

Amendments to Section 39 (1) of CGST Act, 2017

Section 39 (1) as it existed upto 9th Nov 2020

Section 39 (1) substituted by Section 97 of the Finance Act, 2019, w.e.f 10th Nov 2020 [vide Notf No 81/2020 CT] (1) Every registered person, other than an Input Service (1) Every registered person, other than an Input Service Distributor Distributor or a non-resident taxable person or a person or a non-resident taxable person or a person paying tax under the

tax paid and such other particulars as may be prescribed, on prescribed: or before the twentieth day of the month succeeding such calendar month or part thereof.

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

Class of registered persons notified vide Notification No. 84/2020 CT dated 10.11.2020

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.

QUARTERLY RETURN

MONTHLY PAYMENT

(Q.R.M.P. SCHEME)

EFFECTIVE FROM JANUARY 2021

Notf No 84/2020 CT dt 10-11-2020

Who is eligible?

Registered persons who are required to file GSTR 3B and having an aggregate turnover of up to Rs 5 cr in the previous financial year

Conditions of the Scheme

The return for the preceding month as due on the date of exercising option should have been filed.

Once option is exercised, it will continue to remain until it is changed or the taxpayer becomes ineligible.

Who is not eligible for the Scheme?

Registered persons whose aggregate turnover exceeds Rs 5 crore during any quarter in the current financial year.

Person referred to in Section 14 of the IGST Act (OIDAR)

Migration to QRMP scheme

• For the 1st quarter of the Scheme, the following deeming option is prescribed for taxpayers who have filed the October 2020 GSTR 3B on or before 30th November 2020.

Sl.No	Class of registered person	Deeming Option
(1)	(2)	(3)
1	Registered persons having aggregate turnover of up to 1.5 crore rupees, who have furnished FORM GSTR1 on quarterly basis in the current financial year	Quarterly Return
2	Registered persons having aggregate turnover of up to 1.5 crore rupees, who have furnished FORM GSTR1 on monthly basis in the current financial year	Monthly Return
3	Registered persons having aggregate turnover more than 1.5 crore rupees and up to 5 crore rupees in the preceding financial year	Quarterly Return

Taxpayers who wish to change the default option should do so between 5th Dec 2020 to 31st January 2021. (Authority: Notf No 84/2020 CT dt 10-11-2020)





Manner of opting for QRMP scheme – New Rule 61A of CGST Rules

- o Option to be exercised on the GST Portal.
- ° Option to join the Scheme available throughout the year.
- Option can be exercised between the 1st day of the second month of the preceding quarter till the last day of the 1st month of the quarter for which the option is being exercised.
- o Option to avail the Scheme is GSTIN wise
- ° If TO crosses Rs 5 cr during the FY, taxpayer to opt out of the scheme from the first month succeeding the quarter when the TO exceeded RS 5 cr.

