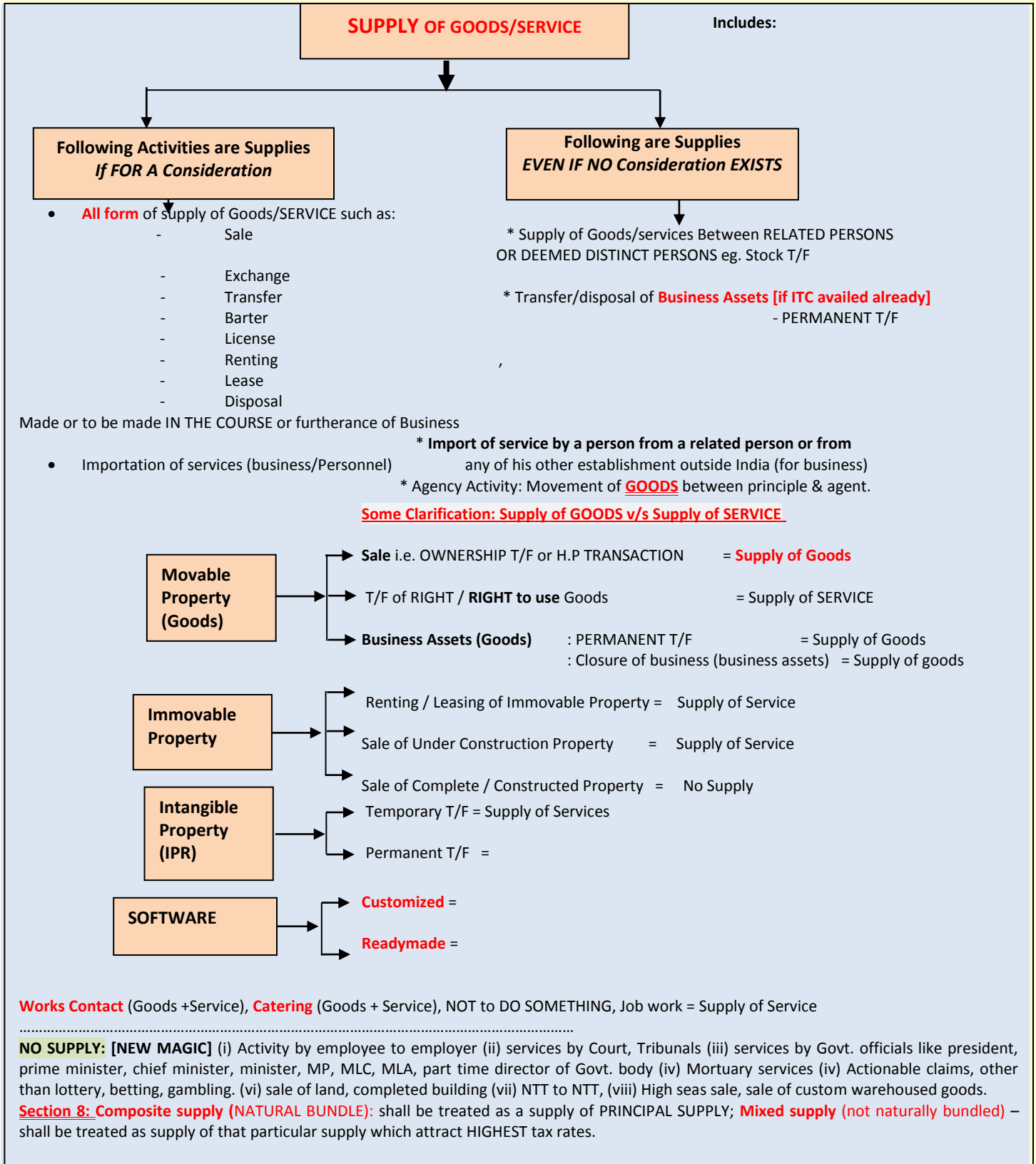
CHAPTER



# Supply of Goods or Services (Taxable Event)

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**GATE No. 2**



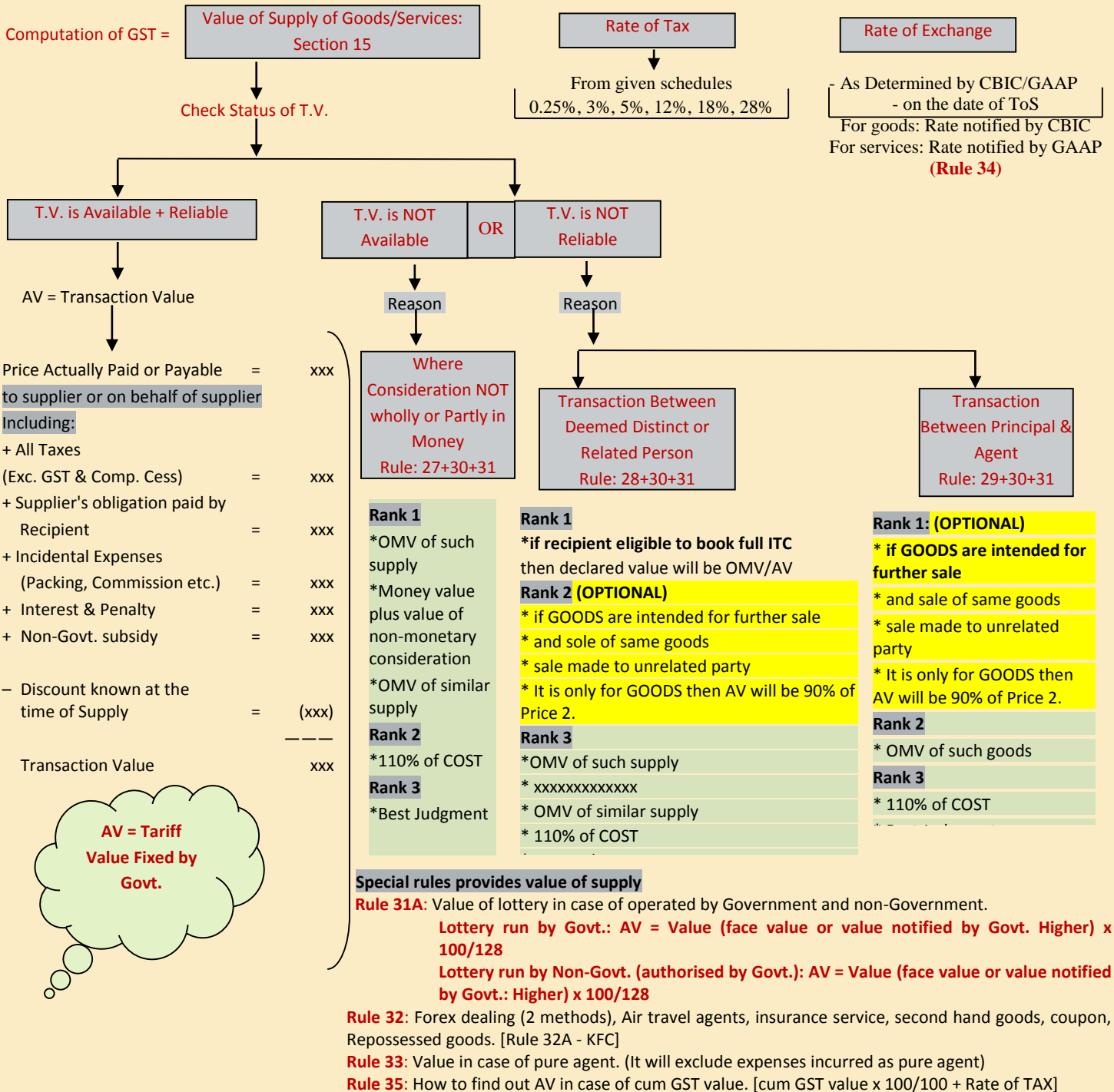
## Section 7: SUPPLY

## SCHEDULE II

<p><b>1. Transfer of ownership</b></p>	<p>Any <b>transfer of the TITLE</b> in goods is a supply of goods;</p> <p>(b) Any <b>transfer of right</b> in goods or of undivided share in goods <b>without the transfer of TITLE thereof</b>, is a supply of services;</p> <p>(c) Any transfer of TITLE in goods under an agreement which stipulates that <b>property in goods shall pass at a future date</b> upon payment of full consideration as agreed, is a supply of goods.</p>
<p><b>2. Land and Building</b></p>	<p>(a) Any lease, tenancy, easement, licence to occupy land is a supply of services;</p> <p>(b) Any lease or letting out of the building including a commercial, industrial or residential complex for business or commerce, either wholly or partly, is a supply of services.</p>
<p><b>3. Treatment or process</b></p>	<p>ANY TREATMENT or process which is applied to another person's goods is a supply of services.</p>
<p><b>4. Transfer of business assets</b></p>	<p>(a) Where goods forming part of the <b>assets of a business</b> are transferred or disposed of so as <b>no longer to form part of those assets</b>, <b>WHETHER OR NOT FOR A CONSIDERATION</b>, such transfer or disposal is a <b>supply of goods</b> by the person;</p> <p>(b) <b>Where, goods held or used for the purposes of the business are;</b></p> <ul style="list-style-type: none"> <li>▪ <b>Put to any private use</b> or are used, or made available to any person for use,</li> <li>▪ for non- business purpose,</li> <li>▪ <del>WHETHER OR NOT FOR A CONSIDERATION,</del></li> <li>▪ the usage or making available of such goods is a supply of services;</li> </ul> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p><b>ANALYSIS;</b></p> <p><b>Rectification of error under schedule II under section 7</b></p> <ol style="list-style-type: none"> <li>1. Permanent transfer of business assets will be considered as supply of Goods <del>[WHEATHER FOR CONSIDERATION OR FOC]</del></li> <li>2. Temporary transfer of business assets for personal purpose will be treated as supply of service. <del>[WHEATHER FOR CONSIDERATION OR FOC]</del></li> </ol> <p>[Earlier it was written WHEATHER FOR CONSIDERATION OR Free of cost .. Now THE wordings have been removed because under schedule II we are not defining Supply but clarifying, Is it a supply of goods or service.]</p> </div>

# Chapter

## COMPUTATION OF GST



## Analysis of CONCEPT of Composition scheme



### What is composition scheme:

- It is an alternate method to pay tax. It is an optional scheme.
- It is PAN based scheme applicable for all registrations/ taxable persons registered under same PAN.

## Section 10: COMPOSITION SCHEME

### (2) FOLLOWING SHALL NOT BE ELIGIBLE FOR COMPOSITION SCHEME

The registered person **shall not be eligible to opt** composition scheme if he is—

- (a) Engaged in the supply of services; [OTHER THAN Restaurant and limited value services].
- (b) Engaged in making any non-taxable supply of goods **OR SERVICES**.
- (c) Engaged in making any **inter-State outward supplies** of goods **OR SERVICES**.
- (d) **Casual Taxable Person, Non-Resident taxable person**
- (e) **Engaged** in making any supply of **goods OR SERVICES through an electronic commerce operator**
- (f) Engaged in manufacturing of Notified goods which are as follows
  - (i) Ice cream and other edible ice, whether or not containing cocoa
  - (ii) Pan masala
  - (iii) All goods, i.e. Tobacco and manufactured tobacco substitutes
  - (iv) **Aerated Water**

## Analysis

Following persons shall not be eligible for composition scheme in CFY if the person is ..

1. Engaged in inter-state supply of Goods / SERVICE.
2. Engaged in Non-Taxable supply of Goods / SERVICE.
3. Engaged in making supply of Goods / SERVICE through E-Commerce Operator.
4. etc.

[SERVICE word has been added at 3 places]

**Question.** A person engaged in the business of selling watch in Haryana and also engaged in providing Repairing services ON INTER STATE BASIS (within the limit of Rs.5,00,000 or 10%) whether the person will be eligible for Composition scheme.

Answer. As per old law: YES, will be eligible

As per Amended Law: NO, he will not be eligible



# Chapter

# INVOICE

## Section 31: Tax Invoice

### Tax Invoice for supply of Goods

(1) A Registered Person supplying taxable goods shall, **BEFORE OR AT THE TIME OF,—**

- (a) **Removal** of goods for supply to the recipient, *where the supply involves movement of goods; or*
- (b) **Delivery** of goods or making available thereof to the recipient, *in any other case,*

issue a **tax invoice** showing the description, quantity and value of goods, the tax charged thereon and such other particulars as may be prescribed:

**For notified goods/supply- tax invoice within prescribed time:** Provided that the Government may, on the recommendations of the Council, by notification, specify the categories of goods or supplies in respect of which a tax invoice shall be issued, within such time and in such manner as may be prescribed.

### Tax Invoice for supply of Services

(2) A Registered Person supplying taxable services shall, **BEFORE OR AFTER the provision of service but within a prescribed period**, issue a tax invoice, showing the description, value, tax charged thereon and such other particulars as may be prescribed:

