



# GST

## Goods and Services Tax

### NEWSLETTER



Apr 2024-25



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## Income Tax Compliance Calendar

| Due date                  | Particulars   |
|---------------------------|---|
| 7 <sup>th</sup> Apr 2024  | <ul style="list-style-type: none"><li>▪ Due date for deposit of tax deducted/collected for the month of Mar 2024.</li><li>▪ However, all sum deducted by an office of the government shall be paid to the credit of the central government on the same day where tax is paid without production of income-tax challan.</li></ul>  |
| 14 <sup>th</sup> Apr 2024 | <ul style="list-style-type: none"><li>▪ Due date for issue of TDS certificate for tax deducted under section 194-IA in the month of Feb 2024.</li><li>▪ Due date for issue of TDS Certificate for tax deducted under section 194-IB in the month of Feb 2024.</li><li>▪ Due date for issue of TDS Certificate for tax deducted under section 194M in the month of Feb 2024.</li><li>▪ Due date for issue of TDS Certificate for tax deducted under section 194S (by specified person) in the month of Feb 2024.</li></ul>   |
| 15 <sup>th</sup> Apr 2024 | <ul style="list-style-type: none"><li>▪ Quarterly statement in respect of foreign remittances (to be furnished by authorized dealers) in Form No. 15CC for quarter ending March 2024.</li><li>▪ Due date for furnishing statement in Form no. 3BB by a stock exchange in respect of transactions in which client codes been modified after registering in the system for the month of March 2024.</li></ul>   |
| 30 <sup>th</sup> Apr 2024 | <ul style="list-style-type: none"><li>▪ Due date for furnishing of challan-cum-statement in respect of tax deducted under section 191-IA in the month of March 2024.</li><li>▪ Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194M in the month of March 2024.</li><li>▪ Due date for furnishing of challan-cum-statement in respect of tax deducted under section 191-IB in the month of March 2024</li><li>▪ Due date for issue of TDS Certificate for tax deducted under section 194S (by specified person) in the month of March 2024.</li></ul> |
| 30 <sup>th</sup> Apr 2024 | <ul style="list-style-type: none"><li>▪ Due date for deposit of Tax deducted by an assesses other than an office of the Government for the month of March 2024</li><li>▪ Due date for uploading declarations received from recipients in Form. 15G/15H during the quarter ending March 2024</li><li>▪ Due date for deposit of TDS for the period January 2024 to March 2024 when Assessing Officer has permitted quarterly deposit of TDS under section 192, 194A, 194D or 194H</li></ul>   |



## Payroll Compliance Calendar

| Due date  | Particulars   |
|-----------|---|
| 15-Apr 24 | Due date for electronic challan cum return (ECR) (PF) for the month of March 24 |
| 15-Apr 24 | Due date for ESI Challan for the month of March 24                              |
| 15-Apr 24 | Due date for LWF contribution of Haryana for the month of March 24              |

## GST Compliance Calendar- Apr 2024

| Due date                | Type of Returns | Period         | Particulars  |
|-------------------------|-----------------|----------------|--|
| 12 <sup>th</sup> Apr 24 | GSTR-1          | March-2024     | Turnover more than INR 5 crore in the preceding FY & Turnover up to INR 5 crores and have opted for monthly return filing.                       |
| 13 <sup>th</sup> Apr 24 | GSTR-1          | Jan-Mar 2024   | Turnover up to INR 5 crores during the preceding year who has opted for quarterly filling of return.   |
| 20 <sup>th</sup> Apr 24 | GSTR-3B         | March-2024     | Turnover more than INR 5 crore in the preceding FY or Turnover up to INR 5 crore in the preceding FY but opted for monthly return filing         |
| 25 <sup>th</sup> Apr 24 | PMT -06         | March -2024    | Registered person opted to file return under QRMP Scheme.  |
| 13 <sup>th</sup> Apr 24 | GSTR-5          | March-2024     | Non- Resident Foreign Taxpayers  |
| 20 <sup>th</sup> Apr 24 | GSTR-5A         | March-2024     | NRI OIDAR Service Provider   |
| 10 <sup>th</sup> Apr 24 | GSTR-7          | March-2024     | TDS Deductor   |
| 10 <sup>th</sup> Apr 24 | GSTR-8          | March-2024     | E-Commerce operator  |
| 28 <sup>th</sup> Apr 24 | GSTR 11         | March 2024     | Statement of inward supplies received by person having unique identification no.(UIN)  |
| 18 <sup>th</sup> Apr 24 | CMP 08          | Jan-March 2024 | Special Statement-cum-challan to declare the details or summary of their self-assessed tax payable for a given quarter under composition scheme. |
| 13 <sup>th</sup> Apr 24 | GSTR-6          | March-2024     | Input service distributors   |