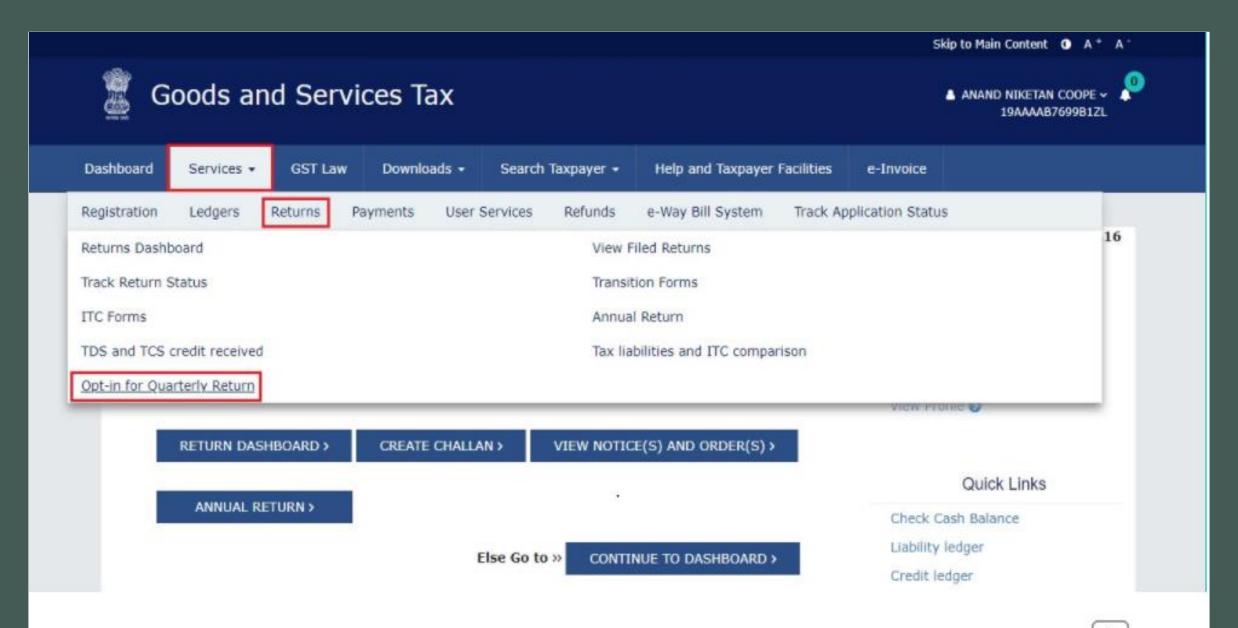
TIMELINE FOR EXERCISING OPTION UNDER QRMP SCHEME IN A FINANCIAL YEAR

1st Feb to 30th April April July -Sept

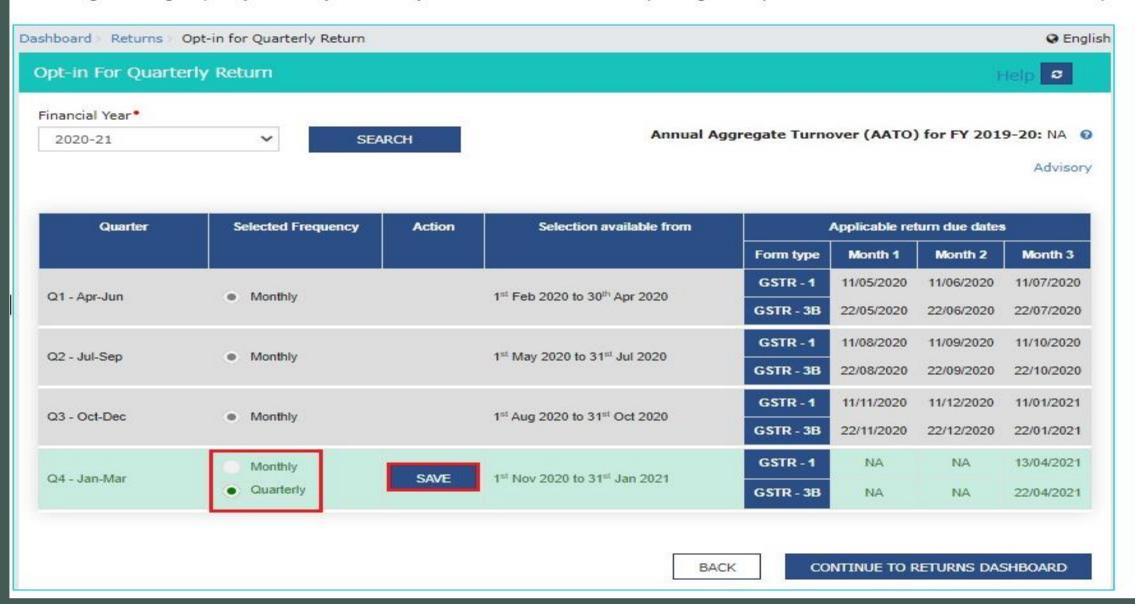
1st May to 31st July

1st Nov to 31st Jan Jan -March Oct -Dec

1st August to 31st Oct



4. To change the filing frequency to Monthly or Quarterly, select the radio button corresponding to the quarter and click the SAVE button, to save the preference.



