

INTRODUCTION TO GST

RETURNS-PART 2

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Friends, we read in our law book in CGST Act section 37, sub-section 5.

GST/09/39/6-482

Can one file GSTR-1 for current month if previous month GSTR-1 return is not filed?



No, if return of Jan -2022 is not filed, Feb -2022 return cannot be filed (Budget- 2022).

Can one file GST return for the month if previous month return not filed? No. Answer is no. We cannot file. Every month, every return has to be filed. And if there is no transaction, then nil return has to be filed. We cannot miss the returns.

What are the other returns under GST and their due dates?
(PART 1)



S.No	Form No.	Particulars	Due Date	Frequency
1	GSTR -4	Return for the Composite Dealer	30 th April	Annually
2	GST CMP-08	Quarterly self-assessed statement-cum-payment by Composition Dealers.	18 th of next month	Quarterly
3	GSTR- 5	This return will contain all business details for non-resident (NR) including the details of sales & purchases.	to be filed within 7days after the last day of registration or on 20 th of the next month, whichever is early.	Monthly
4	GSTR -6	Return for Input Service Distributors (ISD) : This return contains the details of ITC received by an Input Service Distributor and distribution of ITC. GSTR - 6 is to be filed before 13 th of next month.	13 th of the next month	Monthly return

Friends, apart from GSTR-01, which is a statement of my outward supplies/my sale, whatever I have done during particular month, we have other returns also under GST. For different types of people, there are different types of returns. So, GSTR-1 was for a normal registered person who is not ISD, who is not a non-resident person, who is not registered under section 10 composite dealer and who is not dealing with TDS and TCS. Normal taxable person is supposed to file GSTR-1.

Then, there is another return that is GSTR-4. GSTR-4 again is a summary of sale by a person who is covered under section 10 and he is also known as composite dealer. A composite dealer is a person (if you remember during registration presentation we talked about this person) who is having turnover up to 1.5 crore, if he is dealer of goods only and in services its limit is 50 lakh rupees. Means, a person/small businessman who is having turnover up to 1.5 lakh rupees can opt this composite scheme, wherein he will not charge tax to his customer, but on his total sale he will pay one percent/two percent or five percent as the case may be to GST authorities. So, this man/composite dealer will not file return monthly. He will file return quarterly. So, on quarterly basis whatever will be his total turnover he will calculate his tax liability at the rate of one percent/two percent/five percent whatever the case be and will deposit to the government and will file annual return and quarterly return also, in GST composite 08 form declaring his tax liability and will file the return by 18th of next month after close of the quarter. So, this man has to file two returns in a year. One quarterly return, every quarter in form GST composite

08 declaring his turnover and paying tax accordingly every quarter by 18th of next month. So, if we are talking about April, May, June quarter, he will calculate his total turnover, he will calculate his tax liability at the rate of one percent/ five percent as the case may be and deposit that tax by 18th of next month. But remember this fellow will not charge any tax in his invoice to his consumer, and he will not get any ITC also on his procurements. For composite dealer ITC is not available.

Then friend next is GSTR-05. So GSTR-05 this return will contain all business details of non-resident person, means a person who is selling goods or services from outside India to India. So, friend GST is very clear in this aspect, that if supplier is outside India but consumption has taken place in India then supplier from outside India has to pay tax in India either through his representative or he has to open his office in India. Otherwise, he will not be allowed to have business in India. So, any non-resident supplier supplying goods from USA to India to its buyer because he has a market in India, he has to appoint some authorized representative and his authorized representative will compliance with the provisions of GST. So, he also has to file return on monthly basis declaring his sale in India may be from USA and will give all details in this return and this return must be filed within 7 days after getting registration or by 20th of the next month or monthly return may be filed.

Another return is GSTR-6. Input service distributor. Where company is procuring goods on behalf of his different units, sitting in Bombay at its head office and these goods are actually consumed by different units, though procurement is centralized. So this person/company though having separate registration numbers in Maharashtra for his regular business, will have to have separate number as ISD for centralized procuring and transferring goods from buyer, directly to its units and has to file monthly return wherein they will declare how many or how much procurement they have done for different offices, different units and how many invoices they have raised to their units for their procurement on their behalf.