## GST Articles

### Do we really need to submit a physical copy of Your GST Appeal?

Section 107, in conjunction with Rule 108 of the CGST Rules, 2017, governs GST appeals. Although Section 107 does not explicitly state the mode of filing, it directs to Rule 108, which clearly mandates that appeals must be filed electronically except in two situations: when the Commissioner issues a notification to the contrary or when the order being appealed has not been uploaded to the online portal.

Currently, there is no notification from the Commissioner's Office requiring appeals to be filed manually. Consequently, manual submission is only required when the order in question is not available on the common portal. In these instances, the appellant is required to provide a self-certified copy of the order within seven days of submitting Form GST APL-01. It is important to note that the self-certification must be carried out by the taxpayer, not by departmental officers.

#### Case precedent

In the prominent case of KPMG India (P.) Ltd. v. Jt. Commissioner of State Tax (Appeals) [2023] 154 taxmann.com 492, the Hon'ble Punjab & Haryana High Court ruled decisively in favor of taxpayers. The court highlighted that filing an appeal with a digitally uploaded order on the common portal fully meets the requirements of Rule 108 of the CGST Rules, 2017. Therefore, any dismissals of such appeals should be reversed.

#### Conclusion

To wrap up, there's no legal obligation to submit appeal documents physically when the order is available on the portal. In cases where the order isn't uploaded online, a self-certified copy of the order (accompanied by manual Form GST APL-01 and relevant Annexure) must be submitted within seven days of filing Form GST APL-01. Therefore, it is reassuring to know that compliance with GST appeal procedures can be efficiently managed through electronic submissions, ensuring both efficiency and adherence to legal standards.



## Comprehensive list of Year End Checklist under GST

As we near the end of the financial year 2023-24 and gear up for 2024-25, it is crucial for both businesses and professionals to stay updated on the implications of the Goods and Services Tax (GST) that might affect the annual closing of books and future planning. Transitioning from one fiscal year to the next demands a focus on regulatory compliance and strategic decisions, such as evaluating alternatives like adopting the composition scheme or QRMP scheme.

### **1. Due dates of various declarations and options under the GST Act**

- Furnishing of Letter of Undertaking (LUT)- 31-03-2024
- Quarterly Return Monthly Payment Scheme (QRMP)- 01-02-2024 to 30-04-2024
- Opting Composition Scheme- 31-03-2024
- Filing GST ITC-03 in case opting for composition scheme- 30-05-2024
- Opting FCM by GTA- 01-01-2024 to 31-03-2024

### **2. Closure of Books of accounts**

#### **2.1 Calculation of reversal of common ITC on annual basis**

#### **2.2 Various reconciliations are required to ensure accuracy in reporting outward supplies**

- Turnover as per books of accounts versus GST Returns (Form GSTR-1 and Form GSTR-3B)
- For identifying the shortage/excess stock if any, prepare a reconciliation of physical stock versus stock as per books of accounts.
- Reconciliation of E-way bills generated during the FY 2023-24 with tax invoices reported in Form GSTR-1
- Review the correct HSN /SAC code and GST rate has been opted
- Reconciliation of E-Invoices with IRN viz. E-way bills generated viz. reported in Form GSTR-1

#### **2.3 Matching of Input Tax Credits (ITC) and its reversals**

- ITC as per audited books of accounts versus ITC as per Form GSTR-2B
- ITC as per audited books of accounts versus ITC claimed in Form GSTR-3B
- ITC as per Form GSTR-3B versus Form GSTR-2B
- Check the closing balance of ITC as per books of accounts versus closing balance as per electronic credit ledger
- ITC which is not matched with Form GSTR-2B needs to be reconciled and adjustments need to be done in output tax liability in return for the tax period March 2024.



### **3. Other important points**

#### **3.1 Requirements of new invoice series from April 01, 2024**

#### **3.2 Calculation of aggregate turnover as per the required provision for various compliances related to FY 2024-25**

#### **3.3 Requirement of registration for generating E-Invoice- Aggregate turnover more than 5 crore in Fy 2023-24.**

#### **3.4 Machine registration by manufacturers of specified goods**

Special procedure has been prescribed by issuing notification no. 04/2024- Central Tax, Dated 05-01-2024 under the GST law for the manufacturers of specified goods such as tobacco, pan masala etc. such as machine registration, special monthly compliances etc. with effect from 1-04-2024. Any person registered on 01-04-2024 and is engaged in the manufacturing of such specified goods is required to get his machines registered by 30-04-2024.