**On specified services NO tax invoice shall be required to be issued or other Document will be treated as tax invoice:** “Provided that the Government may, on the recommendations of the Council, by notification,-

- (a) Specify the categories of services **OR SUPPLIES** in respect of which a tax invoice shall be issued, within such time and in such manner as may be prescribed;
- (b) Subject to the condition mentioned therein, specify the categories of services in respect of which-

- (i) **Any other document** issued in relation to the supply shall be deemed to be a tax invoice; or
- (ii) Tax invoice may not be issued.

~~On specified services NO tax invoice shall be required to be issued or other Document will be treated as tax invoice:~~ Provided that the Government may, on the recommendations of the Council, by notification and subject to such conditions as may be mentioned therein, specify the categories of services in respect of which—

(a) Any other document issued in relation to the supply shall be deemed to be a tax invoice; or

(b) Tax invoice may not be issued.

**Section 31- Alternate document can be issued in place of invoice eg in case multiplex, passenger transportation service ticket will be treated as invoice.**

Old Provision	Amended Provision
Alternate document can be issued for SERVICES in place of invoice OR Tax INVOICE may not be issued <b>[SUBJECT TO CONDITIONS PRESCRIBED]</b>	Alternate document can be issued for services in place of invoice OR Tax Invoice may not be issued SUBJECT TO CONDITIONS PRESCRIBED
----	Govt. has power to specify the categories of <b>services or supplies</b> in respect of which a tax invoice shall be issued, within such time and in such manner as may be prescribed; <b>[Without any condition]</b>

## Concept of E-INVOICE [Relevant extract from Rule 48]

The invoice shall be prepared by such class of registered persons

- whose aggregate turnover in a financial year exceeds Rs.50 crore [~~Rs.500 crore~~]
- by including such particulars contained in **FORM GST INV-01**
- after obtaining an Invoice Reference Number
- by uploading information contained therein on the Common Goods and Services Tax Electronic Portal in such manner and subject to such conditions and restrictions as may be specified in the notification.

Provided that the Commissioner may, by notification, exempt a person or a class of registered persons from issuance of invoice for a specified period, subject to such conditions and restrictions as may be specified in the said notification.

**Notification @ E Invoicing :-** Hereby notifies registered person,

- Whose aggregate turnover in any preceding financial year from 2017-18 onwards exceeds Rs.50 crore [~~Rs.500 crore~~], as a class of registered person
- who shall prepare invoice and other prescribed documents, in terms of [Rule 48\(4\)](#)
- in respect of supply of goods or services or both

⇒ to a registered person or

⇒ for exports.

other than a **Special Economic Zone unit** and those referred to in Rule 54(2),(3),(4),(4A),

Rule 54 (2) of said Rules,	Insurance company, Banking company/NBFC/Financial Institution
Rule 54 (3) of said Rules,	Goods transport agency
Rule 54 (4) of said Rules,	Passenger Transporter
Rule 54 (4A) of said Rules,	Cinema halls
Registered person referred to in section 14 of the IGST Act, 2017.	OIDAR supplier

### Analysis

**Rule 48: E- INVOICE** – Limit for issuing E-Invoice has been reduced to Rs. 50 crore. [earlier it was 500 crore – Rs 100 crore – now it is Rs. 50 Crore]

## Concept of Dynamic QR Code [Relevant Extract From Rule 46]

**IN CASE OF NORMAL INVOICING ie Other than E-Invoicing:** Government may, by notification, on the recommendations of the Council, and subject to such conditions and restrictions as mentioned therein, **specify that the tax invoice shall have Quick Response (QR) code. [FOR PAYMENT PURPOSE].**

### Dynamic QR Code: NOTIFICATION No. 71/2020:IN CASE OF NORMAL INVOICING

An invoice issued by a registered person, whose aggregate turnover in **any preceding financial year from 2017-18 onwards** exceeds Rs.500 crore,

- to an unregistered person (hereinafter referred to as B2C invoice),
- **shall have Dynamic Quick Response (QR) code:**
- [other than those referred to in

Rule 54 (2) of said Rules,	Insurance company, Banking company/NBFC/Financial Institution
Rule 54 (3) of said Rules,	Goods transport agency
Rule 54 (4) of said Rules,	Passenger Transporter
Rule 54 (4A) of said Rules,	Cinema halls
Registered person referred to in <b>section 14</b> of the IGST Act, 2017.	OIDAR supplier

**QR Code through DIGITAL DISPLAY:** Provided that where such registered person makes a Dynamic Quick Response (QR) code available to the recipient through a digital display,

- Such B2C invoice issued by such registered person containing cross-reference of the payment using a Dynamic Quick Response (QR) code,

shall be deemed to be having Quick Response (QR) code.

