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THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

(Set up by an Act of Parliament)

10th September, 2020

ICAI/IDTC/2020-21/Rep/16

Shri S.K Rahman
Joint Secretary,
Goods and Services Tax Council,
5th Floor, Tower II,
Jeevan Bharti Building,
Janpath Road, Connaught Place,
New Delhi-110 001



Esteemed Sir,

Reg: Request for permitting availment of input tax credit under GST pertaining to Financial Year 2019-20 and correction in GSTR- 1 till March, 2021

Greetings. The Institute of Chartered Accountants of India (ICAI) has been proactively supporting the Government by providing suggestions at each stage of development, creating awareness and disseminating knowledge of GST among various stakeholders.

We are writing this letter considering the practical difficulties which would be faced by the taxpayer in claiming input tax credit under the GST. In terms of provision of Section 16(4) of the CGST Act, 2017 the time limit for claiming the input tax credit by a registered person is restricted. The said provision is reproduced below:

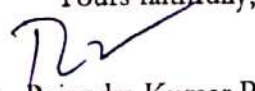
"A registered person shall not be entitled to take input tax credit in respect of any invoice or debit note for supply of goods or services or both after the due date of furnishing of the return under section 39 for the month of September following the end of financial year to which such invoice or invoice relating to such debit note pertains or furnishing of the relevant annual return, whichever is earlier."

Considering the epidemic COVID – 19 (Coronavirus) has affected the business adversely and majority of the offices are working only partially. Life has almost come to standstill and people are working for survival. Therefore, we request your goodself to provide appropriate relaxation to the registered person and extend due dates for taking the input tax credit for invoices pertaining to Financial Year 2019-20 till March, 2021. Further, it is also requested to allow the taxpayers to make correction in the GSTR- 1 and issuance of credit note for the supplies affected during the FY 2019-20 till March, 2021.

Hope you will consider the request in view of interest of trade and industry. We shall be glad to provide any further input as may be required and your office may reach us at gst@icai.in or 0120-3045954.

Warm regards,

Yours faithfully,


CA. Rajendra Kumar P
Chairman

GST & Indirect Taxes Committee