## News and Updates

### **Advisory: Self Enablement for E-Invoicing**

If Taxpayers exceeds INR 5 crores in the financial year 2023-24, you will be required to start e-invoicing from next financial year, i.e., from 1<sup>st</sup> April 2024 onwards. It may also be noted that same is applicable if the threshold is crossed in any of the proceeding financial years too.

If those who meet the notification criteria but have not yet been enabled on the portal, you can self-enable for e-invoicing by visiting <https://einvoice.gst.gov.in> and start reporting through any of the new Invoice Registration Portals (IRPS)- From e-invoice IRP 3 to e-invoice IRP 6.

### **Advisory on Reset and Re-filing of GSTR-3B of some taxpayers**

1. This has reference to the facility for re-filing of GSTR-3B for some of the taxpayers. It was noticed that there were discrepancies in the returns of some taxpayers during the filing process between the saved data in the GST system and actually filed data in the fields of ITC availment and payment of tax liabilities. The matter was examined and deliberated by the Grievance Redressal Committee of the GST Council and as a facilitation measure the Committee decided that these returns shall be reset, in order to give opportunity to such taxpayers to correct the discrepancy.
2. Accordingly, only the affected taxpayers have been communicated on their registered email-ids and the affected returns are visible on their respective dashboards for the purpose of re-filing with the correct data. The taxpayers who have received such communication, are requested to visit their dashboard and re-file their GSTR-3B within 15 days of receipt of such communication.
3. You may reach out to your jurisdictional tax officer or may raise ticket of GST grievance redressal portal, in case you face any difficulty in re-filing of such GSTR-3B.





**Advisory: Auto populate the HSN-wise summary from e-invoices into Table 12 of GSTR-1**

1. GSTN is pleased to inform that a new feature to auto-populates the HSN-wise summary from e-Invoices into Table 12 of GSTR-1 is now available on the GST portal. This allows for direct auto-drafting of HSN data into Table 12 based on e-Invoice data.
2. Please note that the HSN-wise summary data auto-populated into Table 12 is intended for your convenience. Please ensure that you reconcile the data with your records before its final submission.
3. Any discrepancies or errors should be manually corrected or added in Table 12 before final submission.



## Case laws

**As per Section 50(1) interest liability arises automatically on delayed filing of returns, irrespective of whether payment is made from Electronic credit ledger or Electronic Cash ledger**

***High Court of Patna Sincon Infrastructure Pvt Ltd v. Union of India [2024] 161 taxmann.com 616 (Patna)***

**HELD:** As per section 50(1) interest liability arises automatically on delayed filing of returns, irrespective of whether payment is made from Electronic Credit Ledger or Electronic Cash Ledger - Thus, assessee's contention that interest was payable only when there was a delayed furnishing of return and debit made from Electronic Cash Ledger was rejected - Interest liability was not dependent on availability of credit in Electronic Credit Ledger, as tax payment occurs only upon filing returns - Therefore instant writ petition was to be dismissed stating that a remand for said assessment periods would be unnecessary, as interest liability applies even if there was credit available in Electronic Credit Ledger [Section 50 of Central Goods and Services Tax Act, 2017/Bihar Goods and Services Tax Act, 2017] [Paras 24 to 29] [In favour of revenue]

**GST refund can't be denied merely because of non-compatibility of data between customs and GST Department: HC**

***High Court of Bombay Venus Jewel v. Union of India [2024] 161 taxmann.com 313 (Bombay)***

**Refund of IGST:** For period July 2017 to December 2018, assessee had exported goods on consignment/exhibition basis and paid IGST on exported goods; since assessee had complied with relevant provisions, assessee at relevant time, on presentation of shipping bills in regard to confirmed sales, was entitled to refund of IGST amounts paid on goods in question; conflicting stands taken by different authorities denying refund of IGST were unjustified.