Payment of tax - Amendments to Section 39 (7) of CGST Act

Section 39 (7) as it existed upto 9th Nov 2020

(7) Every registered person, who is required to furnish a return under subsection (1) or sub-section (2) or subsection (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.

Section 39 (1) substituted by Section 97 of the Finance Act, 2019, w.e.f 10th
Nov 2020 [vide Notf No 81/2020 CT]

(7) Every registered person who is required to furnish a return under sub-section (1), other than the person referred to in the proviso thereto, 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:

Provided that every registered person furnishing return under the proviso to sub-section (1) shall pay to the Government, the tax due taking into account inward and outward supplies of goods or services or both, input tax credit availed, tax payable and such other particulars during a month, in such form and manner, and within such time, as may be prescribed: Payment of tax under QRMP Scheme Notf No 85/2020 CT dated 10-11-2020

Otrly

35% of the tax paid in cash in the previous quarter

Monthly payment of tax for M1 & M2

Fixed Sum Method

 M_{thly}

100% of tax paid in cash in last month of the previous quarter

Self Assessment Method

Actual liability due on inward & outward supplies after considering available ITC as per GSTR 2B

 In case the last return filed was on quarterly basis for Quarter Ending March, 2021:

Tax paid in Cash in Quarter (January			Tax required to be paid in each of		
- March, 2021)			the months - April and May, 2021		
CGST	100	(CGST	35	
SGST	100	S	SGST	35	
IGST	500	I	GST	175	
Cess	50		Cess	17.5	

In case the last return filed was monthly for tax period March, 2021:

Tax paid in Ca	ash in March, 2021	Tax required to be paid in each of the months – April and May, 2021		
CGST	50	CGST	50	
SGST	50	SGST	50	
IGST	80	IGST	80	
Cess	-	Cess	-	

Manner of payment of tax under the QRMP scheme – Rule 61(3) of CGST Rules, 2017, read with N. No. 85/2020-CT

- > Due date for making the payment by way of PMT-06 is 25th day of the following month.
- The deposit made in the 1st two months, shall be debited while filing the Quarterly GSTR-3B.
- The special procedure for payment of tax (Fixed Sum method) in the 1st two months is not available for those who have not furnished the return for the "complete tax period" in the preceding month. [i.e the taxpayer must be registered from the 1st day of the tax period till the last day of the tax period.]
- The amount deposited by way of **PMT-06**, cannot be claimed as refund or used for other purposes till the filing of the return for the quarter.

No deposit to be made when:

- The balance in the cash/credit ledger is adequate for the tax due for the 1st month
- ightharpoonup The balance in the cash/credit ledger is adequate for the cumulative tax due for the 1st and 2nd month
- ➤ There is a NIL tax liability

Filing of quarterly return in GSTR 3B

The GSTR 3B will contain the details of the supplies made during the quarter, ITC availed during the quarter.

The amount deposited in the cash ledger in the 1st two months will be debited while offsetting the liability in the quarterly GSTR 3B.

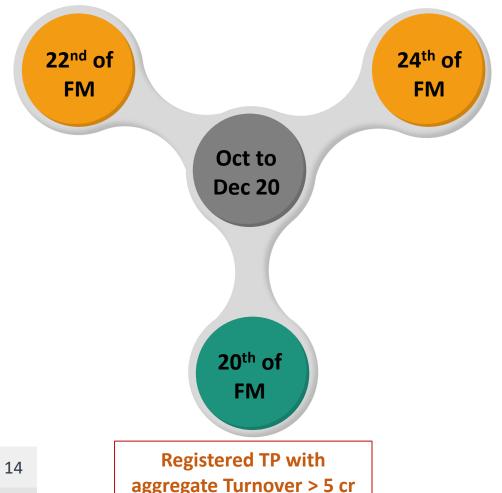
Any amount lying in balance in the cash ledger can be used for subsequent quarters or can be claimed as a refund only after filing the quarterly GSTR 3B.

If the registration is cancelled during the 1st two months of the quarter, the taxpayer is still required to file the quarterly GSTR 3B.