**Rule 46: Dynamic QR Code:** here the Specified Registered person required to link invoice with payment BY WAY OF GENERATING QR CODE.

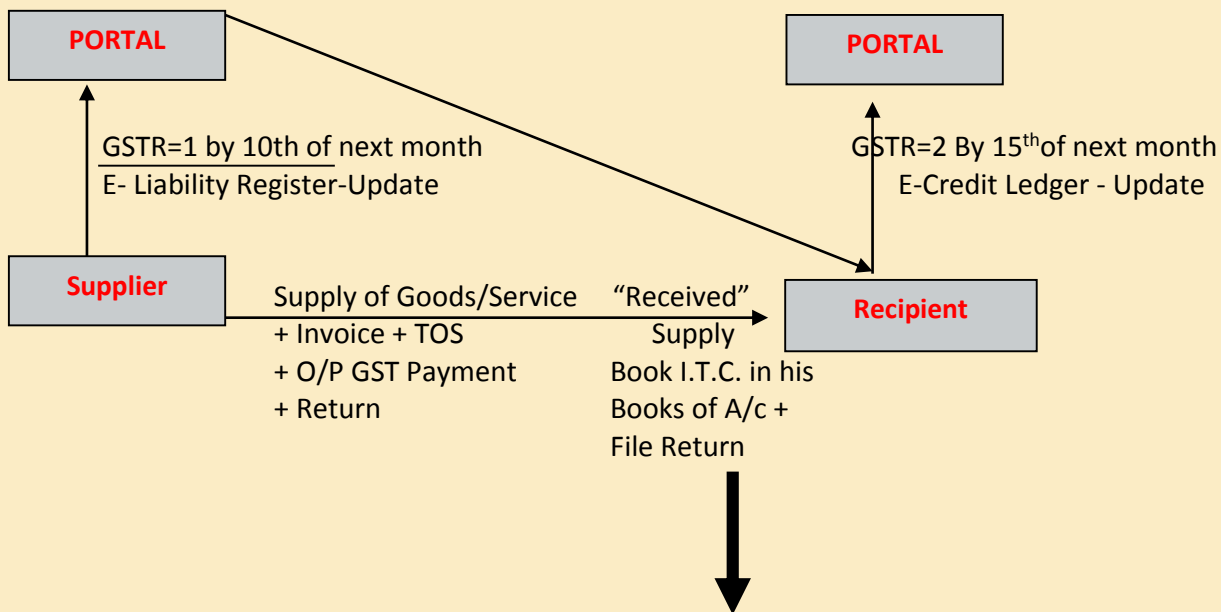
**Circular No. 146/02/2021:** If a person not to Generate Dynamic QR code eg payment made in cash or due to any other reason but the person otherwise follow the system or maintain record to link invoice with payment then requirement of Generating QR code shall be deemed to be complied.

# Chapter

# INPUT TAX CREDIT



## Analysis of Section 16: CONDITIONS FOR Claiming I.T.C.



### 12 CONDITIONS FOR Claiming I.T.C. u/s 16

1. Recipient should have Invoice issued by Supplier/SELF Invoice/Debit NOTE/ISD Invoice/Bill of ENTRY.
2. Goods/Service-Received by Recipient himself or Received by III Party on Behalf of Recipient.

**Note:** If Goods Received in Installment then deemed to be received on Receipt of last LOT.

3. Recipient Need to file – Valid GSTR=3/3B on time.
4. Supplier Need to file – Valid GSTR-3/3B on time.
5. Bill Payment by “Recipient to supplier: should be made within 180 Days from invoice date. (For NCM supplies only)

\* IF NOT made: then on 181<sup>st</sup> day, ITC Reversal.

\* What if made After 180 Days: Book (Re-Avail)

ITC on Payment Basis (i.e. proportionately)

*\* WHAT About 'FOC' supplies: (RBI Ki Agency) then the bill Amount shall be deemed to have been paid.*

6. INWARD Supply: USE/intended to be used for Business or Furtherance of business.
7. Recipient's output Supply should be Non-Exempted.  
*\* What about MIX USE: make it Proportionate and restricted it to non-exempted and business purpose.*
8. Keep in mind Last date to Book ITC – Last date: (30<sup>th</sup> Sep of NEXT Year OR Annual Return filing date) whichever is Earlier [But this condition is only for original Booking of ITC ie not for re-availment.
9. Either ITC or Depreciation Under Income tax Act.
10. CAPITAL Goods – Use for whole life, IF partly used then: Make it proportionate as per prescribed method.
11. No ITC shall be allowed of the TAX arise on Re-Assessment/ Fraud etc.
12. Received supply should not be a NEGATIVE listed supply as defined in Sec: 17(5)

## Section 16: Eligibility and conditions for taking input tax credit

<b>Who is eligible to book ITC</b>	<p>(1) Every <b>Registered Person</b> shall, <i>[subject to such conditions and restrictions as may be prescribed and in the manner specified in section 49]</i>, <b>be entitled to take credit of input tax charged on any supply of goods or services or both to him which are <u>used or intended to be used in the course or furtherance of his business</u></b> and the said amount shall be credited to the electronic credit ledger of such person.</p>
<b>Conditions to book ITC</b>	<p>(2) Notwithstanding anything contained in this section, <b>NO registered person shall be entitled to the credit</b> of any input tax in respect of any supply of goods or services or both to him unless,—</p> <p><b>INVOICE (ITC on invoice basis):</b> (a) he is in possession of a tax <b>invoice or debit note [Not receipt voucher]</b> issued by a supplier registered under this Act, or such other tax paying documents as may be prescribed;</p> <p><b>RECEIVED GOODS/SERVICES</b> (b) he has received the goods or services or both.</p> <p style="padding-left: 40px;"><b>Deemed Received (Bill to ship to model) Explanation.</b>—For the purposes of this clause, it shall be deemed that the registered person has received the goods or, as the case may be, services—</p> <p style="padding-left: 40px;">(i) Where the goods are delivered by the supplier to a recipient or any other person on the direction of such registered person, <i>[whether acting as an agent or otherwise,]</i> before or during movement of goods, either by way of transfer of documents of title to goods or otherwise;</p> <p style="padding-left: 40px;">(ii) Where the services are provided by the supplier to any person on the direction of and on account of such registered person.</p> <p style="padding-left: 40px;"><b>Last Lot:</b> <i>Provided that where the goods against an invoice are received in lots or instalments, the registered person shall be entitled to take credit upon receipt of the last lot or instalment:</i></p> <p><b>TAX PAYMENT TO GOVT.:</b> (c) <b>Subject to the provisions of section 41 [Claim of input tax credit and provisional acceptance thereof]</b>, the tax charged in respect of such <b>supply has been actually paid to the Government</b>, either in cash or through utilisation of input tax credit admissible in respect of the said supply; and</p> <p><b>FILE PERIODIC RETURN</b> (d) He has furnished the return under section 39:</p> <p><b>Addition of output liability if payment not made with in 180 days:</b> Provided further that where a recipient fails to pay to the supplier of goods or services or both, <i>[other than the supplies on which tax is payable on reverse charge basis,]</i> the amount towards the value of supply along with tax payable thereon <b>within a period of 180 days from the date of issue of invoice</b> by the supplier, an amount equal to the input tax credit availed by the recipient <b>shall be added to his output tax liability, along with interest thereon, in such manner as may be prescribed:</b></p>

	<p><b><u>Now Book ITC on payment basis:</u></b> Provided also that the recipient shall be entitled to avail of the credit of input tax on payment made by him of the amount towards the value of supply of goods or services or both along with tax payable thereon.</p>
<p><b>Either Depreciation or ITC</b></p>	<p>(3) Where the registered person has <b>claimed depreciation on the tax component of the cost of capital goods and plant and machinery</b> under the provisions of the Income-tax Act, 1961, the input tax <b>credit on the said tax component shall not be allowed.</b></p>
<p><b>Last date to book ITC</b></p>	<p>(4) A registered person shall not be entitled to take input tax credit in respect of any invoice or debit note for supply of goods or services or both after the due date of furnishing of the return under <b>section 39 (Periodic)</b> for the month of September following the end of financial year to which such invoice or <b>invoice relating to such</b> debit note pertains or furnishing of the relevant <b>annual return, whichever is earlier.</b></p>



## CGST RULES, 2017

### Rule 36 : Documentary requirements and conditions for claiming input tax credit

**(3) No ITC where tax paid against order (fraud):** No input tax credit shall be availed by a registered person in respect of any tax that has been paid in pursuance of any order where any demand has been confirmed on account of any fraud, willful misstatement or suppression of facts.