So, they have to file monthly returns by 13th of the next month. This format also has complete details regarding inward supplies or outward supplies and accordingly they will file return. So normally these practices are not very common. Very big corporate houses are using this format of business but otherwise they are regularly filing GSTR-01.

**What are the other returns under GST and their due dates?
(PART 2)**



5	GSTR 7	Return for tax deducted at source which contains the details of TDS deducted, TDS liability payable and paid, TDS refund claimed if any etc.,	10 th of the next month	Monthly return
6	GSTR 8	Particulars of tax collection at source to be filed by the e-commerce operators required to deduct under GST. It contains the details of supplies effected through an e-commerce platform and the amount of TCS collected on such supplies.	10th of the following month	Monthly return
7	GSTR-9	<p>GSTR 9 is an annual return to be filed once in a year by the registered taxpayers</p> <ul style="list-style-type: none"> It consists of details regarding the supplies made and received during the year under different tax heads i.e. CGST, SGST and IGST. 	31st December 2022	-
8	GSTR 9C	<p>Return of registered person whose annual turnover exceeds ₹ 2 Crore whose a/c is under audit :</p> <ul style="list-style-type: none"> GSTR 9C is a statement of reconciliation between: The Annual returns in GSTR 9 filed for an FY, and The figures as per Audited Annual Financial Statements of the taxpayer. 	31 December	-
9	GSTR 11	<ul style="list-style-type: none"> It is a return to be filed by the persons who have been issued a Unique Identity Number (UIN) in order to get a refund under GST for the goods and services purchased by them in India. 	28th of the month following the month	

Moving further friends, there is another return known as GSTR-7. This return pertains to tax deducted at source. In case of e-commerce operator where there are so many vendors on their platform and they are selling goods. When this e-commerce operator is getting payments from its buyer and transferring funds to vendor after deducting commission and TCS, this e-commerce operator needs to file the return, as to, how much business has been done through this platform. They are supposed to declare to the government every month by 10th of next month, how many or how much amount of tax or how much amount of sale and how much amount of TDS or TCS or how much of commission they have generated. This form also has set format for information to be provided and also, they are supposed to declare their turnover in GSTR-01 also, they have separate column for that.

Then GSTR-08, tax collected at source. If any manufacturer/buyer/business house has deducted or collected TCS from their buyer, they will declare to GST/government/GST portal/authorities, how much TCS they have collected and deposited and what was the quantum of the values, volume they generated through this TCS business.

GSTR-09 is an annual return for any businessman having turnover of more than 2 crore rupees. This return is basically a summary or total of all 12 months. So, during the whole financial year 2024-25 or 2023-24, if you have filed 12 GST returns right from April to March, GSTR-09 will

be the summary of all GSTR-01. Also, considering debit notes, credit notes, other amendments, rectifications, ITC claimed, ITC used, ITC availed, ITC reversed, everything will be there in GSTR-09 and it is filed annually after reconciling all your books of accounts.

Then friends there is another statement or return that is GSTR-9C. Friends when we are maintaining our books of accounts in corporate sector or otherwise, we are maintaining these records as per accounting standards adopted in the country. And GST law has its own principles. In GST, transactions without consideration are also subject to GST. Whereas in accounting standards transactions without consideration are not treated as a sale so there is always a difference between GST turnover and financial turnover. The turnover you have shown in your profit and loss account will be different from turnover you have shown in your GST returns. So, it needs a reconciliation, why difference is there? Why turnover in GST is one lakh, why turnover in financial books of account is seventy thousand, so this gap of thirty thousand will be reconciled, and this reconciliation is done in GSTR-9C. It is a reconciliation statement for turnover as well as for ITC availed or utilized. So, in books of accounts if your ITC for the whole year is one lakh rupees but in GSTR records, if your ITC is for 70,000 rupees, then you have to mention the difference, why it is so. You have to give a reconciliation for that. And both of these returns shall be filed by 31st December of the next year. Means for 2024-25 financial year, the last date of filing GSTR-09 and GSTR-9C is 31st December 2025. For 2023-24, last date is 31st December 2024. So, these two returns are supposed to be filed together the same day after having summarization of all transactions during the year duly reconciled with your books of accounts. So, there should not be any mismatch in that and if it is there then reconciliation should be there.

Another return is GSTR-11. it is a return to be filed by person having unique identification number. In GST registration if any foreign agencies are working in India like UN agencies, embassies, these are having special status under GST. And for them, all inputs are free from tax. Whatever item they are consuming in India, they will be tax free. But supplier is supposed to charge tax and these agencies are supposed to pay tax to their supplier and based upon invoices, based upon the documents, they claim their refund from government. For that purpose, they have to file their monthly returns declaring what they have consumed, what they have purchased during that particular month, so that their refund can be established.

So apart from these, there is one another important return that is GSTR-3B. GSTR-3B is directly linked with your GSTR-01. In GSTR-01, I am just declaring my liability. But in GSTR-

3B, I am paying my liability based on what I have declared in my GSTR-01 return. We will see that also because in GSTR-3B, I am also availing the benefit of ITC. Whenever you are having your output liability; while meeting this liability, first you have to check your ITC balance. You have to address that one and if still balance is there to pay then cash will be paid through GSTR-3B. All these tax liability and payment of tax liability is done through GSTR-3B on monthly basis.

Till now we were talking about GSTR-01 wherein we declare all my sales, along with other information like HSN code, SAC code, debit note, credit note issued and sales, if they are of inter-state nature, intra-state nature, to a registered person, to an unregistered person, deemed export, export and so on. So that is the summary of my total sale which fixes my tax liability also.

What is GSTR 2B?



It is a month-wise auto-drafted statement for regular taxpayers. It provides eligible and ineligible ITC for each month similar to GSTR 2A but remains constant or unchanged for a period.

There is another statement. It's not a return basically. It's a statement under GST. That is GSTR-2B. Along with this we also talk about GSTR-2A. These are two statements which are very relevant from buyer's point of view. As a supplier, I file GSTR-01, wherein I give my sale summary/sale details. Section 37, sub-section 1, in one of the lines, it talks about 'the same may be intimated to the recipient well in time as may be prescribed'. So, intimation to recipient means what? When as a supplier, I file my GSTR-01, on or before 11th of next month; for the month of July, I will file this GSTR-01 by 11th of August. So, when I will submit this GSTR-01, it will convert into GSTR-2B for recipient or the buyer. Means, as a supplier, if I have supplied goods to Mr. A, who is a registered person under GST, in my GSTR-01, if I raise bill number 005 to Mr. A who is also a registered person under GST, I will mention bill number 005, name of Mr. A along with his GST number and HSN code of my goods supplied to Mr. A,

value of the goods, tax rate applicable, tax amount, etc in my GSTR-01. And this information after submission of my GSTR-01 on 11th or after that will be available to Mr. A on his GST portal in GSTR-2B statement. It means if Mr. A, is also a GST person, and has procured goods during July from different vendors, all the vendors of Mr. A will submit their GSTR-01 by 11th of August, giving all such details which I have filled, Mr. A will get all information consolidated in GSTR-2B. This 2B will tell Mr. A how much procurement he has done during the month of July and based upon this procurement his ITC for the month of July will be determined. And out of these all invoices that got appeared in 2B for Mr. A at GST portal, he will identify where ITC is available and where ITC is not available as per section 16 and section 17. Accordingly, he will fix his net ITC. So GSTR-2B and GSTR-2A are basically a summary of all procurements, all invoices of inputs purchased during that particular tax period of that particular month. So, friends, it says GSTR-2B is a month-wise auto-drafted statement by the system for regular taxpayer. Means, a regular taxpayer who is filing GSTR-01 and procuring goods and selling further. It provides eligible and ineligible ITC for each month similar to GSTR-2A, but remains constant or unchanged for the period.

What is GSTR 2B?



It is a month-wise auto-drafted statement for regular taxpayers. It provides eligible and ineligible ITC for each month similar to GSTR 2A but remains constant or unchanged for a period.