Due dates for GSTR-3B Rule 61(6) of CGST Rules [N.No.82/2020]

Registered TP with aggregate TO upto 5 cr, with PPB in specified states (including KARNATAKA)

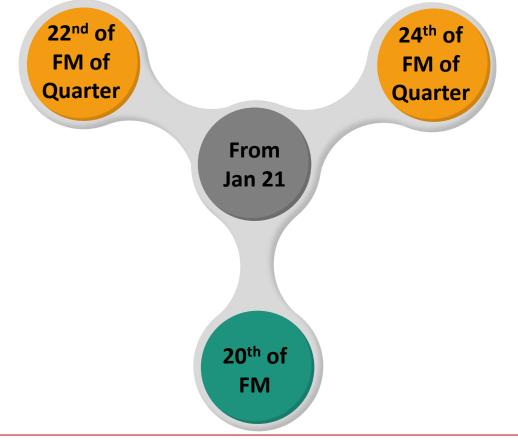
Registered TP with aggregate TO upto 5 cr, with **PPB** in specified states



Due dates for GSTR-3B Rule 61(1) of CGST Rules [N.No.82/2020]

Registered TP covered by proviso to Section 39(1) & opted for QRMP, with PPB in specified states (including KARNATAKA)

Registered TP covered by proviso to Section 39(1) & opted for QRMP, with PPB in specified states



Registered TP covered by Section 39(1), Registered TP covered by proviso to Section 39(1) & not opted for QRMP



Introducing Quarterly Return Monthly Payment (QRMP) Scheme

Can quarterly filers file Nil return through SMS?



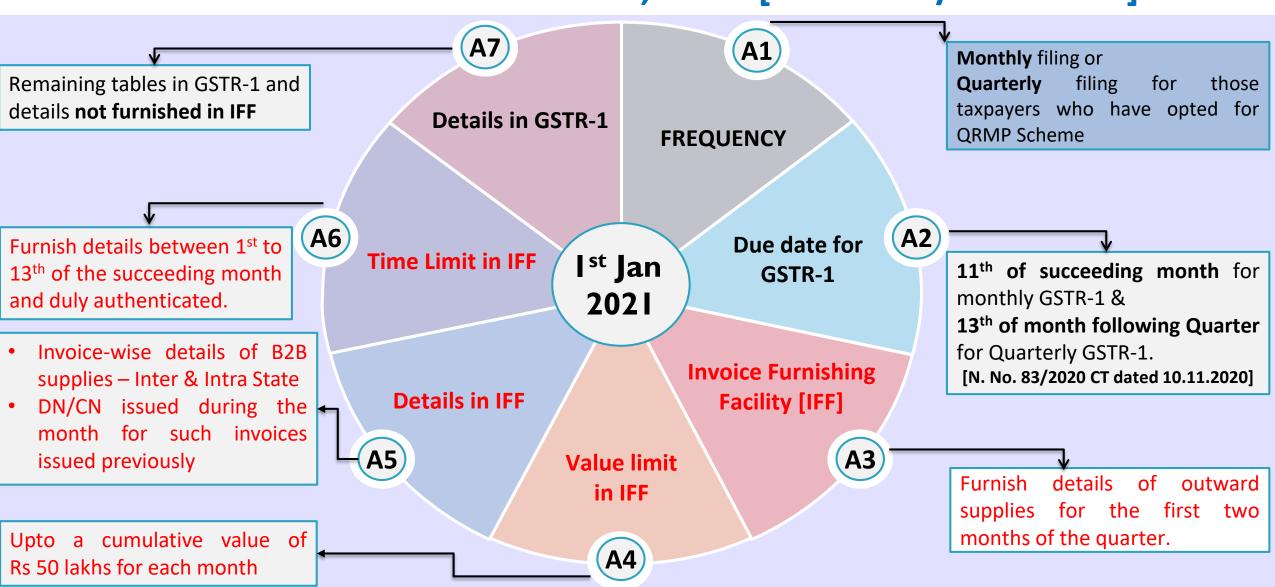
MM should be the last month of the quarter for which the return is being filed. For example, for the month of June 2020, taxpayer shall send