(4) Input tax credit to be availed by a registered person

- in respect of invoices or debit notes, the details of which have not been furnished by the suppliers under sub-section (1) of section 37 in FORM GSTR-1 or using the invoice furnishing facility,
- shall not exceed 5% of the eligible credit
- available in respect of invoices or debit notes the details of which have been furnished by the suppliers under sub-section (1) of section 37 in FORM GSTR-1 or using the invoice furnishing facility.

~~(4) Input tax credit to be availed by a registered person in respect of invoices or debit notes, the details of which have not been uploaded by the suppliers under section 37(1), shall not exceed 10% of the eligible credit available in respect of invoices or debit notes the details of which have been uploaded by the suppliers under section 37(1).~~

#### Rule 36 (4): ITC in case of Missing invoice in GSTR 1/ IFF

GST Involved in such invoices                      xxx

5% of Amount reflected in GSTR 2A            xxx

[Whichever is LOWER ]

# Chapter

# REGISTRATION



## Who is required to take Registration?

Registration After crossing the Limit of ₹ 20/10 LAKH: Sec. 22

NO Registration Section: 23

Mandatory Registration Sec. 24



# Supplier making **taxable supply** if his AGGREGATE *TURNOVER* in a financial year exceeds the limit of ₹ 20 lakh.

However if the person makes TAXABLE SUPPLIES from ANY of the special category states then the limit will be reduced to ₹ 10 lakh.

### HOW TO PROCEEDS...

Step 1: Find out aggregate turnover.

Step 2: Check the applicable limit for the person. (if made **taxable supplies** from any of the 4 special category state, then limit of ₹ 10 lakh shall be applicable) otherwise limit of ₹ 20 lakh shall apply

Step 3: If the aggregate turnover exceed the applicable limit (₹ 20/10 /40 lakh) then the person will be required registration in all those states/UT FROM where he made **TAXABLE SUPPLIES.**

.....  
# Existing registered person: need compulsory migration and required registration if aggregate turnover exceeds ₹ 20 /10 lakh.

# Transferee/Successor: Transferee/ Successor need registration afresh.

# Transferee (transfer under scheme, order of high court etc.): new owner required registration afresh.

Person making supply which is **NON TAXABLE /EXEMPTED (Exclusively)**

### Agriculturist

means an individual or a Hindu Undivided Family who undertakes cultivation of land–

**NOTIFIED PERSONS:** eg supplier where his supplies exclusively fall under RCM

- Person making **INTER STATE TAXABLE** supply (However for taxable supply of services and for Handicraft goods exemption limit of ₹20 /10 lakh will be available)
- **Casual Taxable Person**(However for handicraft goods exemption limit of ₹20 /10 lakh will be available)
- Non Resident taxable person.
- Person required to pay tax under RCM
- Taxable person u/s 9(5) [3 Specified services: transportation, accommodation, misc. utilities]
- Person making supply on behalf of other taxable person (However for taxable supply of services exemption limit of ₹20 /10 lakh will be available)
- E-Commerce Operator (other than sec. 9(5)).
- OIDAR supplier from abroad to a person other than Registered Taxable person.
- **Input service Distributor** (whether or not separately registered under the act)
- TDS Deductor (whether or not separately reg. under the act)
- TCS collector (whether or not separately reg. under the act)
- Other specified person

**Registration limit of ₹ 40 lakh**

The Central Government, hereby specifies as the category of persons exempt from obtaining registration upto aggregate turnover of ₹ 40 lakh ie the person required to get registration only after the limit of ₹ 40 lakh.

**Any person:**

- **Who is engaged in EXCLUSIVE SUPPLY OF GOODS and**
- **Whose aggregate turnover in the financial year does not exceed ₹ 40 lakh.**

But limit of ₹ 40 lakh will not be applicable in following cases ie in the following cases either the person required to get mandatory registration or limit of ₹ 10/20 Lakh

- (i) If Persons required to take **compulsory registration under section 24** of the [said Act](#);
- (ii) If persons engaged in **making supplies of 3 types of specified goods (Tobacco, Pan Masala, Icecream)**
- (iii) If the persons engaged in making intra-State supplies in the States of **Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Puducherry, Sikkim, Telangana, Tripura, Uttarakhand;**
- (iv) If the persons takes voluntary registration.

**When to take registration**

**Generally registration is required to be obtained within 30 days** from the date on which he becomes liable to registration.



**In special cases:**

**Casual Taxable Person and Non Resident:**



**Application for RC: (5 Days in advance)** The person shall apply for registration at least 5 DAYS PRIOR to commencement of business in and such person shall make taxable supplies only after issuance of RC.

**Period of RC: (90 +90 days)** RC issued to such persons shall be valid for a period of 90 days +90 days OR as specified in application for reg. from the effective date of registration (whichever is earlier).

**Advance deposit of Tax: such** person MAY deposit advance estimated tax liability for the period specified in application at the time of application for registration on the basis of TRN. **However if applied for extension then SHALL deposit advance tax on estimation basis for such extended period.** Such amount shall be credited in his E- cash Ledger account.

**Circular No. 71/45/2018: Clarifications of issues under GST related to casual taxable person**

Issue	Clarification
Whether the amount required to be deposited as advance tax should be 100% of the estimated	It is accordingly clarified that the amount of advance tax which a casual taxable person is required to deposit while obtaining registration <b>should be calculated after</b>

	<p>gross tax liability or the estimated tax liability payable in cash should be calculated after deducting the due eligible ITC which might be available to CTP?</p>	<p>considering the due eligible ITC which might be available to such taxable person.</p>
	<p>As per <a href="#">section 27</a> of the <a href="#">Central Goods and Services Tax Act, 2017</a>, period of operation by causal taxable person is ninety days with provision for extension of same by the proper officer for a further period not exceeding ninety days. Various representations have been received for further extension of the said period beyond the period of 180 days, as mandated in law.</p>	<p>It is clarified that in case of long running exhibitions (<b>for a period more than 180 days</b>), the taxable person cannot be treated as a CTP and thus such person would be required to obtain registration as a normal taxable person.</p> <p>While applying for normal registration the said person should upload a copy of the allotment letter granting him permission to use the premises for the exhibition and the allotment letter/consent letter shall be treated as the proper document as a proof for his place of business.</p> <p><b>In such cases he would not be required to pay advance tax for the purpose of registration.</b></p> <p>He can surrender such registration once the exhibition is over.</p>
	<p><b>Registration after Survey/ Investigation etc.:</b> It is found during any survey, inspection, search, enquiry or any other proceeding that- Person required registration but fails to get register himself:</p> <ul style="list-style-type: none"> <li>- then such officer may register the said person on <b>a temporary basis</b> and issue an order</li> <li>- and it will be effective from the date of order of Registration.[penalty etc. will also be there]</li> <li>- And such person shall within 90 Days</li> </ul> <p>[within 30 days of order of Appellate Authority if file appeal against grant of such temporary registration]</p> <p>from the date of grant of such registration shall file an application for registration in prescribed form and such RC will be effective <b>from the date of ORDER by officer.</b></p>	
<p><b>Where and how many Registrations are required</b></p>	<p><b>Place of Registration:</b> Every person who is liable to be registered shall apply for registration in <b>EVERY SUCH STATE/UT</b> from where he makes a taxable supply.</p> <p><b>What about TWI:</b> Every person who makes a supply FROM the Territorial Waters of India shall obtain registration in the Coastal State or Union territory where the NEAREST point of the appropriate baseline is located.</p> 	

**Number of Registration:****One state/UT@ one Registration**

- In general if the person making taxable supplies from one state/ UT then he is required to take registration one registration.

**One state/UT @Multiple Registration:**

- **The person MAY obtain** a SEPARATE REGISTRATION for each **Place of Business** located **within the state/UT.**
- A person having a unit(s) in a **Special Economic Zone** or being a Special Economic Zone developer shall make a separate application for registration distinct from his other units located outside the Special Economic Zone with in the same state.
- Every person being an **Input Service Distributor** shall make a separate application for registration as such Input Service Distributor even with in the same state.

Note: No **Place of Business** shall be granted registration to pay tax under composition scheme if any of the **Place of Business** of the same person paying tax under normal scheme.

**Multiple state @ single Registration**

**In case of unique identity number embassy/ UN etc is required to take only one registration which is valid for all over India.**

**How****Main document for registration:**

- PAN (Generally)
- TAN (In case of TAX DEDUCTOR/COLLECTOR)
- Any other document (In case of NR eg. Self- Attested Copy of Passport)
- Now **Aadhaar** mandatory for registration purpose at the time of registration. **Registration will be granted only after physical verification of place of business.**

- **Aadhaar required for:**

- Individual;
- authorised signatory of all types;
- Managing and Authorised partner; and;
- Karta of a Hindu undivided family.
- Member of Association of Person.
- Etc.

