

GST Annual Return

Decoding the regulation....

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14th February, 2019

Goods and Service Tax Practitioners Association of
Maharashtra



CONTENTS FOR THE DAY

- Annual Return - Form 9
- Interpretation of Form 9

***ANNUAL RETURN -
GST R 9***

Annual Return (GSTR - 9)

- Section 44 of the Central Goods and Services Tax Act, 2017 provides -the registered person under GST is liable to file annual return electronically every year on or before 31st December following the end of the financial year.
- Following persons are not required to file the annual return :
 - (a)The Input Service Distributor,
 - (b)Casual taxable person,
 - (c)Non resident taxable person and
 - (d)The persons who are liable to deduct tax at source and collect tax at source.

Annual Return (GST - 9)

- **Different types of GST - 9:**

- (a) GST 9 - GST 9 should be filed by the regular taxpayers filing GST 1, GST 2, GST 3.
- (b) GST 9A - GST 9A should be filed by the persons registered under composition scheme under GST.
- (c) GST 9B - GST 9B should be filed by the e-commerce operators who have filed GST 8 during the financial year.
- (d) GST 9C - GST 9C should be filed by the taxpayers whose annual turnover exceeds Rs 2 crores during the financial year. All such taxpayers are also required to get their accounts audited and file a copy of audited annual accounts and reconciliation statement of tax already paid and tax payable as per audited accounts along with GST 9C.

Annual Return (GSTR - 9)

- The annual return is not merely the sum total of the periodic returns filed for the year but the return showing the correct figures as per the provisions of GST law based on the annual accounts of the assessee.
- Where it is required to be audited, the figures appearing in the annual return shall be as per the audited figures (Statutory audit).
- **Consequence of failure to submit the annual return:**
 - Section 47(2) provides that in case of failure to submit the annual return within the specified time, a late fee of Rs. 100 under CGST & 100 under SGST, the total penalty is Rs 200 per day of default during which such failure continues subject to a maximum of a quarter percent of his turnover in the State/UT.

Annual Return (GSTR - 9)

- The annual return GSTR - 9 has six parts as detailed below-
 - Part I - Basic details;
 - Part II - Details of outward and inward supplies during the financial year.
 - ✓ It is mandatory to file all FORM GSTR-1 and FORM GSTR-3B for the FY 2017- 18 before filing this return. It consists of the details of all outward supplies & advances received during the financial year for which the annual return is filed.
 - Part III - Details of ITC as declared in returns during the financial year;
 - Part IV- Details of tax paid as declared in returns during the financial year;

Annual Return (GSTR - 9)

- Part V – Particulars of the transactions for the previous financial year declared in returns of April to September of current financial year or up to date of filing of annual return of previous financial year whichever is earlier;
- Part VI – Other information.
- Vide Central Goods and Service Tax (14th Amendment) Rules,2018 (Notification No.74/2018 – Central Tax dated 31.12.2018) changes have been made in FORM GSTR-9 , 9A and 9C.

Annual Return - Format

“FORM GSTR-9
(See rule 80)
Annual Return

Pt. I		Basic Details
1	Financial Year	
2	GSTIN	Persons with multiple registrations would be required to submit annual return for each registration separately
3A	Legal Name	<Auto>
3B	Trade Name (if any)	<Auto>

Annual Return - Format

4 **Details of advances, inward and outward supplies on which tax is payable as declared in returns filed ~~made~~ during the financial year on which tax is payable.**

The point for discussion is – At the time of preparation of GSTR 9, whether the details required to be reported at Part 4 should be:

Based on the combined reading of Part 4 and Part 5 (Sr. No 10 and 11) and the instructions related to these entries, one possible view is that:

1. Invoices related to 2017-18 reported in any month in the GSTR 1 during 2017-18 along with Amendments relating to 2017-18 made by reporting such amendment in any subsequent month but within 2017-18 itself will be reported at Part 4 of GSTR 9; and
2. Amendments to invoices and fresh invoices related in any month in the GSTR 1 during 2017-18 made by reporting such amendment in the GSTR 1 during the months period April 2018 to September 2018 will only be reported in Part V Sr.No. 10 of GSTR 9.

Accordingly the Taxpayer is required to disclose the additions to outward supplies here for F.Y.2017-18 though the same is shown in F.Y.2018-19 in the GSTR-1 filed. However Instructions as per the Notification are contradicting.

Annual Return - Format

A	Supplies made to un-registered persons (B2C)	<p>Details of sum of all B2C supplies net of debit/credit notes and amendments with tax break-up to be provided.</p> <p>Therefore, 4A of GSTR 9 contains B2C information pertaining to 2017-18 that is declared in the returns, that is, GSTR 1 furnished during 2017-18 even belatedly during 2018-19.</p>
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Annual Return - Format

B	Supplies made to registered persons (B2B)	<p>Aggregate value of supplies made to registered persons (including supplies made to UINs) on which tax has been paid shall be declared here.</p> <p>These will include supplies made through E-Commerce operators but shall not include supplies on which tax is to be paid by the recipient on reverse charge basis.</p> <p>Details of debit and credit notes are to be mentioned separately. Table 4A and Table 4C of FORM GSTR-1 may be used for filling up these details.</p>
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Annual Return - Format

B	Supplies made to registered persons (B2B)	<p>To be noted that unlike supplies made to unregistered Persons (B2C), any amendments made to such supplies as reported in Table 9 of GSTR 1 will not form part of the reporting here.</p> <p>It shall not include supplies on which tax is paid on reverse charge basis by the recipient.</p> <p>Also, any credit notes and debit notes issued against the supplies to Registered Persons will not be reported under this part.</p>
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Annual Return - Format

C	Zero rated supply (Export) on payment of tax (except supplies to SEZs)	<p>4C of GSTR 9 contains information relating to a sub-set of all zero-rated supplies comprising of exports of goods and exports of services out of India. 4C does not include supplies to SEZ.</p> <p>Table 6A of FORM GSTR-1 may be used for filling up these details.</p> <p>Further, exports are permitted in two ways, namely, export with payment of tax and export without payment of tax.</p> <p>4C contains information pertaining only to exports on payment of tax and not exports without payment of tax.</p>
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Annual Return - Format

D	Supply to SEZs on payment of tax	<p>4D of GSTR 9 contains information relating to a sub-set of all zero-rated supplies comprising of supplies to SEZ being a Developer of the SEZ or a Unit in the SEZ.</p> <p>It will include supplies to SEZ whether by an SEZ to another SEZ or by a DTA unit to SEZ. 4D does not include supplies to SEZ without payment of tax.</p>
E	Deemed Exports	<p>Aggregate value of supplies in the nature of deemed exports on which tax has been paid shall be declared here.</p> <p>Table 6C of FORM GSTR-1 may be used for filling up these details.</p>

Annual Return - Format

F	Advances on which tax has been paid but invoice has not been issued (not covered under (A) to (E) above)	<p>The advances on which tax is charged and paid is disclosed as part of Table 11A of GSTR 1.</p> <p>Where advance is received, and tax Invoice has been issued in 2017-18, the same is to be excluded from 4F since the same would have been adjusted against the tax due on the tax Invoice issued.</p> <p>Only the advances which are existing at the close of financial year i.e. March 2018 will be reported.</p> <p>Any advances against which outward supplies are made and are adjusted before the said period will not be reported here.</p>
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Annual Return - Format

G	Inward supplies on which tax is to be paid on reverse charge basis	<p>This shall include supplies received from registered persons, unregistered persons on which tax is levied on reverse charge basis.</p> <p>This shall also include aggregate value of all import of services. Table 3.1(d) of FORM GSTR-3B may be used for filling up these details.</p>				
H	Sub-total (A to G above)					