NIL 3B XXXXXXXXXXXXXXXX 062020 to 14409





Details of Outward Supplies New Rule 59 of CGST Rules, 2017 [N. No. 82/2020 – CT]



Important points regarding GSTR 1 (notified vide NN 94/2020 CT dt 22-12-2020

- A registered person shall not be allowed to file GSTR-1 if he has not furnished the GSTR
 3B for the preceding 2 months.
- A registered person who opted for the QRMP scheme shall not be allowed to furnish the GSTR-1 or use the IFF, if he has not furnished the GSTR-3B for the preceding tax period.
- ° With effect from Jan 2021, where the value of taxable supply in a month exceeds Rs 50 lakhs (excluding exempt supply and zero-rated supply), the registered person shall be allowed to use the credit ledger only for discharge of 99% of the tax liability. (New Rule 86B inserted)
- A registered person who is restricted from using the amount in the credit ledger in terms of Rule 86B shall not be allowed to file the GSTR-1 or use the IFF if he has not furnished the GSTR-3B for the preceding tax period.

Details of Inward Supplies - New Rule 60 of CGST Rules, w.e.f 1st Jan 2021

GSTR-2A

A

Details of outward supplies furnished by the supplier in Form GSTR-1 / IFF / GSTR-5

B

Details of invoices furnished by an ISD in Form GSTR-6

Details of TDS / TCS deducted / collected in Form GSTR-7/8

Details of IGST paid on Import of goods or D goods brought in DTA from SEZ on BOE

For the 1st and the 2nd month of the quarter, 2B will be made available the day after

- Due date of furnishing IFF
- Due date of furnishing monthly GSTR – 1. whichever is later.

For the 3rd month of the quarter, the day after the furnishing of quarterly GSTR-1

GSTR-2B

A

Details of outward supplies furnished by supplier GSTR-1 filed within its due date (monthly filer)

B

Invoices uploaded in IFF by supplier within its due date for the 1st & 2nd month of the quarter and GSTR-1 in the 3rd month

Details of supplies furnished in Form GSTR 5 / 6 filed within its due date

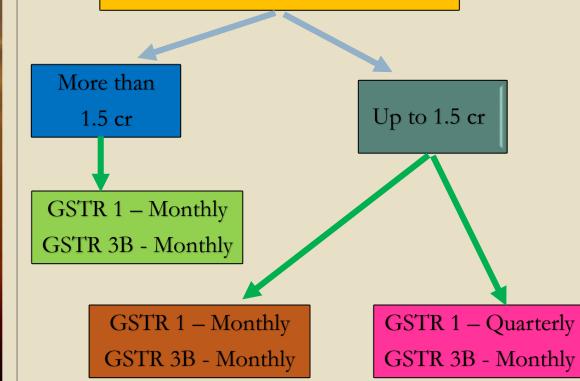
Details of IGST paid on Import of goods or goods brought in DTA from SEZ on BOE