- **Aadhaar not required for:**

- Not a citizen of India;
- Government Departments/ establishment
- A local authority;
- A statutory body;
- A Public Sector Undertaking;
- UIN HOLDER



**Registration process:****Part A of Application:**

- (i) Disclose PAN (to whom it is needed), Mob. No., Email id.
- (ii) Verification of above : by GST PORTAL, by OTP (for mob no and Email)
- (iii) Generation of Transaction reference number [TRN] by portal which is valid for 15 days.

**Part B of Application:**

- (i) File registration APPLICATION by using reference no.
- (ii) Acknowledgement [Application reference number i.e. ARN] by portal on mob no. and Email id.
- (iii) *Note: Casual taxable person shall be given temporary id number[TRN] for making advance deposit of tax on estimation basis. After payment of advance tax ARN shall be generated and thereafter registration certificate shall be granted.*

[Except the persons exempted from Aadhaar required ] Every application shall be followed by

**If he has opted for authentication of Aadhaar number** (a) Biometric-based Aadhaar authentication and taking photograph, OR

**If he has opted not to get Aadhaar authentication done,** (b) Taking biometric information, photograph and verification of such other KYC documents, as notified, of the applicant

- **Where the applicant is an individual** or of such individuals in relation to the applicant as notified under section 25(6C)
- Where the applicant is not an individual, along with the verification of the original copy of the documents uploaded with the application in FORM GST REG-01 and
- **The application shall be deemed to be complete only after completion of the process laid down under this sub-rule.**

- (iv) The application forwarded to officer and the officer verifies the application along with documents. **Whether Officer is Satisfied**

**YES**

Then the officer GRANT registration within 7 [30] working days from the date of submission of application

**NO**

Then the officer intimate the deficiency within 7 [30] working days from the date of submission of application.

And applicant shall provide clarification or satisfy officer within 7 working days of receipts of information.

After this the officer is-

- Satisfied: ok grant registration within 7 working days.

**Deemed Registration:** Where Registration is not granted by the Officer with in 7 Days or 30 days as specified above then Registration shall be deemed to be granted.

- (v) A Registration certificate shall be issued in form **GST REG -6** mentioning principal place of business and additional places therein as declared in application form.

**And the RC will be effective:**

- From the date on which applicant liable for registration [if application made within time]
- Otherwise it will be effective from the date of GRANT of Registration.

**Structure of RC:** State wise PAN based GSTIN-----

- **First two digits:** State code
- **Next 10 digit :** PAN
- **Next digit:** SN of Registration in same state on same PAN
- **Next digit:** blank for further use
- **Next digit:** Checksum digit (department use)

**GSTIN: 09AALCA8207B1ZU**

**Migrated Person**

- Old registered taxable person required to get registration WEF appointed date (1-07-2017) subject to above.
- Old registered person having PAN shall be granted registration on provisional basis and RC shall be made available on the PORTAL.
- After that such person shall submit an application along with information and documents.
- After that RC in form **GST REG -6** shall be made available electronically on common portal.
- **Cancellation:** Every person registered under any of the old laws, who is not liable to be registered under the Act may, on or before 31/03/2018, at his option, submit an application electronically at the common portal for the cancellation of registration granted to him and the proper officer shall, **after conducting such enquiry as deemed fit, cancel the said registration.**

**Amendment in RC**

**Changes in Core fields: [Business Name Change, Address change, change in Directors/Partners etc.]**

Every RC/UIN holder shall inform the Proper Officer ANY changes in the information furnished at the time of application or thereafter.

However officer may approve within 15 working days or reject (after giving SCN and OPPORTUNITY OF BEING HEARD) such changes.

**Changes in None core fields: [Change in Phone Number, E-mail id of authorised signatory]**

Every RC/UIN holder shall inform the Proper Officer ANY changes in the information furnished at the time of application of thereafter.



**Cancellation  
of  
Registration**



**On Application:** By registered taxable person OR by legal heirs (in case of death), manner and period as may be prescribed, having regard to: **[Application Along with the detail of inputs, work in progress, finished goods, capital goods]**

- discontinuation of business,
- transfer of business,
- amalgamation,
- demerger or otherwise dispose of,
- change in constitution of business or
- registered person no longer liable to registered.
- **If taken voluntarily registration, now intend to opt out.**
- A TDS deductor or TCS Collector – now no longer remain to deduct or collect.

**BY Proper officer himself:**

- On contravention of act or rules, [eg. issue bogus invoices etc.]
- Person paying tax under composition scheme has not furnished return for **3 consecutive tax periods,**
- Any Registered person (other than immediate preceding) has not filed return for a continuous period of 6 months,
- Person having reg. on voluntarily basis has not commenced business within 6 months from the date of registration,
- Not to provide bank details with-in 45 days of registration,
- Registration obtained by means of fraud etc.
- Does not conduct any business from the declared place of business;
- Avails input tax credit in violation of the provisions of section 16 of the Act
- Furnishes the details of outward supplies in **FORM GSTR-1** under section 37 for one or more tax periods which is in excess of the outward supplies declared by him in his valid return under section 39 for the said tax periods; or
- Violates the provision of Rule 86B.
- There is a difference or anomalies reflected in Return filed under section 39 in between output GST and ITC claimed.

**(A) THEN First of all suspension of Registration ....**

(1) In case a registered person has applied for cancellation of registration the registration shall be deemed to be suspended from the date of submission of the application or the date from which the cancellation is sought, whichever is later, pending the completion of proceedings for cancellation.

(2) In case the proper officer has reasons to believe that the registration of a person is liable to be cancelled he may, **after affording the said person a reasonable opportunity of being heard,** suspend the registration of such person with effect from a date to be determined by him, pending the completion of the proceedings for cancellation.



**DONT'S during suspension Period**

- Shall not make any taxable supply  
[ie the registered person shall not issue a tax invoice and, accordingly, not to charge tax on supplies made by him]
- Shall not be required to furnish any return under section 39.
- shall not be granted any refund under section 54.

**(B) Cancellation of Registration**

(1) Where a person who has submitted an application for cancellation then

- the officer shall issue an order within a period of 30 days from the date of application submitted,
- cancel the registration,
- with effect from a date to be determined by him and [Prospectively or Retrospectively]
- notify the taxable person, directing him to pay arrears of any tax, interest or penalty including the amount liable to be paid under section 29(5).

(2) Where the proper officer has reasons to believe that the registration of a person is liable to be cancelled

- He shall issue a notice to such person requiring him to show cause, within a period of 7 working days from the date of the service of such notice, as to why his registration shall not be cancelled.
- Then reply to the show cause notice shall be furnished
- Now the proper officer shall issue an order within a period of 30 days from the date of the reply to the show cause
- to cancel the registration,
- with effect from a date to be determined by him and [Prospectively or Retrospectively]
- notify the taxable person, directing him to pay arrears of any tax, interest or penalty including the amount liable to be paid under section 29(5)

**Dropping of Cancellation Proceedings:**

- Where reply of notice is found to be satisfactory, the proper officer shall drop the proceedings.
- Where suspension order was issued because of non submission of return and the person instead of **replying to the notice furnishes all the pending returns and makes full payment of the tax dues along with applicable interest and late fee, the proper officer shall drop the proceedings of cancellation.**

**Liability on cancellation****In respect of Inputs**

Every registered person whose registration is cancelled shall pay an amount,

- equivalent to the credit of input tax in respect of **inputs held in stock and inputs contained in semi-finished or finished goods held in stock or**
- **capital goods or plant and machinery**
- on the day immediately preceding the date of such cancellation

OR

- **the output tax payable on such goods,**

**In respect of Capital Goods**

The taxable person shall pay an amount --

- Equal to **the input tax credit taken on the said capital goods or plant and machinery** on the day immediately preceding the date of such cancellation, **reduced by such percentage points as may be prescribed**

OR

- **The tax on the transaction value of such capital goods or plant and machinery under section 15,**

**[Whichever is higher]**

**Mode of payment in both the cases**--By way of debit in the E-Credit ledger or E-Cash ledger,

**On cancellation no effect on Prior period liabilities:** Such cancellation does not affect the liability of taxable person for any period prior or after the date of cancellation.

**Revocation**

Where registration is cancelled by Proper Officer, any registered taxable person may apply for revocation of such cancellation within 30 days of cancellation and Proper Officer may accept or **reject the application with in 30 days [Extension of 30 +30 days]** (After giving SCN and opportunity of being heard).





Where registration is cancelled because non filing of return then revocation application shall be files only after filing return and payment of tax, interest, penalties and late fee.

Moreover where registration is cancelled with retrospective effect then first of all file application for revocation and after that need to file all due returns till revocation order with in 30 days.

**Filing of application for revocation of cancellation of registration: Circular No. 99/18/2019****Prospective cancellation**

Where the registration has been cancelled with effect from the date of order of cancellation of registration, all returns **due till the date of such cancellation are required to be furnished before the application for revocation** can be filed.