Handwritten notes:

- 2A → Input Inv may be for Aug Per
- Supplier → GSTR-1 → 11th Aug. → GSTR-2B (State's Receipt Buyer)
- Supplier → July → 11th Aug. → GSTR-1 → 11th Aug. → GSTR-2B
- Supplier → July → 11th Aug. → GSTR-1 → 11th Aug. → GSTR-2B → How much ITC = Net ITC

Thus, there is a difference between GSTR-2A and GSTR-2B. In 2A my input invoices may be for any tax period. If I go for it this GSTR-2A for Mr. A for the month of July may contains details of bills relating to March, April, May, June. But if we go for GSTR-2B of Mr. A, it will

contain the invoices raised to Mr. A during the month of July only. So, 2B contains details of previous month only from 12th of previous month till 12th of next month, because it is available after 11th. So practically it is available on 13th of next month. So 2A can have invoices of previous tax periods also whereas 2B has invoices of last month only. But all tax returns/ these statements of GSTR-2A, GSTR-2B are available on GST portal. We will see when we will study GST portal also. So, it is a summary for a buyer to see how much he has procured, from where he has procured, how much value is there and how much ITC is there. And out of that total ITC, how much is eligible ITC and how much is ineligible ITC, so that I put forward my claim with the authorities and I am in a position to work out what is my tax liability and what is ITC available to me and how much cash I needed to be deposited for payment of my tax liability. So, this statement is important from buyer's point of view.

It happens so many times that you have received the bills from your buyer/supplier; you have received the goods from your supplier but that bill/amount is not appearing in your GSTR-2B on GST portal. It happens so many times or GSTR-2A also. So, in that situation first step is, immediately correspond with your supplier. There is a possibility that when he was filing his GSTR-01, he forgot by chance to upload your bill, i.e. the bill raised to you. That is one reason that your GSTR-2B will not be having detail of that invoice. Another case is that your supplier put GST number of some other person while filling your GST number, i.e. he had done some mistake. But if he is using some software for uploading invoices then chances are very less. It means every month you have to reconcile your GSTR-2B also, otherwise it will be a loss for you. If any bill is not available and you have received that goods and you have received the bill and you have made the payment also to your supplier but that bill is not appearing in 2B and since one of the conditions of section 16 is that bill must appear in 2B, otherwise, your ITC can be denied.

So, from buyer's point of view, GSTR-2B, though it is not a monthly return, it is information auto-populated from GSTR-1 of your supplier. Friends, when GST was introduced, with effect from 1st July 2017, in returns we were supposed to file GSTR-01, GSTR-02 and then GSTR-03. This was the original plan under GST. GSTR-01 was your outward supply detail, GSTR-02 was your procurement details (means whatever you have procured during the period) and GSTR-03 was accumulation of these two plus cash payments of your taxes. This GSTR-3B was a statement or a return for your tax liability and tax payment after consideration of your ITC available under GSTR-2B, and then cash payment. This was the original plan for filing returns under GST. But friends, for some or the other reasons, we filed GSTR-01 for July 2017.

But due to some technical glitches at GST portal, we were not in a position to file GSTR-02 and GSTR-3B. And we never filed these returns. These returns never seen light of the day.

It was launched w.e.f August 2020 tax period.



So, at that point of time, during August 2017, government came out with GSTR 3B ‘a via media’ to collect taxes, because GSTR-03 was there for payment of taxes. But it could not work. So, they came out with temporary solution of GSTR-3B. So even today also we are not filing GSTR-02 or GSTR-03. Later on these concepts were eliminated from GST Act. And today, we are having GSTR-01 in line. We have GSTR-2B and GSTR-2A in line and then GSTR-3B is there in line.

When was GSTR 2B launched?



It was launched w.e.f August 2020 tax period.

GSTR-2B was launched in August 2020. Before that, there was no such type of statement of GSTR-2B. So, when GSTR-01 is filed, after that GSTR-2B is generated.

**After which date is GSTR 2B generated/
available?**



**Taxpayers can generate GSTR-2B on or after 14th
of next month for a tax period.**

So, GSTR-2B is available for any buyer of goods or services, after or as on 14th of next month. Because for July, supplier will file its GSTR-01 by 11th and there are some other suppliers, those are supposed to file their GSTR-01 or IFF by 13th. Invoice Furnishing Facility (IFF) is another mechanism under GST for filing returns. So regular dealers can file their GSTR-01 or IFF. GSTR-01 can be filed by 11th, IFF can be filed by 13th. So, after having these two statements or returns filed on GST portal, GSTR-2B is generated for buyer so that he can work out its ITC.