Annual Return - Format

I	Credit Notes issued in respect of transactions specified in (B) to (E) above (-)	<p>Only credit notes issues in respect of those supplies on which tax is payable should be reported. Any supplies which are NIL rated, exempted, non-GST etc. should not be part of this.</p> <p>Table 9B of FORM GSTR-1 may be used for filling up these details.</p>
J	Debit Notes issued in respect of transactions specified in (B) to (E) above (+)	<p>Aggregate value of debit notes issued in respect of B to B supplies (4B), exports (4C), supplies to SEZs (4D) and deemed exports (4E) shall be declared here.</p> <p>Table 9B of FORM GSTR-1 may be used for filling up these details.</p>
K	Supplies / tax declared through Amendments (+)	<p>Details of amendments made to B to B supplies (4B), exports (4C), supplies to SEZs (4D) and deemed exports (4E), credit notes (4I), debit notes (4J) and refund vouchers shall be declared here.</p> <p>Table 9A and Table 9C of FORM GSTR-1 may be used for filling up these details.</p>

Annual Return - Format

L	Supplies / tax reduced through Amendments (-)					
M	Sub-total (I to L above)					
N	Supplies and advances on which tax is to be paid (H + M) above					

Annual Return - Format

5	Details of Outward supplies made during the financial year on which tax is not payable as declared in returns filed during the financial year				
A	Zero rated supply (Export) without payment of tax	Table 6A of FORM GSTR-1 may be used for filling up these details.			
B	Supply to SEZs without payment of tax				
C	Supplies on which tax is to be paid by the recipient on reverse charge basis	<p>Aggregate value of supplies made to registered persons on which tax is payable by the recipient on reverse charge basis.</p> <p>Details of debit and credit notes are to be mentioned separately.</p>			

Annual Return - Format

D	Exempted	<p>Aggregate value of exempted, Nil Rated and Non-GST supplies shall be declared here.</p> <p>Table 8 of FORM GSTR-1 may be used for filling up these details.</p> <p>The value of –"no supply" shall be declared under Non-GST supply (5F)."</p>				
E	Nil Rated					
F	Non-GST supply (includes 'no supply')					
G	Sub-total (A to F above)					

Annual Return - Format

H	Credit Notes issued in respect of transactions specified in A to F above (-)					
I	Debit Notes issued in respect of transactions specified in A to F above (+)					
J	Supplies declared through Amendments (+)					
K	Supplies reduced through Amendments (-)					
L	Sub-Total (H to K above)					
M	Turnover on which tax is not to be paid (G + L above)					
N	Total Turnover (including advances) (4N + 5M - 4G above)					

Annual Return - Format

Pt. III		Details of ITC as declared in returns filed for the financial year				
	Description	Type	Central Tax	State Tax / UT Tax	Integrated Tax	Cess
	1	2	3	4	5	6
6	Details of ITC availed as declared in returns filed during the financial year					

If the details of the input tax credit are not shown in the GSTR 3B filed during the previous year then it is required to shown in table no. 8C if the same is shown in next financial year. Thus it is clear that ITC itself cannot be availed through FORM GSTR-9.

Annual Return - Format

A	Total amount of input tax credit availed through FORM GSTR-3B (sum total of Table 4A of FORM GSTR-3B)	<Auto>	<Auto>	<Auto>	<Auto>	
B	Inward supplies (other than imports and inward supplies liable to reverse charge but includes services received from SEZs)	Inputs	<p>Total ITC availed is to be classified as ITC on inputs, capital goods and input services. This adds extra burden.</p> <p>Not to include details of inward supplies on which tax is payable on reverse charge basis, inward supply of goods from SEZ & import of goods & services.</p> <p>Does this section require to include ITC which was availed, reversed and then reclaimed or it shall be shown in Table 6H ?</p>			
Capital Goods						
Input Services						

Annual Return - Format

C	Inward supplies received from unregistered persons liable to reverse charge (other than B above) on which tax is paid & ITC availed.	Inputs	<p>Not to include details of Import of Services.</p> <p>Sum of ITC availed on tax paid under reverse charge for supplies received from unregistered persons to be classified as inputs, input services and capital goods.</p> <p>Challenging as such information is presently not being captured in GSTR-3B return.</p>			
		Capital Goods				
		Input Services				
D	Inward supplies received from registered persons liable to reverse charge (other than B above) on which tax is paid and ITC availed.	Inputs				
		Capital Goods				
		Input Services				

Annual Return - Format

E	Import of goods (including supplies from SEZs)	Inputs				
		Capital Goods				
F	Import of services (excluding inward supplies from SEZs)			Table 4(A)(2) of FORM GSTR-3B may be used for filling up these details.		
G	Input Tax credit received from ISD					
H	Amount of ITC reclaimed (other than B above) under the provisions of the Act	Aggregate value of ITC availed , reversed and reclaimed under the provisions of the Act shall be declared here.				
I	Sub-total (B to H above)					
J	Difference (I - A above)	Ideally this amount should be zero.				

Annual Return - Format

K	Transition Credit through TRAN-I (including revisions if any)	Include details of transition credit received in the electronic credit ledger on filing of GST TRAN-I including revision of TRAN-I.	
L	Transition Credit through TRAN-II	Include details of transition credit received in the electronic credit ledger on filing of GST TRAN-II.	

Annual Return - Format

M	Any other ITC availed but not specified above	Details of ITC availed through Form ITC-01 and Form ITC -02.			
ITC01	<ul style="list-style-type: none"> • Unregistered person got registered. • Composition dealer opting out of the composition scheme • Exempted goods become taxable goods 				
ITC02	In case of transfer of business by way of sale of business / merger / demerger				
N	Sub-total (K to M above)				
O	Total ITC availed (I + N above)				

Annual Return - Format

7	Details of ITC Reversed and Ineligible ITC as declared in returns filed during the financial year for the financial year.	
A	As per Rule 37	Sum of ITC reversed on account of non-payment to vendor within 180 days.
B	As per Rule 39	Sum of ITC reversed on account of ISD Credit Notes.
C	As per Rule 42	Sum of ITC reversed on common input and input services (used for exempt supplies) Final annual reversal made in subsequent financial year to be included here ?

Annual Return - Format

D	As per Rule 43	Sum of ITC reversed on capital goods (used partially for exempt supplies)
E	As per section 17(5)	<p>Sum of ineligible credits under Section 17(5) which have been reversed. The said amount shall be disclosed only when credit has been availed and reversed in Form – 3B.</p> <p>Mere reporting of values in GSTR-3B Table 4(D)(1) shall not be reported in this section, as it would be adjusted against the total ITC availed as reported in Table 6.</p> <p>Thus, if the amount stated in Table 4D of FORM GSTR-3B was not included in table 4A of FORM GSTR-3B, then no entry should be made in table 7E of FORM GSTR-9. However, if amount mentioned in table 4D of FORM GSTR-3B was included in table 4A of FORM GSTR-3B, then entry will come in 7E of FORM GSTR-9.”</p>

Annual Return - Format

F	Reversal of TRAN-I credit	<p>Refer ECL</p> <p>What if the reversal has been done in the return of periods pertaining post September ??</p>			
G	Reversal of TRAN-II credit	Refer ECL			
H	Other reversals (pl. specify)	Ex - ITC reversed through FORM ITC -03 shall be declared in 7H. (Normal to Composition)			
I	Total ITC Reversed (A to H above)				
J	Net ITC Available for Utilization (6O - 7I)				

Annual Return - Format

8	Other ITC related information				
A	ITC as per GSTR-2A (Table 3 & 5 thereof)	<Auto>	<Auto>	<Auto>	<Auto>
	<p>This would be the aggregate of all the input tax credit that has been declared by the corresponding suppliers in their GSTR-I.</p> <p>This would not include the input tax credit on imports and inwards supplies liable to reverse charge.</p> <p>GSTR 2A is the reflection of ITC on inward supplies made but it doesn't determine the eligibility of the credit.</p> <p>After extension of time limit for adding/rectifying invoices for F.Y.2017-18, the GSTR-2A now will show all invoices of F.Y.2017-18 filed by the vendor upto 31.03.2019.</p>				
B	ITC as per sum total of 6(B) and 6(H) above	<Auto>			

Annual Return - Format

C	ITC on inward supplies (other than imports and inward supplies liable to reverse charge but includes services received from SEZs) received during 2017-18 but availed during April to September, 2018.	<p>Sum of ITC availed during the period April to September 2018, w.r.t. invoices issued by the vendor for supplies received up to 31.03.2018.</p> <p>This section is provided to capture credits availed by the registered period in the subsequent financial year, which pertain to F.Y.2017-18.</p> <p>Refer GSTR-3B workings, for the period April to September 2018.</p>
D	Difference [A-(B+C)]	<p>Auto – populated.</p> <p>If values arrived is negative, it would mean that the total availment of credit is more than the credit reported by the vendor.</p> <p>If value is positive, explanation in E & F.</p>

Annual Return - Format

E	ITC available but not availed	<p>ITC reflected in Form GSTR-2A for F.Y.2017-18 which is eligible but not availed.</p> <p>The credit which was available and not availed in FORM GSTR-3B shall be declared here. Ideally, if 8D is positive, the sum of 8E and 8F shall be equal to 8D.</p>
F	ITC available but ineligible	<p>Transactions reflected in Form GSTR-2A for F.Y.2017-18 which is available but not eligible.</p> <p>The credit was not availed in FORM GSTR-3B as the same was ineligible shall be declared here. Ideally, if 8D is positive, the sum of 8E and 8F shall be equal to 8D.</p>

Annual Return - Format

G	IGST paid on import of goods (including supplies from SEZ)	<p>Aggregate of actual IGST paid on import of goods and procurements from SEZ shall be reported.</p> <p>Refer Bill of Entries filed and duty payment challans.</p>	
H	IGST credit availed on import of goods (as per 6(E) above)	<Auto>	<p>The ITC as declared in Table 6E shall be auto-populated here.</p> <p>What if IGST on Import of Goods by mistake shown under normal ITC of IGST in GSTR-3B??</p>
I	Difference (G-H)	Ideally this should be nil.	

Annual Return - Format

J	ITC available but not availed on import of goods (Equal to I)	The form does not provide option of reporting ITC availed on import of goods in 2018-19, on which IGST was paid in 2017-18.			
K	Total ITC to be lapsed in current financial year (E + F + J)	<Auto>	<Auto>	<Auto>	<Auto>

Annual Return - Format

Pt. IV 9	Details of tax paid as declared in returns filed during the financial year						
	Description	Tax Payable	Paid through cash	Paid through ITC			
n				Central Tax	State Tax	Integrated Tax	Cess
	Integrated Tax						
	Central Tax						
	State/UT Tax						
	Cess						
	Interest						
	Late fee						
	Penalty						
	Other						
<p>Paid through Cash – Ensure that the amount of tax paid in cash reported in the Table 9 is matched with the actual cash payments.</p> <p>Paid through ITC – Ensure that the amount of tax paid in cash reported in the Table 9 is matched with the actual credit utilization as per returns.</p>							

Annual Return - Format

Pt. V	Particulars of the transactions for the previous FY declared in returns of April to September of current FY or upto date of filing of annual return of previous FY whichever is earlier					
	Description	Taxable Value	Centr al Tax	State Tax / UT Tax	Integrat ed Tax	Cess
	1	2	3	4	5	6
10	Supplies / tax declared through Amendments (+) (net of debit notes)	Details of additions/amendments in invoices/debit notes against invoices reported in previous F.Y.				

Annual Return - Format

11	Supplies / tax reduced through Amendments (-) (net of credit notes)					
12	Reversal of ITC availed during previous financial year		<p>ITC availed in the Previous FY, which has been reversed in the Current Financial Year in returns filed for the months of April to September. (Ex – Ineligible credit availed in previous FY, reversed in current FY).</p> <p>Table 4(B) of Form GSTR-3B maybe used for filling up these details.</p> <p>What if the reversals are shown netted off in the Normal ITC row of GSTR-3B ??</p>			

Annual Return - Format

13	ITC availed for the previous financial year		<p>ITC availed in the current FY pertaining to supplies received in the previous FY.</p> <p>Reference should also be made to Table 8 of the Annual Return – Reporting of ITC availed in current FY till September month for supplies received in previous FY.</p>
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Annual Return - Format

14	Differential tax paid on account of declaration in 10 & 11 above		
	Description	Payable	Paid
	1	2	3
	Integrated Tax		
	Central Tax		
	State/UT Tax		
	Cess		
	Interest		

Additional payments, if any, required to be paid can be done through FORM GST DRC-03 only in cash.

Annual Return - Format

Pt VI 15	Other Information							
	Particulars of Demands and Refunds							
	Details	Central Tax	State Tax / UT Tax	Integrated Tax	Cess	Interest	Penalty	Late Fee / Others
A	Total Refund claimed							
B	Total Refund sanctioned							
C	Total Refund Rejected							
D	Total Refund Pending							

Annual Return - Format

E	Total demand of taxes	Aggregate value of demands of taxes for which an order confirming demand has been issued by the adjudicating authority shall be declared here along with value of taxes paid and pending recovery.
F	Total taxes paid in respect of E above	
G	Total demands pending out of E above	

Annual Return - Format

16 Information on supplies received from composition taxpayers, deemed supply under section 143 and goods sent on approval basis						
	Details	Taxable Value	Central Tax	State Tax / UT Tax	Integrated Tax	Cess
A	Supplies received from Composition taxpayers	Refer Table 5 of GSTR - 3B. The details furnished in FORM ITC-03 may be used for filling up these details.				
B	Deemed supply under Section 143	Sum of all deemed supplies from the principal to the job-worker in terms of sub-section(3) and (4) of section 143 of the CGST Act. For FY 2017-18 this would not be applicable as the time limit specified for inputs is 1 year which completes only on 01.07.2018.				
C	Goods sent on approval basis but not returned	Sum of deemed supplies for goods which were sent on approval basis but were not returned to the principal supplier within 180 days of such supply.				

Annual Return - Format

17 HSN Wise Summary of outward supplies								
HSN Code	UQC	Total Quantity	Taxable Value	Rate of Tax	Central Tax	State Tax / UT Tax	Integrated Tax	Cess
1	2	3	4	5	6	7	8	9
18 HSN Wise Summary of Inward supplies								
HSN Code	UQC	Total Quantity	Taxable Value	Rate of Tax	Central Tax	State Tax / UT Tax	Integrated Tax	Cess
1	2	3	4	5	6	7	8	9

HSN code may be declared only for those inward supplies whose value independently accounts for 10% or more of the total value of inward supplies.

Annual Return - Format

It would be optional for taxpayers having annual turnover upto Rs.1.5 cr.

Mandatory to report HSN code at 2 digit level for annual turnover > 1.5cr but < 5cr in preceding year and 4 digits for annual turnover > 5 cr.

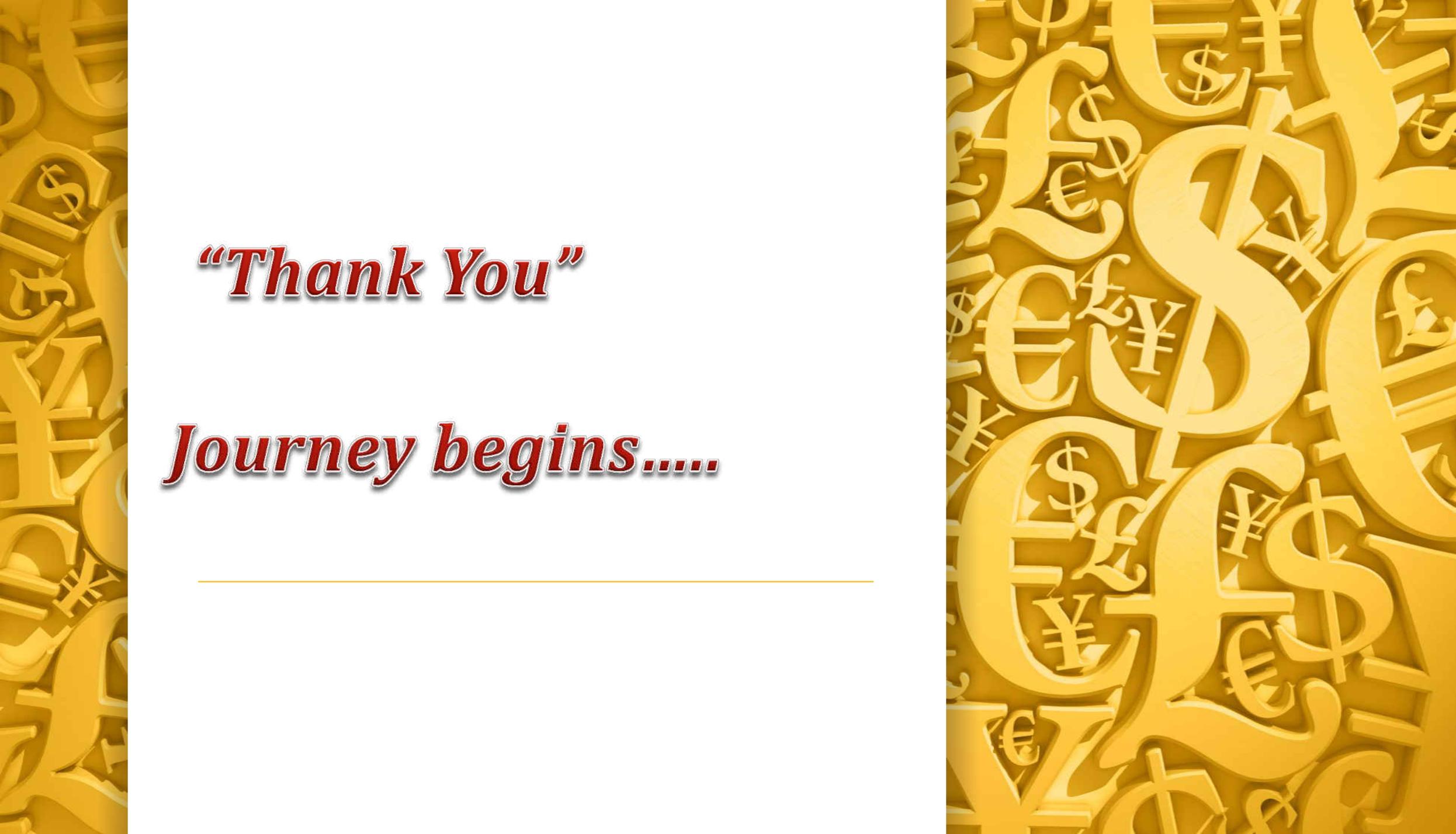
UQC details to be furnished for supply of goods only.

Quantity to be reported net of returns.

19

Late fee payable and paid

	Description	Payable	Paid
	1	2	3
A	Central Tax		
B	State Tax		

A decorative border on the left and right sides of the slide, featuring a repeating pattern of various currency symbols (Dollar, Euro, Pound, Yen) in a golden-yellow color.

“Thank You”

Journey begins.....