**Held:** Shipping bills as filed by assessee, who was exporter of goods, would be deemed to be an application for refund of IGST paid on goods exported by assessee out of India and there was no issue of limitation - Assessee was entitled to seek a refund of IGST paid under Rule 96 and 96A of CGST Rules - Assessee appropriately complied with all relevant provisions of Customs Act and GST Act - Merely because of non-compatibility of data between two authorities, namely, Customs Department and GST Department, as also for reason of non-compatibility with electronic portals as prevalent under GST regime, assessee could not be denied refund - Assessee was entitled to refund of IGST amounts paid - Conflicting stands taken by different

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authorities regarding refund, was unjustified - Such actions were prejudicial to assessee - Refund should be granted to assessee along with interest [Section 54 of Central Goods and Services Tax Act, 2017/Maharashtra Goods and Services Tax Act, 2017 - Rules 96 and 96A of Central Goods and Services Tax Rules, 2017/Maharashtra Goods and Services Tax Rules, 2017][Para Nos. 40-59][In favour of assessee]

**Madras HC remanded matter as ITC was denied without considering that supplier had rectified error in GSTR-1**

***High Court of Madras Lalithaa Jewellery Mart Ltd. v. Assistant Commissioner (ST) [2024] 161 taxmann.com 3 (Madras)***

Where assessee's ITC claim arose out of purchases from a supplier based in West Bengal who had made a mistake by filing return in Form GSTR-1 by specifying total IGST as zero and therefore total taxable value was apportioned between CGST and SGST and upon realizing error, supplier rectified same while filing return in Form GSTR-3B, impugned order denying input tax credit to assessee was to be set aside matter was to be remanded.

Input tax credit - Reversal of - SGST component - An inspection was undertaken of registered place of business of petitioner-assessee and an intimation in Form GST DRC-01A was issued communicating tax liability - Assessee replied thereto and a show cause notice was issued thereafter calling upon assessee to show cause with regard to wrong availment of ITC of Rs.1.46 crores - Impugned order was issued thereafter - Assessee contended that one of its supplier paid requisite tax on supplies, however made a mistake by filling return in Form GSTR-1 by specifying total integrated tax as zero in relevant column, thus total taxable of Rs. 27107.3 crores was apportioned therein between CGST and SGST - Assessee submitted that said error was committed during initial period of implementation of GST and same was rectified while filing GSTR-3B returns –

**HELD :** Impugned order indicated that assessing officer was of view that tax paid by supplier reached respective state without reaching Tamil Nadu state exchequer - Documents on record prima facie indicated that SGST component reached state of Tamil Nadu - Impugned order could not be sustained and same was to be quashed - Matter was to be remanded for reconsideration [Section 17 of Central Goods and Services Tax Act, 2017/Tamil Nadu Goods And Services Tax Act, 2017] [Paras 6 and 7] [In favour of assessee]



## GST- Notification April 2024

### **Notification No. 07/2024- Seeks to provide waiver of interest for specified registered persons for specified tax periods dated 08-Apr-2024**

The government on the recommendation of the council, hereby notifies the rate of interest per annum to be “Nil”, for the class of registered persons having the following goods and Services Tax Identification Numbers who are liable to furnish the return as specified under sub section 1 of section 39 of the Act but could not file the return for the month by due date because of technical glitch on the portal but had sufficient balance in their electronic cash ledger or electronic credit ledger or had deposited the required amount through challan.

### **Notification No. 08/2024- Seeks to extend the timeline for implementation of Notification No. 04/2024-CT dated 05.01.2024 from 1<sup>st</sup> April 2024 to 15<sup>th</sup> May 2024 dated 10-Apr-2024**

The government on the recommendation of the council, hereby makes the following amendments in the notification of the government of India in the Ministry of Finance (Department of Revenue) No. 04/2024-Central Tax, dated the 5<sup>th</sup> January, 2024:

In the said notification, in para 4, for the words and letters “1<sup>st</sup> day of April, 2024, the words and letters “15<sup>th</sup> day of May, 2024” shall be substituted.

This notification shall come into force from 1<sup>st</sup> day of April, 2024.

### **Notification No. 09/2024- Seeks to extend the due date for filing of Form GSTR-1, for the month of March 2024 dated 12-Apr-2024**

In the said notification, after the fourth proviso, the following proviso shall be inserted, namely: -

“Provided also that the time limit for furnishing the details of outward supplies in FORM GSTR-1 of the said rules for the registered persons required to furnish return under sub-section (1) of section 39 of the said Act, other than the registered persons who are required to furnish return under proviso of the said sub-section, for the tax period March, 2024, shall be extended till the twelfth day of April, 2024.

This notification shall be deemed to have come into force with effect from the 11th day of April, 2024.



For further updates:

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