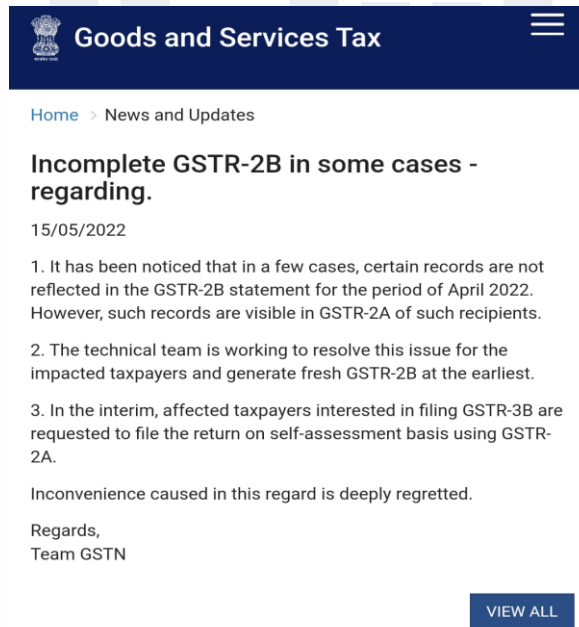


GST Alert      02/2022-23  
Date              16.05.2022

### How to derive ITC to be claimed in Apr 2022 GSTR-3B

Government amended the law effective from January 2022 and prescribed that Input Tax Credit (ITC) will have to be matched with the auto generated form GSTR 2B on the GSTN portal. By now we all know that due to technical glitched on the famed GSTN portal, GSTR 2B for the month of April 2022 is not getting generated with correct details, ITC invoices which are reflecting in GSTR 2A are not getting populated in 2B. due to this a question has arisen in the minds of the taxpayers. GSTN has issued following advisory on 15<sup>th</sup> May'22 regarding incomplete GSTR-2B in some cases and has advised to file GSTR 3B by availing credit on self assessment basis.



The screenshot shows a notification from the Goods and Services Tax (GST) department. The header includes the GST logo and the text 'Goods and Services Tax'. Below the header, there is a navigation bar with 'Home' and 'News and Updates'. The main content is a notice titled 'Incomplete GSTR-2B in some cases - regarding.' dated 15/05/2022. The notice contains three points: 1. It has been noticed that in a few cases, certain records are not reflected in the GSTR-2B statement for the period of April 2022. However, such records are visible in GSTR-2A of such recipients. 2. The technical team is working to resolve this issue for the impacted taxpayers and generate fresh GSTR-2B at the earliest. 3. In the interim, affected taxpayers interested in filing GSTR-3B are requested to file the return on self-assessment basis using GSTR-2A. The notice concludes with 'Inconvenience caused in this regard is deeply regretted.' and 'Regards, Team GSTN'. A 'VIEW ALL' button is located at the bottom right of the notification area.

In view of the above, we felt it is imperative to clarify the issue for all and reconcile the law with the practical aspect that has arisen. We request to kindly take a note of the below suggested process to be followed for the purpose of claiming ITC in GSTR-3B for the month of Apr 2022:



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Opp. ITC Narmada, Nr. Keshavbag Party Plot,  
Satellite, Ahmedabad - 380015. Gujarat, India.

t +91-79-400 22 628 / 29 / 30  
e info@niteshjain.co.in  
w www.njjain.com

in njjainassociates  
tw @associates\_nj  
fb @njainandassociates

### 1. Generate GSTR-2A for the period Apr'21 to Mar'22 in excel

- a. A separate column is available in GSTR-2A "GSTR-1/5 Filing Date"
- b. Put Filter for this column
- c. Select GSTR-1 filing Dates between 12<sup>th</sup> Apr'22 to 11<sup>th</sup> May'22 and copy those line items in a separate sheet
- d. In case you have suppliers, who are filing quarterly returns: -
  - i. Select GSTR-1 filing Dates 14<sup>th</sup> Apr'22 to 13<sup>th</sup> May'22 and copy those line items in a separate sheet for the suppliers, who are filing quarterly returns
- e. Combine the details as per point "c" and "d" above
- f. Check, if any ITC appearing in this list has already been claimed in any of the prior return period and remove such instances, if any
- g. Check for Eligible ITC in the list of ITC Invoices as per Point "f" above

### 2. Generate GSTR-2A for the period Apr'22 in excel

- a. A separate column is available in GSTR-2A "GSTR-1/5 Filing Date"
- b. Put Filter for this column
- c. Select GSTR-1 filing Dates between 1<sup>st</sup> May'22 to 11<sup>th</sup> May'22 and copy those line items in a separate sheet
- d. In case you have suppliers, who are filing quarterly returns: -
  - i. Select GSTR-1 filing Dates 12<sup>th</sup> May'22 & 13<sup>th</sup> May'22 and copy those line items in a separate sheet for the suppliers, who are filing quarterly returns
- e. Combine the details as per point "c" and "d" above
- f. Check for Eligible ITC in the list of ITC Invoices as per Point "e" above

3. Combine the list of ITC Invoice as per point "1" and "2" above.

4. From the list available as per Point "3" above, please verify the underlying Goods and/or Services against the Invoices have been received and then claim the ITC.

5. There may be instances where, Invoices may be appearing in your GSTR-2A as per point "3" above, which is not pertaining to your GSTIN, you may kindly ignore such line items in your ITC claim.



### 6. General conditions for availing ITC:

For any amount to be classified as Eligible ITC, it needs to clear all the condition prescribed in Section 16 of CGST Act, 2017, which is summarized in the below table: -

Sr No	Conditions
1.	Goods or services must be used or intended to be used for business
2.	Must be in possession of a tax invoice or debit note issued by a supplier
3.	Details of the invoice or debit note has been furnished by the supplier in his GSTR 1 and such details are reflecting in our GSTR 2B
4.	Recipient or the person designated by him have received the goods or services
5.	Tax charged by the supplier has been actually paid to the Government
6.	Return under section 39 (GSTR 3B) has been filed
7.	Invoiced value alongwith tax has been paid to the supplier within a period of 180 days from the date of issue of invoice

### 7. Conclusion

Since last 5 years, GSTN has failed on many counts, especially in implementing the changes in law and giving a smooth return filing experience. This advisory issued by GSTN is patently illegal as it goes against the prescribed law, however we all know that GSTN is the law when it comes to compliances and the GST Council ignores the incompetence of GSTN at the peril of its taxpayers. In the past we have all seen such advisories for ignoring GSTR 2A and availing credit on self-assessment basis so much so as to call GSTR 2A “mere trade facilitation form”, we all know now that that advisory is being thrown into the dustbin by the assessing officers and demand notices are being issued left right and centre. Same will happen with this advisory as well as GSTN has no authority to say what it has said.



We sincerely advise to follow the above suggested methodology to generate our own GSTR 2B and avail credit based on that to avoid getting demand notices.

**Formulated by:**

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