

GST COMPLIANCE RELAXATION IN GST REGIME ISSUED ON 1ST MAY, 2021

TEAM TRD

In a bid to provide relief to COVID-19 hit businesses, the finance ministry had on 1st May, 2021 notified changes in the compliance requirements under the Goods and Services Tax (GST) regime. This includes *extension of the deadline for filing GST returns, reduced quantum of late fee, and even late fee waiver in some cases for the months of March and April 2021.*

1. Waiver of Late Fees for delayed filing of GSTR 3B Return for the month of March & April 2021 [Notification No. 9/2021-CT dated 1st May 2021]:

Late fees for delayed filing of GSTR-3B return has been waived for different classes of taxpayers as under:

Turnover Exceeding Rs 5 Crs in Preceding FY (Monthly) - GSTR 3B

Month	Date without late fees	NIL Interest	9% Interest	18% Interest
March 2021	5th May 2021	Not Applicable	If filed till 5th May	Filed post 5th May
April 2021	4th June 2021	Not Applicable	If filed till 4th June	Filed post 4th June

Turnover up to Rs 5 Crs in Preceding FY (Monthly) - GSTR 3B

Month	Date without late fees	NIL Interest	9% Interest	18% Interest
March 2021	20th May 2021	If filed till 5th May	6th May to 20th May	Filed post 20th May
April 2021	19th June 2021	If filed till 4th June	5th June to 19th June	Filed post 19th June

Turnover up to Rs 5 Crs in Preceding FY (Quarterly - QRMP Scheme) - GSTR 3B

Quarter	Date without late fees	NIL Interest	9% Interest	18% Interest
Jan - Mar 2021 (Category 1-States)	22nd May 2021	Till 7th May 2021	8th May to 22nd May	Filed post 22nd May
Jan - Mar 2021 (Category 2-States)	24th May 2021	Till 9th May 2021	10th May to 24th May	Filed post 24th May

2. Furnishing the statement of outward supplies in FORM GSTR-1 or Form- IFF [Notification No. 12/2021-CT & Notification No. 13/2021 both dated 1st May 2021]:

In terms of Notification No. 12/2021-CT dated 01.05.2021, the due date for filing statement of outward supplies in FORM GSTR-1 for the month of April 2021 is extended to 26th May 2021.

Further by virtue of Notification No. 13/2021-CT dated 01.05.2021, the due date for furnishing details of outward supplies for the month of April 2021 is extended to 28th May 2021.

Waiver of late fees for filing of GSTR 1, IFF and GSTR 4

Return	March 2021	April 2021
GSTR 1	Not Applicable	26th May 2021
IFF	Not Applicable	28th May 2021

3. Extension in due date for furnishing return by composition taxpayers [Notification No. 10/2021-CT dated 1st May 2021]:

The due date for furnishing return by composition taxpayers on an annual basis in FORM GSTR-4 for the FY 2020-21 has been extended till the 31st May, 2021.

Composition Dealer	GSTR 4 (Quarterly)	Financial Year 2020-21	31st May 2021
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4. Extension in due date for furnishing the declaration in ITC-04 [Notification No. 11/2021-CT dated 1st May 2021]:

The due date for furnishing the declaration in Form ITC-04 in respect of goods dispatched to a job worker or received from a job worker for the quarter Jan'21-Mar'21 has been extended to 31st May, 2021.

Job Work	ITC 04	Quarter Jan 21 to Mar 21	31st May, 2021
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5. Reduction in Interest Rate for delayed payment of GST [Notification No. 8/2021-CT dated 1st May 2021]:

6. Relaxation in restriction on availment of Input Tax Credit under rule 36(4) [Notification No. 13/2021-CT dated 1st May 2021]:

Rule 36(4) restricts the availment of input tax credit beyond 5% of the ITC reflected in Form GSTR 2A/2B.

However said restriction will not apply in individual months of April & May 2021, but will apply cumulatively for the period April & May, 2021 and the return in FORM GSTR-3B for the month of May, 2021 is to be furnished with the cumulative adjustment of input tax credit for those months.

7. Extension of due date for furnishing TDS/TCS Returns [Notification No. 14/2021-CT dated 1st May 2021]:

The due date for furnishing statement of TDS deducted/ TCS Collected for the month of April, 2021 in Form GSTR-7/ Form GSTR-8 have been extended till 31st May, 2021.

8. Extension of due date for filing return by Input Service Distributor/ non-resident taxable person [Notification No. 14/2021-CT dated 1st May 2021]:

The due date of filing return by Input Service Distributor/ non-resident taxable person for the month of April, 2021 in Form GSTR-6/ Form GSTR-5 have been extended till 31st May, 2021.

