



Circular-26/26/2017-GST dated 29th Dec '17

Clarification on various aspects of return filing such as return filing dates, applicability and quantum of late fee, amendment of errors in submitting / filing of FORM GSTR-3B and other related queries.

1. Return Filing Calendar:

For small taxpayers i.e. turnover less than Rs. 1.5 crores in preceding or current financial year

Sl. No.	Quarter for which the details in FORM GSTR-1 is furnished	Due date for furnishing the details in FORM GSTR-1
1	Jul – Sept '17	31st Dec '17
2	Oct – Dec '17	15th Feb '18
3	Jan – Mar '18	30th Apr '18

For others

S. No	Month for which GSTR-1 is filed	Due date for furnishing the details in FORM GSTR-1
1	Jul – Oct '17	31 st Dec '17
2	Nov '17	10 th Jan '18
3	Dec '17	10 th Feb '18
4	Jan '18	10 th Mar '18
5	Feb '18	10 th Apr '18
6	Mar '18	10 th May '18

Note:

- i) **Monthly basis (If turnover > Rs. 1.5 Cr):** Taxpayers who have already filed FORM GSTR-1 for the month of Jul '17, should not file it again and shall only file for the months of Aug '17 and Sept '17.
- ii) **Quarterly basis (If turnover < Rs. 1.5 Cr):** Taxpayers who have not filed FORM GSTR-1 for the month of Jul '17 shall also file their FORM GSTR-1 for the month of Jul '17



separately and then file their FORM GSTR-1 on quarterly basis for the month of Aug '17 and Sept '17.

- iii) **Choice of periodicity of filing return:** A person eligible for quarterly returns can also opt for monthly returns, but the option once exercised cannot be changed for that financial year. However, a person who wrongly reports his aggregate turnover and opts for quarterly returns would be liable for punitive action.
- iv) **GSTR-2 and GSTR-3** –Time period for filing such returns to be worked out by a Committee and communicated later.
- v) **Composition Scheme:** Registered persons opting for Composition scheme are required to file their returns quarterly in FORM GSTR-4 for the quarter ending Sep '17 before 24th Dec '17. However, for other quarters the last date for filing such form is within eighteen days after the end of such quarter.
- vi) **GSTR 3B late fee:** Such late fee for the month up to Sep '17 has been waived and for the subsequent periods has been reduced to Rs. 20 per day in case of liability in the return in Nil and Rs. 50 per day in other cases.

2. Amendment / corrections / rectification of errors:

- i) In terms of Circular No. 7/7/2017-GST dated 1st Sep '17, errors committed while filing FORM GSTR – 3B may be rectified while filing FORM GSTR-1 and FORM GSTR-2 of the same month. The system will automatically reconcile the data submitted in FORM GSTR-3B with FORM GSTR-1 and FORM GSTR-2, and the variations if any will be either offset against output tax liability or added to the output tax liability of the subsequent months of the registered person. However, the system based reconciliation can only be operationalized after the relevant notification is issued. The said circular is therefore kept in abeyance till such time.
- ii) The common errors while submitting FORM GSTR-3B and the steps needed to be taken to rectify the same are provided in the Annexure herewith.
- iii) In FORM GSTR-3B the differential figures for past month(s) may be reported on net basis along with the values for current month in appropriate tables i.e. Table No. 3.1, 3.2, 4 and 5, as the case may be. However, negative figures cannot be shown in the GSTR-3B and the balance amount if any can be adjusted in the return(s) of subsequent



- month(s), and if such adjustment is not feasible, refund can be claimed.
- iv) Adjustments made in FORM GSTR-3B of multiple months, corresponding adjustments in FORM GSTR-1 should also preferably be made in the corresponding months.
 - v) A facility for editing the information in FORM GSTR-3B has been provided but it can be used only before offsetting the liability and filing.
 - vi) The information furnished in FORM GSTR-3B will be reconciled by the department's system with the information furnished in FORM GSTR-1 and discrepancies, if any, shall be dealt with in accordance with the relevant provisions of the CGST Act, 2017 and rules made there under. Detailed instructions regarding reconciliation of information furnished in FORM GSTR-3B with that contained in FORM GSTR-2 and FORM GSTR-3 will be issued in due course of time.



Annexure – Types of error and action to be taken

The following are the various errors that might be encountered while filing of the returns and its possible way out:

I. Type of error - I: Liability under-reported i.e. lesser liability declared in GSTR 3B

a. Status of GSTR 3B

- **Submitted only** – Can use 'Edit' option to disclose the under reported liability and then proceed to submit, offset liability and then file.
- **Submitted and challan generated to add the under reported liability only** - Can use 'Edit' option to disclose the under reported liability. Generate and pay a challan for the under reported liability and then proceed to submit, offset liability and then file.
- **Liability offset** – Cannot edit the return. To add the under reported liability in the return of the subsequent month and pay with interest.
- **Return filed** – same as above.

b. GSTR-1 filed with under reported liability then the same can be declared in the subsequent period GSTR-1.