RETURN FILING STRUCTURE

EXISTING till 31.12.2020

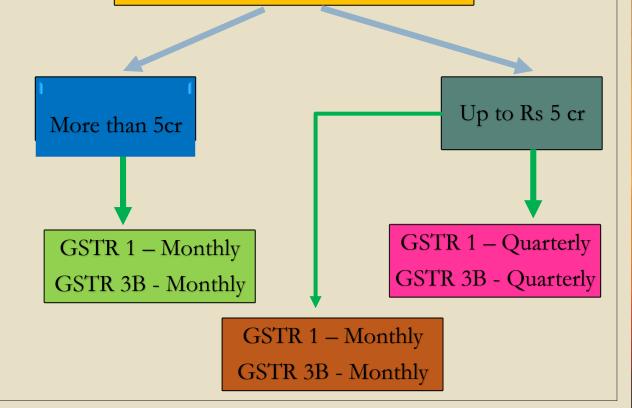


AGGREGATE TURNOVER IN PREVIOUS FY



From 01.01.2021

AGGREGATE TURNOVER IN PREVIOUS FY



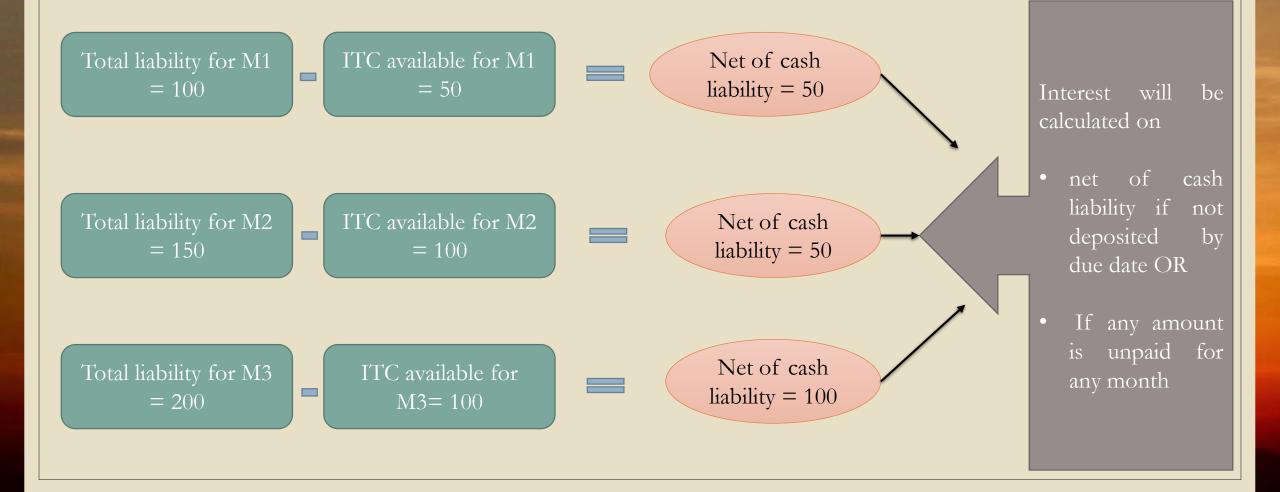
RETURN FILING DUE DATES W.E.F 1st Jan 2021							
Category of GSTR-1		Invoice Filing Facility (IFF)	PMT-06 for M 1	PMT-06 for M 2	GSTR 3B		
Taxpayers who are required to file monthly return:Taxpayers whose aggregate TO is over Rs 5 crTaxpayers who have not opted for ORMP Scheme	11th of the following month	NA	NA	NA	20th of the following month		
Taxpayers who have opted for QRMP Scheme	13th day of the month following the quarter	1st to 13th day in M 1 & M 2	25th day of the month following M 1	25th day of the month following M 2	22nd or 24th day of the month following the quarter.		

Applicability of interest under the QRMP Scheme

Fixed Sum Method:

Tax due in 1st month	PMT-06 filed on 25th	Tax due for 2nd month	PMT-06 filed on 25th	Total liability in the quarter (net of available ITC)	I	GSTR 3B filed on due date	Interest payable?	Remarks
1	2	3	4	5	6	7	8	9
35	YES	35	YES	150	80	YES	NO	-
35	NO	35	YES	150	80	YES	YES	Interest payable on 35 for no. of days delay in filing 1st month PMT-06
35	YES	35	NO	150	80	YES	YES	Interest payable on 35 for no. of days delay in filing 2nd month PMT-06
35	YES	35	YES	150	80	NO	YES	Interest payable on 80 for no. of days delay in filing 3B
35	NO	35	NO	150	80	NO	YES	Interest to be calculated separately for no. of days delay in 1st month PMT-06, 2nd month PMT-06 and for GSTR 3B

Interest calculation for Self assessment



Late Fee under QRMP Scheme

- •Late fee is applicable only for the delay in furnishing the GSTR 3B and GSTR 1
- oFor quarterly GSTR 3B filers, the late fee will apply only on the delay in furnishing the GSTR 3B for the quarter.
- •No late fee if the PMT-06 is filed beyond the due date during M 1 and M 2.

