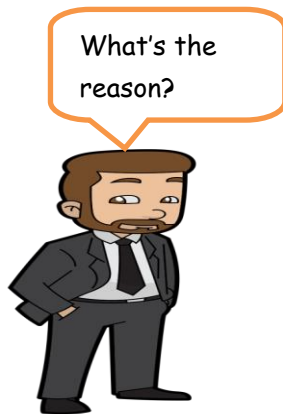
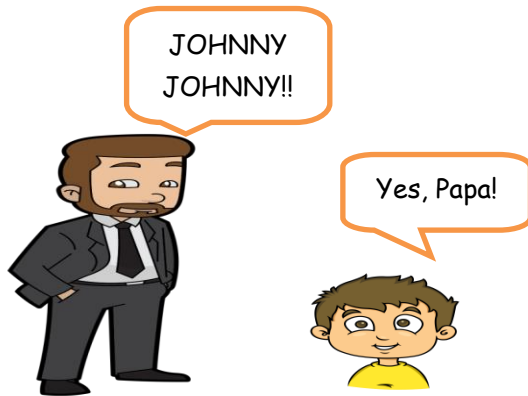


# GST and JOHNNY- UPDATE No.28



As per the latest amendment, the due date for filing GSTR-9 (Annual Return) and GSTR-9C (Reconciliation Statement) for FY 2018-19 is extended to June 30, 2020. For businesses with an annual turnover of less than Rs 5 crore, filing of GSTR-9C for FY 2018-19 to be waived off vide notification no.16/2020-Central Tax dated 23.03.2020. For businesses with less than Rs 2 crore aggregate turnover in FY 2017-18 and FY 2018-19, no late fee will be charged for the delayed filing of GSTR-9 Notification No. 47/2019 - Central Tax, dated 9 October 2019, but with bewildering provision.

Summarised provisions-

**Below 2 crores** - Optional to file 9 and 9C

< 2 crores- 5 crores- Compulsory to file 9 and 9C (For FY 17-18)

< 2 crores- 5 crores- Compulsory to file 9 (For FY 18-19)

**More than 5 crores**- File both 9 and 9C

The issue arises while filing GSTR 9 and 9C for the financial year 2018-19 is that it doesn't allow to proceed in case the taxpayer has not filed these returns for the previous returns. On one hand, the government has exempted filing of GSTR 9 whose turnover is less than 2 crores for 2 consecutive years and on the other hand, it is waiving off late fees for same particular set of taxpayers.

Therefore, taxpayers are bound to file 2017-18 GSTR 9 and 9C if in case their turnover for the 2018-19 exceeds 5 crore in 2018-19.

There are in numerous complications attached. Certainly, the government should have blocked 2017-18 for those taxpayers who are exempt from filing of these returns. Moreover, those taxpayers who are exempted to file GSTR 9 and 9C for the financial year 2018-19, Will they be allowed to file these returns for 2019-20. The reason for non allowance can be non issuance of any notification prescribing limits of exemption from filing these returns till date for FY 2019-20.

Oh God!! Its easier to find a way in maze or solve a rubik's cube than finding a solution to these technical glitches.

CA Pradeep Jain

Stay at home, Be safe!!