Further, in such cases, all returns required to be furnished in respect of the period:

	<ul style="list-style-type: none"> <li>○ from the date of order of cancellation</li> <li>○ till the date of order of revocation of cancellation of registration</li> </ul> <p>have to be furnished within a period of 30 days from the date of the order of revocation</p> <hr/> <p><b>Retrospective Cancellation</b></p> <p><b>Where the registration has been cancelled with retrospective effect,</b> the common portal does not allow furnishing of returns after the effective date of cancellation.</p> <p>In such cases it was not possible to file the application for revocation of cancellation of registration. For enabling filing of application for revocation of cancellation of registration, subject to the condition that all returns relating to the period</p> <ul style="list-style-type: none"> <li>○ From the effective date of cancellation of registration</li> <li>○ till the date of order of revocation of cancellation of registration</li> </ul> <p>shall be filed within a period of 30 days from the date of order of such revocation of cancellation of registration</p>
<p><b>MISC:</b></p>	<p><b>RC Display:</b> Display RC in a prominent location at his principal and additional place (s) of business and shall display the registration number on the name board exhibited at entry of his principal place of business and any other place of business.</p>  <p><b>All Documents/notices @ electronically and Digital signed:</b> Each document filed online shall be signed by person specified. All orders and notices under this chapter shall be issued electronically by proper officer.</p>  <p><b>All applications/replies @ electronically and digitally signed:</b> All applications, including reply, if any, to the notices, returns including the details of outward and inward supplies, appeals or any other document required to be submitted under the provisions of these rules shall be so submitted electronically with digital signature certificate or through e-signature as or through <b>e signature.</b></p> <p><b>Physical verification of business premises:</b></p> <ul style="list-style-type: none"> <li>*Due to failure of Aadhaar authentication or</li> <li>*Due to not opting for Aadhaar authentication before the grant of registration, or</li> <li>*Due to any other reason after the grant of registration,</li> </ul> <p>Officer may get such verification of the place of business, in the presence of the said person, done and the verification report along with the other documents, including photographs, shall be uploaded in on the common portal within a period of 15 working days following the date of such verification.</p>

# Chapter



## MANNER OF PAYMENT

### CGST Rules, 2017: Payment of Tax

#### **Newly added: Rule 86B: Restrictions on use of amount available in electronic credit ledger.-**

If TAXABLE TURNOVER of a registered person in a particular month is Rs 50 lakh or more – then the person need to pay atleast 1% from E cash ledger even if has sufficient balance of credit to pay of all output GST.

However following persons will not be covered under the above provision..

1. Owner, director, karta etc. paid income tax of Rs. 1 lakh each in last 2 F.Y.
2. Claim Refund of ITC of Rs. 1 lakh
3. Government Department/ PSU/local Authority/Statutory Body.
4. If paid excess in preceding period then no need to pay in cash in current period ie cumulative benefit shall be allowed.
5. Registered person may request to officer for relaxation.

# Chapter



## RETURN

### Quarterly Return Filing and Monthly Payment of Taxes (QRMP) Scheme under GST

The Central Board of Indirect Taxes & Customs (CBIC) introduced Quarterly Return Filing and Monthly Payment of Taxes (QRMP) scheme under Goods and Services Tax (GST) to help small taxpayers whose turnover is less than Rs.5 crores. The QRMP scheme allows the taxpayers to file GSTR-3B on a quarterly basis and pay tax every month.

#### 1. Who is eligible for the QRMP scheme?

A registered person who is required to furnish a return in FORM GSTR-3B, and who has an aggregate turnover of up to 5 crore rupees in the preceding financial year, is eligible for the QRMP Scheme. Further, in case the aggregate turnover exceeds five crore rupees during any quarter in the current financial year, the registered person shall not be eligible for the scheme from the next quarter.

It is clarified that the aggregate annual turnover for the preceding financial year 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 preceding financial year.

The quarterly GSTR-3B filing option will be available from 1st January 2021 onwards. It is clarified that this scheme is optional and can be availed based on GSTIN.

#### 2. How to exercise Option for QRMP Scheme?

A registered person who intends to file his GSTR-3B quarterly should indicate the same on GST portal, from the 1st of the second month of the preceding quarter until the last day of the first month of the quarter for which such option is being exercised.

For example: If A wishes to file quarterly returns for the quarter of Jan-Mar 2021, he should opt for quarterly filing on the common GST portal between 1st November 2020 and 31st January 2021.

Once the registered person has opted for quarterly filing, he will have to continue to furnish his return every quarter for all future tax periods, except in the following situations:

1. If the taxpayer becomes ineligible for furnishing a quarterly return (for example, if the aggregate turnover crosses Rs.5 crore during a quarter, then from the next quarter he will not be able to file quarterly returns). If the taxpayer opts to furnish GSTR-3B on a monthly basis.
2. A registered person will not be eligible to opt for furnishing quarterly returns if the last return, which was due on the date of exercising such an option has not been furnished.

**For example:** If the person is opting for quarterly GSTR-3B filing on 1st December 2020, he will need to furnish his GSTR-3B return for October 2020, which would have been the last return due on the date of exercising the quarterly filing option.

### 3. Deemed monthly/quarterly filing of GSTR-3B

The taxpayer has to follow the above procedure to opt for the quarterly GSTR-3B. However, the GSTN case of registered persons falling in the categories specified in the table below, who have furnished their GSTR-3B return for October 2020 by 30th November 2020, it shall be deemed that they have opted for monthly or quarterly filing as detailed below-

S No.	Class of Registered Persons	Deemed Option
1	Registered individuals with an aggregate turnover of up to Rs.1.5 crore, who have furnished Form GSTR-1 quarterly in the current financial year	Quarterly GSTR-3B
2	Registered persons with an aggregate turnover of up to Rs.1.5 crore, who have furnished Form GSTR-1 monthly in the current financial year	Monthly GSTR-3B
3	Registered persons having an aggregate turnover exceeding Rs.1.5 crore and up to Rs.5 crore in the preceding financial year	Quarterly GSTR-3B

The taxpayers referred to in the Sl. No. 2 in the above table can change the default option and opt for quarterly GSTR-3B filing between 5th December 2020 and 31st January 2021.

### 4. How to submit details of outward supplies?

The taxpayers who opted for the QRMP scheme can use the Invoice Furnishing Facility (IFF) which allows quarterly GSTR-1 filers to upload their invoices every month. One should keep the following points in mind before utilizing the IFF:

- The IFF can be utilised only for the first 2 months of a quarter.
- The invoices relating to the last month of a quarter are to be uploaded in the GSTR-1 return only.
- There is no requirement to upload invoices in GSTR-1 if the same has been uploaded in the IFF.
- The taxpayer has to submit the B2B invoice details of sale transactions (both inter-state and intra-state) along with debit and credit notes of the B2B invoices issued during the month.
- The total net value of invoices that can be uploaded is restricted to Rs.50 lakh per month.
- The details submitted in IFF will be reflected in the GSTR-2A, GSTR-2B, GSTR-4A or GSTR-6A of the recipients as the case may be.
- The Invoice Furnishing Facility will come into effect from 01.01.2021.

### 5. How to make monthly tax payments under the QRMP scheme?

The taxpayer has to deposit tax using form GST PMT-06 by the 25th of the following month, for the first and second months of the quarter. The taxpayers can pay their monthly tax liability either in the Fixed Sum Method (FSM), also popular as 35% challan method, or Self- Assessment Method (SAM).

**Fixed Sum Method (FSM) or 35% challan method:**

The taxpayer must pay an amount of tax mentioned in a pre-filled challan in the form GST PMT-06 for an amount equal to 35% of the tax paid in cash.

S N	Type of Taxpayer	Tax to be paid
1	Who furnished GSTR-3B quarterly for the last quarter	35% of tax paid in cash in the preceding quarter
2	Who furnished GSTR-3B monthly during the last quarter	100% of tax paid in cash in the last month of the immediately preceding quarter

**Example for understanding FSM:**

**Scenario 1:** If GSTR-3B for January 2021 to March 2021 was filed on a quarterly basis

Tax paid in cash during Jan'21 – Mar'21 quarter		Tax required to be paid in each of Apr'21 and May'21	
CGST	10,000	CGST	3,500
SGST	10,000	SGST	3,500
IGST	20,000	IGST	7,000
Cess	3,000	Cess	1,050

**Scenario 2:** If GSTR-3 was filed on a monthly basis during the quarter of January 2021 to March 2021

Tax paid in cash during Mar'21		Tax required to be paid in each of Apr'21 and May'21	
CGST	3,000	CGST	3,000
SGST	3,000	SGST	3,000
IGST	5,000	IGST	5,000
Cess	1,000	Cess	1,000

**Self -Assessment Method (SAM):**

This is the existing method where a taxpayer can pay the tax liability by considering the tax liability on inward and outward supplies and the input tax credit available. The taxpayer has to manually arrive at the tax liability for the month and has to pay the same in form GST PMT-06. For ascertaining the amount of ITC available for the month the taxpayer can use form GSTR-2B.

