



ASC

GST Times

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Compiled by: GST Team, ASC Group

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Compliance Calender

S. No.	Due Date	Forms	Period	Description
1.	10.09.2022	GSTR-7	August, 2022	Return for Tax Deducted at source to be filed by Tax Deductor.
2.	10.09.2022	GSTR-8	August, 2022	E-Commerce operator registered under GST liable to TCS.
3.	11.09.2022	GSTR-1	August, 2022	Taxpayers having an aggregate turnover of more than INR 5 crores or opted to file monthly return.
4.	13.09.2022	GSTR-1	August, 2022	Taxpayers who have opted for Invoice Furnishing Facility (IFF) under Quarterly Return Monthly Payment ("QRMP") Scheme.
5.	13.09.2022	GSTR-6	August, 2022	Every Input Service Distributor (ISD).
6.	20.09.2022	GSTR-5	August, 2022	Return for Non-Resident taxable Person.
7.	20.09.2022	GSTR-5A	August, 2022	Return for NRI, providing online information and database access or retrieval services to non-taxable person in India.
8.	20.09.2022	GSTR-3B	August, 2022	Taxpayers having an aggregate turnover of more than INR 5 crore or have opted to file monthly return.
9.	25.09.2022	PMT-06	August, 2022	Who has opted to file return under QRMP Scheme.
10.	28.09.2022	GSTR-11	August, 2022	Statement of inward supplies received by persons having Unique Identification Number (UIN).

Recent Updates in GST Portal and GST Laws

Vide Notification No. 17/2022 – Central Tax, dated 01.08.2022, the Central Government has made it mandatory for a taxable person whose aggregate turnover in a financial year exceeds Ten crore rupees to raise [E-Invoice w.e.f. 1st October 2022](#)

Furthermore, the current applicability of the aforementioned is on the taxable person whose aggregate turnover in a financial year exceeds Twenty crores.

B. Changes in the GST Portal

1. The Goods and Services Tax Network ("GSTN") has introduced an option to file NIL GSTR-1 by selecting the check box without going through the process of generating a summary;



2. The Goods and Services Tax Network ("GSTN") has made live a new Table 3.1.1 in GSTR-3B for reporting supplies notified u/s 9(5) (Taxable supplies on which ECO is required to pay Tax) of the Central Goods and Services Tax Act, 2017.

C. E-Commerce Operator

Vide Notification No. 14/2022-Central Tax, dated 05.07.2022, as per Section 9(5) of CGST Act, Electronic Commerce Operator (ECO) is required to pay tax on supply of services such as Passenger Transport Service, Accommodation services, Housekeeping Services & Restaurant Services if such services are supplied through ECO.

In case of any query related to GST E-invoicing, GST Portal or E-commerce operator, feel free to [contact the ASC Group](#) for professional assistance.



GSTR-1 - Details of outward supplies of goods or services

[E-Invoice Advisory](#)
[HELP](#)

FY - 2022-23

Tax Period - July

Status - Not Filed

Due Date - 11/08/2022

 File No: GSTR-1

Notes: **ALL** Forms GSTR-1 can be filed by you if you have:

- a. No Outward Supplies (including supplies on which tax is to be charged on reverse charge basis, zero rated supplies and deemed exports) during the month or quarter for which the return is being filed for
- b. No Amendments to be made to any of the supplies declared in an earlier form
- c. No Credit or Debit Notes to be declared / amended
- d. No details of advances received for services is to be declared or adjusted

3.1 Tax on outward and reverse charge inward supplies

Integrated Tax	₹0.00	Central Tax	₹0.00
State/UT Tax	₹0.00	CESS (₹)	₹0.00

3.1.1 Supplies notified under section 9(5) of the CGST Act, 2017

Integrated Tax	₹0.00	Central Tax	₹0.00
State/UT Tax	₹0.00	CESS (₹)	₹0.00

3.2 Inter-state supplies

Taxable Value	₹0.00	Integrated Tax	₹0.00
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Overview | Returns | GSTR-01 | Supplies through E-commerce operators

English

3.1.1 Details of supplies notified under section 9(5) of the CGST Act, 2017 and corresponding provision in IGST/UTGST/SGST Acts

Description	Total Taxable Value (₹)	Integrated Tax (₹)	Central Tax (₹)	State/UT Tax (₹)	CESS (₹)
(i) Taxable supplies on which electronic commerce operator pays tax u/s 9(5) [to be furnished by electronic commerce operator]	0.00	0.00	0.00	0.00	0.00
(ii) Taxable supplies made by registered person through electronic commerce operator, on which electronic commerce operator is required to pay tax u/s 9(5) [to be furnished by registered person making supplies through electronic commerce operator]	0.00				

[CANCEL](#)
[CONFIRM](#)
Source:
https://www.cbic.gov.in/resources/htdocs-cbec/gst/17_2022_CT_Eng.pdf
https://www.cbic.gov.in/resources/htdocs-cbec/gst/14_2022_CT_Eng.pdf

GST E-invoicing Limit Reduced from 20 crores to 10 crores w.e.f 01.10.2022

The limit for e-invoicing is now being reduced from 20 crores to 10 crores from 01.10.2022. It means if aggregate turnover has exceeded 10 crores in any preceding F.Y i.e 17-18, 18-19, 19-20, 20-21, or 21-22, then E-Invoicing will be applicable from 1st October 2022.

The authorities have ensured smooth [implementation of the e-invoicing](#) module. They started with initial limits of 500 crores and gradually bringing it down to 100 crores, 50 crores, and 20 crores. The transition has been very smooth with no issues of connectivity to the portal etc.

However, the last phase of 10 crores and thereafter below it may be a challenge as it will mean dealing with a less organized sector. However, one has to change with time and accept the said changes and ensure proper manpower and bandwidth to ensure compliance.

The Business will have to integrate their billing system with the e-invoice portal and upgrade their accounting systems to comply with the new guidelines. As there are 2 months to go, there is time for the business to ensure their readiness for the same.



How can professionals help in Implementing E-invoicing?

1. Generate bulk e-invoices with an ease option to generate or cancel or directly update the details through application
2. Automatic generation of E-invoice from source system to NIC through ASP & sending back to source system on real time basis
3. Track and update the real-time status of the uploaded E-invoice from anywhere through user-friendly interface
4. Facilitates with multi-divisional and organisational model with unlimited user creation along with location wise user access.

Fake GST Invoice Racket: One Person Arrested

Vide Press Release (Mumbai) dated 11.08.2022, it was informed that Officers of CGST Mumbai South Commissionerate have busted a fake GST invoice racket.

The director of M/s Ammy International Journal (OPC) Private Limited was arrested under section 69 (Power to arrest) of the CGST Act, 2017 for contravention of section 132 (Punishment for certain offences) of the CGST Act, 2017.

He was produced before the Hon'ble Additional Chief Metropolitan Magistrate, Esplanade, who then remanded him to judicial custody for 14 days.

The officer informed that, the fake invoices were used, and ITC of around INR. 27.59 CR was availed, bogus invoices amounting to INR. 455 CR were found.

The investigation was being initiated by the CGST Mumbai Zone, the anti-evasion wing of CGST Mumbai South Commissionerate.

The tax payer was non-functional at the registered place of business. The investigation was not joined by the director of the company, but joined as on 10.08.2022 and during that he admitted tax fraud.

Further it was revealed that ITC has been claimed fraudulently amounting to INR. 14.15 CR and INR. 13.44 CR was being passed on to various entities that were unreal. Also, invoices were issued without actual supply.

GST evasion amounting to INR. 949 CR was being detected by the CGST Mumbai South Commissionerate (F. Y. 2021-22), out of which INR. 18 CR has been recovered, alongside 9 tax evaders has been arrested. The arrest of the director of M/s Ammy International Journal (OPC) Private Limited is the sixth arrest in the current financial year by the CGST (Mumbai) officers.

Tools relating to data analysis and network analysis are being used to track down potential fraudsters.

The aforementioned is a part of a special drive against the tax fraudsters and fake ITC networks, launched by the CGST Mumbai Zone. Also, in the coming days, this special drive will be intensified.

Source: <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1851026>



Finance Ministry approaches Supreme Court for additional 30 days for opening special window for transitional credit claim under GST

Finance Ministry has approached the Supreme Court for extension of time to open a special window for filing transitional credit claim by 30 days, as it feels GSTN has limited time to make changes in the portal to facilitate filing.

GSTN, the IT backbone of GST, operates a portal for filing all the returns and forms for claiming tax credit. Transitional credit refers to the use of tax credit accumulated up to June 30, 2017, which is the last day of the erstwhile central excise and service tax regime. After the introduction of the Goods and Services Tax (GST), a special provision was made for credit accumulated under VAT, excise duty or service tax to be transited to GST but within a certain deadline.



The Centre filed a miscellaneous application for a limited purpose seeking extension of time to ensure that the web portal is ready in all respects for implementation of the order passed by the Apex Court dated July 22. "It is an endeavour to ensure that the directions of this Court get implemented in toto, free from errors and with the best efforts," the application said. Earlier, the Court ordered that the portal be opened for 60 days, from September 1 to October 31. Now, the application seeks direction to GSTN to open window for 60 days between October 1 and December 31.