9. Relaxation of time limit for compliance (which falls during the period from 15th April 2021 to 30th May 2021 till 31st May 2021) under GST Law [Notification No. 14/2021-CT dated 1st May 2021]:

Particulars	Original Date	Revised Date
Completion of any proceeding or passing of any order or issuance of any notice, intimation, notification, sanction or approval or such other action, by whatever name called, by any authority, commission or tribunal, by whatever name called	15th April 2021 to 30th May 2021	31st May 2021
Filing of any appeal, reply or application or furnishing of any report, document, return, statement or such other record, by whatever name called	15th April 2021 to 30th May 2021	31st May 2021

Non-applicability of above extensions in specified cases as under:

The aforesaid extensions of time shall not be applicable in following cases:

- For determination of "Time of Supply" as envisaged in Chapter IV of CGST Act, 2017;
- For withdrawal from composition scheme where turnover exceeds threshold limits as prescribed under section-10(3);
- For application for New Registration u/s 25 or reg. of casual taxable person u/s 27
- For issuance of Tax Invoice u/s 31
- For filing of GSTR-1 u/s 37, Levy of Late Fees u/s 47 or levy of Interest for delayed filing of returns u/s 50 except as notified separately as per above paragraphs.
- Power of arrest u/s 69; Liability of partners of firm to pay tax envisaged u/s 90.
- Levy of Penalty for certain offences u/s 122
- Detention, seizure and release of goods and conveyances in transit u/s 129.
- Filing of return u/s 39 except sec 39(3), 39(4) and 39(5)
- For compliance of E-way bill related provision u/s 68 i.e. generation of e-way bill, inspection of goods in movement u/s 68 etc.

Summary

Notification No.	Return/Form Type	Period	Relief in Interest for Nos. of days
08/2021 - Central Tax (Reduction in rate of Interest for delayed payment) GSTR 3B	Turnover > 5Cr	March 2021 & April 2021	9% p.a for first 15days from Due Date 18% p.a thereafter
	Turnover upto 5Cr (Monthly Filers)	March 2021 & April 2021	Nil for First 15 days from Due Date; 9% p.a for next 15 days; 18% p.a thereafter
	Turnover upto 5Cr (QRMP Scheme)	Jan To Mar-21 Quarter	Nil for First 15 days from Due Date; 9% p.a for next 15 days; 18% p.a thereafter
09/2021 - Central Tax (Late Fees Waiver)	GSTR 3B Turnover > 5Cr	March 2021 & April 2021	15 days from due date of furnishing return
	Turnover upto 5Cr (Monthly Filers)	March 2021 & April 2021	30 days from due date of furnishing return
	Turnover upto 5Cr (QRMP Scheme)	Jan To Mar-21 Quarter	30 days from due date of furnishing return

Notification No.	Return/Form Type	Period	Original Due Date	Extended Due Date
10/2021 - Central Tax	Form GSTR - 4 (Composition Dealer)	FY 2020-21	30 th April 2021	31 st May 2021
11/2021 - Central Tax	Form GST ITC - 04 (Job Work)	FY 2020-21	25 th April 2021	31 st May 2021
12/2021 - Central Tax	GSTR 1	Month of April	11th May 2021	26th May 2021
13/2021 - Central Tax	IFF	Month of April	13th May 2021	28th May 2021
	Relaxation ITC Availment Rule 36(4) i.e. 105% Cap on availment of ITC	Month of April	Rule 36(4) adjustment for Apr-21 & May-21 applicable on Cumulative basis in GTR 3B of May-21	
14/2021 - Central Tax (Extension of Time Limits)	Completion of Proceeding or passing of order or issuance of notice, intimation, Filing of Appeal, Reply	15th April, 2021 to 30th May, 2021	Extension up-to 31 May, 21	
	Rule 9 (Registrations) - CGST, 2017 actions	1st May, 2021 to 31st May, 2021	Extension up-to 15 June, 21	
	GST Refund Order u/s 54(5)	15th April, 2021 to 30th May, 2021	15 days after the receipt of reply or 31 May, 21 whichever is Later	

TAX UPDATES, NOTIFICATIONS AND CIRCULARS

INDIRECT TAX

GST NOTIFICATIONS AND CIRCULARS

Central Tax

Notification No. 07/2021 – Central Tax

Dated – 27th April, 2021

Seeks to make second amendment (2021) to CGST Rules

Government, on the recommendations of the Council, made the rules to amend the Central Goods and Services Tax Rules, 2017. After the third proviso the following proviso shall be inserted in rule 26 in sub-rule (1) of Central Goods and Services Tax Rules, 2017

Taxpayers registered under Companies Act, 2013, can now file their **Form GSTR-1/IFF** and **GSTR-3B** with EVC also, apart from using DSC, on GST Portal., during the period from the 27th April, 2021 to the 31st May, 2021 under section 39.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/gst/notfctn-07-central-tax-english-2021.pdf>

CUSTOMS NOTIFICATIONS AND CIRCULARS

Tariff Notification

Notification No. 27/2021- Customs

Dated – 8th April, 2021

Seeks to exempt customs duty on import of Remdesivir injection, Remdesivir API and Beta Cyclodextrin (SBEB CD) used in the manufacture of Remdesivir, up to 31st October, 2021

Central Government has exempted the goods specified in column (3) of the Table below, falling within the Chapter, heading, sub-heading or tariff item of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) specified in column (2) of the said Table, when imported into India, from the whole of the duty of customs leviable thereon under the said First Schedule: