

NEWSLETTER

AJAY RATTAN & CO.

CHARTERED ACCOUNTANTS

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“Tax is not a four letter word; Rather, it’s the price we pay for the country we want”

- Alex Himelfarb

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COMPLIANCE | JANUARY 2021

Compliance Due Date	Compliance Detail	Applicable To
7 th January	Payment of TDS deducted in December 2020.	Non- Government deductor.
10 th January	a) Due date of Filing of ITR b) GSTR - 7 (TDS return under GST) c) GSTR - 8 (TCS return under GST)	a) Assessee other than corporate whose books are not required to be audited for the AY 2020-21. b) Person required to deduct TDS under GST c) Person required to collect TCS under GST
11 th January	GSTR - 1 (Outward supply return)	Taxable person having turnover > Rs. 1.5 crore
13 th January	a) GSTR - 1 (Outward supply return) b) GSTR - 6	a) Taxable person having turnover < Rs. 1.5 crore b) Input Service Distributor
14 th January	Furnishing ADT-1 if AGM is held on 31 December 2020	For all Companies
15 th January	a) Due date for furnishing various audit report including Tax Audit Report b) Due date for furnishing report u/s 92E in form 3CEB c) Filing of quarterly statement of TCS for the quarter ending 31 st December 2020 d) Due date for furnishing of Form 24G where TDS/TCS for the month of December 2020 has been paid without the production of challan e) Due date of furnishing of Form 15G/15H declaration received during the quarter ending December 2020. f) Deposit of PF & ESI contribution	a) For person required to furnish tax audit report. b) For persons who have entered into international transactions with Associated Enterprises. c) For person required to collect TCS d) Office of Government e) Eligible Individuals f) All deductors
18 th January	Due date for filing CMP - 08 for December quarter	Composition Dealers
20 th January	a) GSTR - 5 (Return by Non-residents) b) GSTR - 5A (online information database access and retrieval services return) c) GSTR 3B (Summary return)	a) Non-resident taxable person b) OIDAR service provider c) All taxable persons (except composition dealer) having annual turnover > Rs. 5 crore for December 2020

22 nd January	GSTR 3B (Summary return)	All taxable persons (except composition dealer) having annual turnover upto Rs. 5 crore and principal place of business in Chhattisgarh, Madhya Pradesh, Gujarat, Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Telangana, Andhra Pradesh, the Union territories of Daman and Diu and Dadra and Nagar Haveli, Puducherry, Andaman and Nicobar Islands, Lakshadweep
24 nd January		All taxable person (except composition dealer) having annual turnover upto Rs. 5 crore and principal place of business in any other state
25 th January	PF return filing for the month of December 2020.	All deductors
30 th January	Due date for furnishing challan- cum – statement in respect of TDS under section 194IA/ 194IB/ 194M deducted for December 2020.	All Assessee required to deduct TDS under these sections
31 st January	<ul style="list-style-type: none"> a) Filing quarterly return of TDS for the quarter ending December 2020 b) Furnishing of declaration to opt for Vivad se Vishwas Scheme c) Intimation under section 286(1) in Form no. 3CEAC d) For opt in or opt out in QRMP Scheme for the quater January 2021 to March 2021 	<ul style="list-style-type: none"> a) All Assessee required to deduct TDS b) For Assessee opted this Scheme c) For resident constituent entity of an international group whose parent is non- resident. d) For tax payer whose aggregate turnover < Rs. 5 crore





Notification & Circular Details

Notification No.95/2020-Central Tax dated 30.12.2020

Title of the change	Summary of the change
<p>Extending the time limit for furnishing of the annual return specified under section 44 of CGST Act, 2017 for the financial year 2019-20 till 28.02.2021.</p>	<p>Due date for the furnishing of Annual Return in form 9 & audit report in form 9C for the financial year 2019-2020 has been extended to 28.02.2021 from 31.12.2020.</p>

Notification No.94/2020-Central Tax dated 22.12.2020

Title of the change	Summary of the change
<p>Reduction in ITC entitlement for invoices not furnished by supplier from 10% to 5%</p>	<p>Restriction for claim of ITC in respect of invoices/debit notes not appearing in GSTR-2A has now been reduced from 10% to 5%.</p>
<p>Restrictions on use of amount available in electronic credit ledger</p>	<p>Where taxable supply other than exempt supply and export, in a month exceeds INR 50 lakh, taxpayer is not allowed to use ITC in excess of 99% of output tax liability. Hence, atleast 1% is to be deposited in Cash.</p>
<p>Validity of e-way bill narrowed by increasing distance from 100 km. to 200 km. per day</p>	<p>E-way bill will now be valid for 1 day for every 200 km of travel, as against 100 km earlier, in cases other than Over Dimensional Cargo or multimodal shipment in which at least one leg involves transport by ship. For every 200 km. or part thereof thereafter, one additional day will be allowed.</p>

Notification No. 93/2020-Central Tax dated 22.12.2020

Title of the change	Summary of the change
Seeks to waive late fee for FORM GSTR-4 filing in UT of Ladakh for Financial year 2019-20.	The late fee payable for delay in furnishing of FORM GSTR-4 for the Financial Year 2019-20 under section 47 of the said Act, from the 1st day of November, 2020 till the 31st day of December, 2020 shall stand waived for the registered person whose principal place of business is in the Union Territory of Ladakh.

Notification No.92/2020-Central Tax dated 22.12.2020

Section of Finance Act 2020	Section of GST In which Amendment is Made / Section Main Heading	Analysis
119	10 / Composition Scheme	<p>This provision has curtailed the eligibility for composition scheme. The persons now cannot be eligible for composition scheme if</p> <ul style="list-style-type: none"> i. he is engaged in making any supply of goods or services which are not leviable to tax under this Act; ii. he is engaged in making any inter-State outward supplies of goods or services; iii. he is engaged in making any supply of goods or services through an electronic commerce operator who is required to collect tax at source under section 52
120	16(4) / Max. time to avail ITC	Now Section 16(4) allows the registered persons to claim ITC of the debits notes relating to the previous year issued in current year even after the due date of Sept GSTR 3B or Annual return which-ever is earlier.
121	29(c) / Cancellation [or	The law now allows a registered person to get the registration cancelled (voluntarily) even while running the business

	suspension] of registration	
122	30 / Revocation of cancellation of registration.	The Additional / Joint Commissioner can now condone the delay in filing application for revocation of registration for max. 30 days and Commissioner can further condone the delay for 30 days.
123	31 / Tax Invoice	The government can now specify the categories of services or supplies in respect of which a tax invoice shall be issued, within such time and in such manner as may be prescribed
124	51 / Tax deduction at source	Certificate will be issued in form specified, further no late fees will be charged if the government fails to issue TDS Certificate
126	122 / Penalty for certain offences	Any person who retains the benefit of a transaction and at whose instance such transaction is conducted, shall be liable to a penalty of an amount equivalent to the tax evaded or input tax credit availed of or passed on
127	132 / Punishment for certain offences.	The government wants to penalize even the persons who retains the benefit intentionally or unintentionally the benefit or at whose instance such transaction is conducted or fraudulently avails input tax credit without any invoice or bill
131	Schedule II	Removed the word “whether or not for a consideration” from the transfer of assets.

Notification No.91/2020-Central Tax dated 14.12.2020

The time limit for completion or compliance of any action, by any authority, as specified in, or prescribed or notified under section 171 of the said Act, which falls during the period from the 20th day of March, 2020 to the 30th March, 2021 and where completion or compliance of such action has not been made within such time, then, the time-limit for completion or compliance of such action, shall be extended up to the 31st March, 2021.”

Notification No.90/2020-Central Tax dated 01.12.2020

A registered person dealing in specified chemicals (*as given in the notification*) shall mention eight number of digits of HSN Codes in a tax invoice issued by him.

Circular No.144/14/2020-GST dated 15.12.2020

Waiver from recording of UIN on the invoices for the months of April 2020 to March 2021.



NOTIFICATIONS AND UPDATES

1. Considering the problems being faced by the taxpayers, it has been decided to provide further time to the taxpayers for furnishing of Income Tax Returns, tax audit reports and declaration under Vivad Se Vishwas Scheme. Further, in order to provide more time to taxpayers to comply under various ongoing proceedings, the dates of completion of proceedings under various Direct Taxes & Benami Acts have also been extended. These extensions are as under:

- a. The due date for furnishing of Income Tax Returns for the Assessment Year 2020-21 for the taxpayers (including their partners) who are required to get their accounts audited and companies has been further extended to 15th February, 2021.
- b. The due date for furnishing of Income Tax Returns for the Assessment Year 2020-21 for the taxpayers who are required to furnish report in respect of international/specified domestic transactions has been further extended to 15th February, 2021.
- c. The due date for furnishing of Income Tax Returns for the Assessment Year 2020-21 for other taxpayers has been further extended to 10th January, 2021.
- d. The date for furnishing of various audit reports under the Act including tax audit report and report in respect of international/specified domestic transaction for the Assessment Year 2020-21 has been further extended to 15th January, 2021.
- e. The last date for making a declaration under Vivad Se Vishwas Scheme has been extended to 31st January, 2021 from 31st December, 2020.
- f. The date for passing of orders under Vivad Se Vishwas Scheme, which are required to be passed by 30th January, 2021 has been extended to 31st January, 2021.

3. Further, in order to provide relief to small and middle class taxpayers in the matter of payment of self-assessment tax, the due date for payment of self-assessment tax date is hereby again being extended. Accordingly, the due date for payment of self-assessment tax for taxpayers whose self-assessment tax liability is up to Rs. 1 lakh has been extended to 15th February, 2021 for the taxpayers mentioned in para 1(a) and para 1(b) and to 10th January, 2021 for the taxpayers mentioned in para 1(c) mentioned above.



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