It has submitted that various dates of every month are crucial for return filing and tax collection in the GST system. For example, 7-11 of every month is peak filing period for form GSTR-1 (reporting form for invoices). Similarly, 12-14 of every month is GSTR-2B (ITC statement of the taxpayer) generation period, which is the facility for the taxpayer to see how much credit is available to him/her.

Further, 15-20 of every month is the peak filing period for GSTR-3B; 90-95 lakh returns are filed, and during these days about 90 per cent of monthly revenue of around ₹1.1-lakh crore is deposited by taxpayers. In quarterly filing months (end of each quarter of the financial year for small taxpayers), this peak filing period extends up to 24th due to separate date of return filing for them.

In view of the criticality of revenue collection, IT changes are avoided from 7-24 of every month. This leaves GSTN with a deployment window from the 25th of a month to the 6th of the next month in every cycle. With these arguments, the Centre has prayed for extension.

Source: <https://www.thehindubusinessline.com/economy/centre-approaches-sc-for-additional-30-days-for-opening-special-window-for-transitional-credit-claim-under-gst/article65809841.ece>

Clause 44 of Tax Audit Report Applicability Form 3CD of GST Disclosures

Tax audit Report 3CD contains a pool of various clauses that keep on amending owing to the disclosure requirements and transparency. **New clause 44 of Form 3CD** was introduced requiring entities to disclose the break up of total GST and non-GST expenditure irrespective of whether they are [registered under GST](#) or not. Let's take a deeper look **clause 44 of tax audit report!**

Clause 44 of Tax Audit Report Applicability

The applicability of clause 44 of tax audit report was kept in abeyance till 31st March 2022 due to the prevailing Covid-19 situation in the country. However, for tax audit reports filed from 1st April 2022 onwards, reporting under this clause will be mandatory. Hence, you will be required to report the information as required in this clause for tax audit for the FY 2021-22.

Sr. No.	The total amount of expenditure incurred during the year	Expenditure in respect of entities registered under GST				Expenditure in respect of entities not registered under GST
		Relating to goods or services exempt from GST	Relating to entities falling under the composition scheme	Relating to other registered entities	Total payment to registered entities	
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Following are the reporting requirements under Clause 44 of audit Form 3CD:

- 1. The total amount of expenditure incurred during the year:** Here, the total expenditure incurred during the year shall be considered. It is yet to be clarified whether the expenditure only includes revenue expenditure or it shall include capital expenditure as well.
- 2. Expenditure in respect of entities registered under GST:** This section has been further divided into 4 parts.
 - a. Relating to goods or services exempt from GST:** It includes those expenses that have been exempted from GST. As per Section 2(47) of the CGST Act, exempt supply includes the following supplies of goods or services or both:

- That attracts NIL rate of tax or
- That is wholly exempted from tax under section 11 of the CGST Act or
- That is wholly exempted from tax under section 6 of IGST Act or
- Non-taxable supply

However, exempt supplies do not include zero-rated supplies.

- b. Relating to entities falling under the composition scheme:** It includes the amount of expenditure incurred from the composition dealers. To know whether any of the vendors was a composition dealer or not, you can either recheck the vendor invoice or visit the GST portal and search the vendor through GSTIN to know his registration status.
- c. Relating to other registered entities:** It includes those expenditures that are neither exempted from GST nor incurred from the composition dealer. In other words, it includes the normal taxable supplies received from the registered persons.
- d. Total payment to registered entities:** This is the sum total of all the expenditures you incurred in the above points 2(a), (b) and (c).
- 3. Expenditure in respect of entities not registered under GST:** This includes the expenditure incurred from the persons that are not registered under GST.

Sum total of all the expenditures in points above shall be equal to point 1 above.

In a bid to increase the transparency and genuineness of the transactions incurred by the taxpayers, income tax requires the assessee to meet the increased reporting requirements by inserting **clause 44 in tax audit report**. It shall also be noted that all the expenses incurred by the assessee from registered persons are already reflected in the GST portal in Form GSTR-2A and form part of the Annual Information Statement and Taxpayers Information Statement of income tax. Therefore, it would be in the interest of the assessee to correctly bifurcate and report the expenditures in **Clause 44 of Form 3CD** in order to ensure consistency between income tax and GST. In case of any query on **clause 44 of tax audit**.

Source: [GN-44AB-DTC-19-8-22-FINAL.pdf](#)

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