If in the GSTR 3B, once liability has been offset, then the 'Edit' facility will not be available and the taxpayer will have to disclose the missed liability in the subsequent returns only.

II. Type of error – II - Liability over-reported i.e. excess liability declared in the return.

a. Status of GSTR 3B

- **Submitted only** – Can use 'Edit' option to correct the liability and then proceed to submit> offset liability >File Return.
- **Cash Ledger updated** - Can use 'Edit' option to correct the liability and then proceed to submit,>offset liability>File Return. Excess balance in the Cash Ledger can be claimed as refund or used for offsetting future liability.
- **Liability offset** – Cannot edit the return. In the return of the subsequent month liability can be adjusted against subsequent month liability or refund can be claimed if there is a lesser or no liability, in such month.
- **Return filed** – same as above.



- b. GSTR-1 filed with over reported liability can be amended vide table 9 in the subsequent tax period.

If in the GSTR 3B, once liability has been offset, then the 'Edit' facility will not be available and the taxpayer will have to correct its liability in the subsequent returns only. In GSTR-1 amendment has to be carried out vide table 9 only in the subsequent month.

III. Type of error – III - Liability wrongly reported i.e. (Inter-state supply considered as Intra-State supply)

a. Status of GSTR 3B

- **Submitted only** – Can use 'Edit' option to correct the wrongly reported liability and then proceed to submit> offset liability >File Return.
- **Cash Ledger updated** - Can use 'Edit' option to correct the wrongly reported liability and then proceed to submit. In case of excess balance in Cash Ledger, claimed refund or use it for offsetting subsequent month liability. In case of insufficient balance in Cash/Credit ledgers, generate a challan with correct liability and pay>offset liability>File Return.. Excess balance in the Cash Ledger can be claimed as refund or used for offsetting future liability.
- **Liability offset** – Cannot edit the return. Unreported liability to be added in the subsequent month liability, with interest, if applicable. The wrong tax paid previously can be adjusted against subsequent month liability or refund can be claimed if there is a lesser or no liability, in such month.
- **Return filed** – same as above.

- c. GSTR-1 filed with wrong liability can be amended vide table 9 in the subsequent tax period.

If in the GSTR 3B, once liability has been offset, then the 'Edit' facility will not be available and the taxpayer will have to correct its liability in the subsequent returns only. In GSTR-1 amendment has to be carried out vide table 9 only in the subsequent month.

IV. Type of error – IV - Input tax credit under reported.

a. Status of GSTR 3B



- **Submitted only** – Can use 'Edit' option to add the un-availed input tax credit.
- **Cash Ledger updated** – No action.
- **Liability offset** – Cannot edit the return. Un-availed input tax credit can be availed in subsequent months.
- **Return filed** – same as above.

d. GSTR-1 filed – No action.

If in the GSTR 3B, once liability has been offset, then the 'Edit' facility will not be available and the taxpayer will have to claim the un-availed credit in the subsequent returns only.

V. Type of error – V - Input tax credit over reported.

b. Status of GSTR 3B

- **Submitted only** – Can use 'Edit' option to rectify the input tax credit availed in excess.
- **Cash Ledger updated** – Add cash if required.
- **Liability offset** – Cannot edit the return. In the subsequent month pay cash or reverse excess credit availed, with interest.
- **Return filed** – same as above.

e. GSTR-1 filed – No action.

If in the GSTR 3B, once liability has been offset, then the 'Edit' facility will not be available and the taxpayer will have to do the corrections in the subsequent returns only, with interest.

VI. Type of error – VI - Input tax credit of wrong tax taken (i.e. say CGST amount taken in IGST)

a. Status of GSTR 3B

- **Submitted only** – Can use 'Edit' option to rectify input tax credit wrongly taken. The credit ledger will get adjusted with right tax without increasing liability.
- **Cash Ledger updated** – Add cash if required.
- **Liability offset** – Cannot edit the return. For wrong credit taken, in the subsequent month pay cash or reverse excess credit availed, with interest. Under-reported input tax credit can be availed in subsequent months.
- **Return filed** – same as above.



b. GSTR-1 filed – No action.

If in the GSTR 3B, once liability has been offset, then the 'Edit' facility will not be available and the taxpayer will have to do the corrections in the subsequent returns only, with interest wherever applicable.

VII. Type of error – VII – Cash ledger wrongly updated.

a. Status of GSTR 3B

- **Submitted only** – No action.
- **Cash Ledger updated** – Add cash balance under the correct head and claim refund for cash deposited under the wrong head.
- **Liability offset** – No action
- **Return filed** – No action.

b. GSTR-1 filed – No action.