There are certain instances where no amount may be required to be deposited, such as –

1. For the first month of the quarter – where the balance in the electronic cash/credit ledger is adequate for the tax liability of the said month OR where the tax liability is nil.
2. For the second month of the quarter – where the balance in the electronic cash/credit ledger is adequate for the cumulative tax liability for the first and second months of the quarter OR where the tax liability is nil.

It is to be noted that a registered person will not be eligible for the said procedures unless he has furnished the return for the complete tax period proceeding such month. A complete tax period is a tax period where the said person is registered from the first until the last day of the tax period.

**6. Due dates for filing quarterly GSTR-3B**

The due dates filing quarterly GSTR-3B has been notified as follows:

S No	GST Registration in States and Union Territories	Due Date
1	Chhattisgarh, Madhya Pradesh, Gujarat, Dadra and Nagar Haveli, Daman and Diu, Maharashtra, Karnataka, Goa, Lakshadweep, Kerala, Tamil Nadu, Puducherry, Andaman and Nicobar Islands, Telangana and Andhra Pradesh	22nd of the month succeeding such quarter
2	Jammu and Kashmir, Ladakh, Himachal Pradesh, Punjab, Chandigarh, Uttarakhand, Haryana, Delhi, Rajasthan, Uttar Pradesh, Bihar, Sikkim, Arunachal Pradesh, Nagaland, Mizoram, Manipur, Tripura, Meghalaya, Assam, West Bengal, Jharkhand and Odisha	24th of the month succeeding such quarter

**7. Interest under QRMP scheme**

The interest will be applicable as follows if the taxpayer opts for **Fixed Sum Method (FSM)** or popularly known as the **35% challan method**:

S No	Scenario	Interest to be paid
1	Tax liability mentioned in pre-filled form GST PMT-06 is <b>paid by 25th of the following month</b>	Nil
2	Tax liability mentioned in pre-filled form GST PMT-06 is <b>not paid by 25th of the following month</b>	18% of the tax liability (from 26th of the



S No	Scenario	Interest to be paid
		following month till the date of payment)
3	The final tax liability for the first two months is <b>less than or equal to</b> the amount paid through pre-filled form GST PMT-06	Nil
4	The final tax liability for the first two months is <b>higher than</b> the tax amount paid through pre-filled form GST PMT-06, and <b>such excess liability has been paid within quarterly GSTR-3B due date</b>	Nil
5	The final tax liability for the first two months is <b>higher than</b> the tax amount paid through pre-filled form GST PMT-06, and <b>such excess liability has not been paid within quarterly GSTR-3B due date</b>	18% of the tax liability (from GSTR-3B due date* till the date of payment)

\*22nd or 24th of the month succeeding such quarter based on the state of the taxpayer. The interest will be applicable as follows if the taxpayer opts for **Self-Assessment Method (SAM)**:

The taxpayer has to pay interest @ 18% on the net tax liability which remains unpaid or paid beyond the due date for the first two months of the quarter.

It is important to note that the taxpayer has to pay interest @18% if there is any late payment of tax in the third month of a quarter. This is applicable irrespective of Fixed Sum Method (FSM), popular as 35% challan method, or Self-Assessment Method (SAM).

## 8. Late fee under QRMP scheme

The late fee should be paid as follows if the quarterly GSTR-3B is not filed within due date, subject to a maximum late fees of Rs 5,000.

Name of the Act	Late fee for every day of delay	Late fee for every day of delay (in case of 'Nil' tax liability)
CGST Act	Rs.25	Rs.10
SGST Act	Rs.25	Rs.10
IGST Act	Rs.50	Rs.20

However, it is clarified that no late fee is applicable for delay in payment of tax in the first two months of the quarter in form GST PMT-06.

## 9. Issues or Challenges under QRMP

Whether to opt into QRMP or to continue with monthly returns must be decided for each of the GSTINs of a business (PAN), which can be tedious and time consuming. The segregation of the documents as B2B and non-B2B must also be done where the taxpayer opting into the scheme uses the Invoice Furnishing Facility (IFF). It would help in moving the B2B documents to IFF and rest directly to the quarterly GSTR-1 return. Moreover, the reconciliation between IFF, sales register and GSTR-1 becomes more essential. Further, the taxpayer under QRMP scheme must choose between two methods for tax payment every month, i.e. Fixed Sum/35% challan Method and Self-assessment Method.

## Invoice Furnishing Facility (IFF)

Invoice Furnishing Facility (IFF) allows small taxpayers to upload their invoices every month. The Central Board of Indirect Taxes & Customs (CBIC) had notified the Invoice Furnishing Facility on 10.11.2020 via notification number 82 /2020-Central Tax.

### What is the Invoice Furnishing Facility?

The Invoice Furnishing Facility (IFF) is a facility where quarterly GSTR-1 filers can choose to upload their Business-to-business (B2B) invoices every month, currently under the QRMP scheme only. It is governed by Rule 59(2) of the CGST Rules, available to regular taxpayers having an annual aggregate turnover of up to Rs.5 crore. One should keep the following points in mind before utilising the IFF:

- The IFF is an optional facility. Non-usage will not attract any late fee.
- The invoices relating to the last month of a quarter are to be uploaded in the GSTR-1 return only.
- There is no requirement to upload invoices in GSTR-1 if the same has been uploaded in the IFF.
- The total value of invoices that can be uploaded per month is restricted to Rs.50 lakh.
- The details submitted in IFF will be reflected in the GSTR-2A and GSTR-2B of the recipients.
- The Invoice Furnishing Facility will come into effect from 01.01.2021 and the first cut-off date was 13th February 2021 for January 2021 (being the first month for the January-March 2021 quarter).

### Who can use the Invoice Furnishing Facility?

Small taxpayers opting into the QRMP scheme filing their GSTR-1 returns every quarter can utilise the Invoice Furnishing Facility. It is important to note that if a taxpayer does not opt to upload invoice details through the IFF, he/she has to upload all the invoice details for the three months of the quarter in the GSTR-1 return.

### What is the purpose of the Invoice Furnishing Facility?

The taxpayers whose aggregate turnover is less than Rs.5 crore in the preceding financial year can file their GSTR-1 and GSTR-3B every quarter by opting into the QRMP scheme. This is allowed to reduce the compliance burden on small taxpayers. However, this creates problems for taxpayers who make purchases from QRMP taxpayers in claiming Input Tax Credit (ITC).

For example, when a buyer purchases goods from a QRMP taxpayer during a quarter, the buyer might have to wait until the end of the quarter to claim ITC. The reason for the same is that a small taxpayer can upload the invoices and complete the GSTR-1 filing only after the quarter is completed. This process would cause a delay in claiming ITC as the buyer can claim full ITC only when the invoice appears in his/her GSTR-2B.

Hence, the IFF has been introduced under the QRMP scheme to remove these hardships allowing the QRMP taxpayers to upload selective or all B2B invoices on the GST portal using IFF for the first two months of the quarter. In turn, it helps the buyers in claiming ITC without any delay.

**What details are to be submitted in the Invoice Furnishing Facility? The following details are to be submitted by the small taxpayers if they opt for Invoice Furnishing Facility:**

- **B2B invoice details of sale transactions (both inter-state and intra-state)**– being corresponding tables 4A, 4B, 4C, 6B and 6C of GSTR-1.
- **Debit and credit notes towards the B2B invoices issued during the month (CDNR)**– being corresponding table 9B of GSTR-1.

- Respective amendments to the B2B invoices (B2BA) and/or the debit and credit notes (CDNRA) being corresponding tables 9A and 9C of GSTR-1.

It is important to note that the taxpayer should upload all B2C invoices of the quarter while filing quarterly GSTR-1.

#### How to use the Invoice Furnishing Facility?

As the Invoice Furnishing Facility is optional for the taxpayers under the QRMP scheme, the GST portal gave a timeline to opt-in or out of the scheme, i.e. it was 31st January 2021 for the quarter January-March 2021. Once the small taxpayers stayed in the scheme, the GST portal has provided this facility for the first two months of the quarter only. The B2B invoices should be uploaded in IFF from 1st to the 13th of the month subsequent to the relevant month (being only first two months of the quarter).

#### Advantages of using the Invoice Furnishing Facility

- Any late upload of B2B invoices, beyond 13th of next month (cut-off date for a month) will never attract late fee unlike GSTR-1. However, the registered buyers may at the most lose the input tax credit for that month as it gets deferred to the next month.
- IFF is optional and flexible. If it was chosen in the first month of a specific quarter, there is no rule that it must be chosen for the second month of the same quarter.
- Buyers of goods from small taxpayers can claim ITC every month.
- The B2B sales details uploaded on IFF will get reflected or auto-populated into the relevant quarterly GSTR-1, thereby removing the need to re-enter the details.
- It pushes for a monthly reconciliation of data and that will ultimately make quarterly return filing easier.
- Small taxpayers can improve their business by providing faster ITC claims.
- Suppose the QRMP taxpayer has only submitted the B2B data on IFF by 13th of next month but forgotten to finish filing IFF for the month by 13th. He will still be allowed to file IFF after 13th, provided the data is already submitted on or before 13th of the next month.
- Eases the compliance burden by reducing the volume of invoices to be uploaded at the end of the quarter.

This is a good move to help both small taxpayers and buyers from small taxpayers. This facility will indirectly help small taxpayers to enhance their business by providing faster ITC claims to their buyers. However, this may increase the compliance costs for them. Further, the data must be segregated as B2B and non-B2B transactions for reporting on the IFF. Once the invoices are uploaded and filed on IFF, it gets auto-populated into the quarterly GSTR-1, making it non-editable or not deletable.

Hence, one has to make a comparison between the benefit of opting for IFF and the cost involved. It is good to opt-in for this facility if the QRMP taxpayer raises comparatively larger volumes of B2B invoices than B2C invoices in a quarter. Further, the impact on business relation with their registered customers must be understood well.

## Legal Text

## Section 39: Furnishing of PERIODIC Returns @ Monthly or Quarterly Frequency

Filing of RETURN  
@ monthly  
frequency by 20<sup>th</sup>  
day

[FORM  
GSTR: 3]

(1) Every registered person, other than

- an Input Service Distributor or
- a non-resident taxable person or
- a person paying tax under the provisions of section 10 or section 51 or section 52 shall, **for every calendar month or part thereof**, furnish, a return, electronically,
- of inward and outward supplies of goods or services or both,
- input tax credit availed,
- tax payable, tax paid and
- such other particulars,
- in such form and manner, and within such time, as may be prescribed:

Provided that the Government may, on the recommendations of the Council, notify certain class of registered persons who shall furnish a return for **every quarter or part thereof**, subject to such conditions and restrictions as may be specified therein.  
[SPECIFIED PERSONS under QRMP]

~~(1) **Every registered person**, [other than:~~

- ~~▪— An Input Service Distributor or~~
- ~~▪— a non-resident taxable person or~~
- ~~▪— a person paying tax under the provisions of section 10 or, section 51 or section 52]~~

~~shall, **for every calendar month or part thereof**, furnish, in such form and manner as may be prescribed, a return, electronically, of inward and outward supplies of goods or services or both, input tax credit availed, tax payable, tax paid and such other particulars as may be prescribed, on or before the **20<sup>th</sup> day of the month** succeeding such calendar month or part thereof.~~

<p>Composition scheme @ quarterly frequency [sec. 10] <b>[FORM GST CMP 08]</b></p>	<p>(2) A registered person paying tax under the provisions of section 10, shall,</p> <ul style="list-style-type: none"> <li>- for each financial year or part thereof, furnish a return, electronically,</li> <li>- of turnover in the State or Union territory,</li> <li>- inward supplies of goods or services or both,</li> <li>- tax payable, tax paid and</li> <li>- such other particulars in such form and manner, and within such time, as may be prescribed.</li> </ul> <p><del>(2) A registered person paying tax under the provisions of section 10 shall, for each quarter or part thereof, furnish, in such form and manner as may be prescribed, a return, electronically, of turnover in the State or Union territory, inward supplies of goods or services or both, tax payable and tax paid</del> <b>within 18<sup>th</sup> days after the end of such quarter.</b></p>
<p>TDS Deductor @ monthly frequency by 10<sup>th</sup> [section 51] <b>[FORM GSTR: 7]</b></p>	<p>(3) Every registered person required to deduct tax at source under the provisions of section 51 shall furnish, in such form and manner as may be prescribed, a return, electronically, <b>for the month in which such deductions have been made within 10 days after the end of such month.</b></p>
<p>ISD @ monthly frequency by 13<sup>th</sup> [section 51] <b>[FORM GSTR: 6]</b></p>	<p>(4) Every taxable person registered as an Input Service Distributor shall, for every calendar month or part thereof, furnish, in such form and manner as may be prescribed, a return, electronically, <b>within 13<sup>th</sup> days after the end of such month.</b></p>
<p>Non Resident Taxable Person @ for the month or part thereof by specified time <b>[FORM GSTR: 5]</b></p>	<p>(5) Every registered non-resident taxable person shall, for every calendar month or part thereof, furnish, in such form and manner as may be prescribed, a return, electronically, <b>within 20 days after the end of a calendar month or within 7 days after the last day of the period of registration specified under section 27(1), whichever is earlier.</b></p>
<p><b>Extension in time Limit</b></p>	<p>(6) The Commissioner may, for reasons to be recorded in writing, by notification, extend the time limit for furnishing the returns under this section for such class of registered persons as may be specified therein:</p> <p><i>Provided that any extension of time limit notified by the Commissioner of State tax or Union territory tax shall be deemed to be notified by the Commissioner.</i></p>

<p><b>TAX PAYMENT BY DUE DATE OF RETURN</b></p>	<p>(7) Every registered person who is required to furnish a return under subsection (1), <i>[other than the person referred to in</i></p> <ul style="list-style-type: none"> <li>- <i>the proviso thereto, ie SPECIFIED PERSONS under QRMP or</i></li> <li>- <i>subsection (3)ie TDS DEDUCTOR or</i></li> <li>- <i>sub-section (5),ir NON RESIDENT TAXABLE PERSON]</i></li> </ul> <p>shall pay to the Government the tax due as per such return not later than the last date on which he is required to furnish such return:</p> <p>Provided that every registered person furnishing return under the proviso to sub-section (1) <i>[ie SPECIFIED PERSONS under QRMP]</i></p> <p>shall pay to the Government,</p> <ul style="list-style-type: none"> <li>- the tax due taking into account inward and outward supplies of goods or services or both,</li> <li>- input tax credit availed,</li> <li>- tax payable and</li> <li>- such other particulars during a month, in such form and manner, and within such time, as may be prescribed:</li> </ul> <p><b>For composite Dealers:</b> Provided further that every registered person furnishing return under subsection (2)</p> <ul style="list-style-type: none"> <li>- <b>shall pay to the Government the tax due</b></li> <li>- taking into account turnover in the State or Union territory,</li> <li>- inward supplies of goods or services or both,</li> <li>- tax payable, and such other particulars</li> <li>- during a quarter, in such form and manner, and within such time, as may be prescribed.</li> </ul> <p><del>(7) Every registered person, who is required to furnish a return under sub-section (1) or sub-section (2) or sub-section (3) or sub-section (5), shall pay to the Government the tax due as per such return not later than the last date on which he is required to furnish such return.</del></p>
<p><b>Nil Return</b></p>	<p>(8) Every registered person who is required to furnish a return under sub-section (1) or sub-section (2) shall furnish a return for every tax period <b>whether or not any supplies of goods or services or both have been made during such tax period.</b></p>

# Chapter

# E-WAY BILL

Validity/Life of  
E- Way Bill

Sn.	Distance	Validity period
1.	Upto <del>100</del> 200 km.	One day in cases other than Over Dimensional Cargo [or multimodal shipment in which at least one leg involves transport by ship]
2.	For every <del>100</del> 200 km. or part thereof thereafter	One additional day in cases other than Over Dimensional Cargo [or multimodal shipment in which at least one leg involves transport by ship]
3.	Upto 20 km	One day in case of Over Dimensional Cargo [or multimodal shipment in which at least one leg involves transport by ship]
4.	For every 20 km. or part thereof thereafter	One additional day in case of Over Dimensional Cargo [or multimodal shipment in which at least one leg involves transport by ship]

Extension :   
By commissioner : in Certain Cases  
By EWB Generator: Extend it.

Note: The validity of the e-way bill may be extended within 8 hours from the time of its expiry.

## Analysis



## Blocking of E-way Bill:

No person (including a consignor, consignee, transporter, an e-commerce operator or a courier agency) shall be allowed to furnish the information in PART A of FORM GST EWB-01 in respect of a registered person, whether as a supplier or a recipient, who,—

- (a) Being a person paying tax under section 10, [or availing the benefit of notification No. 02/2019,] has not furnished the [statement in FORM GST CMP-08] for two consecutive [quarters]; or
- (b) Being a person other than a person specified in clause (a), has not furnished the returns for a consecutive period of two tax periods ~~two months~~;
- (c) When a person has not furnished the statement of outward supplies (GSTR: 1) for any two months or quarters, as the case may be.
- (d) Being a person, whose registration has been suspended under Rule 21(1)(2)(2A). [When to suspend RC. When application for cancellation of RC made by the person, when officer finds some irregularity, WHEN THERE IS AN ANAMOLY IN GSTR 1 AND GSTR 2A]