

ANNUAL RETURN UNDER GST

ANNUAL RETURN- INTRODUCTION

- ▶ GST Annual Return is to be filed by all registered taxpayers including composition tax payers. (Sec 44 (1) &(2)).
- ▶ Annual return is a consolidation of periodical returns and reconciliation with books of accounts.
- ▶ The last date for filing : 30-11-2019 for the financial year 2017-18.
- ▶ (Last date has been extended by the orders of Ministry of Finance vide Order No. 07/2019- Central Tax dt: 26-08-2019, under proviso to Section 44, only for annual return for the period July 17 to March 18.)

Types of GST Annual Returns & Who need to file

Annual Return Form	Sec	Rule	Who need to file
GSTR 9	44(1)	80(1)	Every Regd Person / regular taxpayers (filing GSTR 1 & GSTR 3 B)
GSTR 9A	44(1)	Proviso to 80(1)	Regd Person paying tax under Sec 10 (Composition Scheme) , filing GSTR4.
GSTR 9B	52(5)	80(2)	TCS tax payers (<i>e-Commerce Operators</i>) , filing <i>GSTR 8</i>
GSTR 9C	44(2) / 35(5)	80(3)	Regd Persons <i>exceeding</i> aggregate <i>turnover Rs 2 crores</i> during the financial year. And also to file a copy of audited annual accounts along with GSTR 9.

Who need not file Annual Return

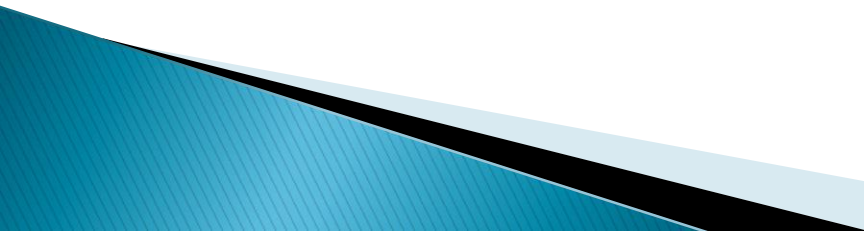
Persons **not** required to file Annual Return (Sec 44(1) R/w Rule 80(1)).

- Input Service Distributors
- TDS Deductors (Sec 51).
- TCS Collectors (Sec 52) (Note: Required to file Annual statement in GSTR 9B u/s 52(5))
- Casual Taxable Person.
- Non Resident Taxable Person.

Late filing of Annual Return

- The due date is 30-11-2019 for the FY 2017-18.(as per the proviso to Sec 44 inserted vide Ministry of Finance Order No. 7/2019-Central Tax dt: 26-08-2019)
- Filing after due date attracts late fee and penalty.
- Late fee is of Rs.200 (Rs.100 U/CGST + Rs.100 U/SGST) per day subject to a maximum of Rs.0.50% (0.25% + 0.25%) of turn over in the state. (Sec 47(2))
- Penalty may extend to Rs.50,000 (Rs.25,000 + Rs.25,000) (Sec 125)

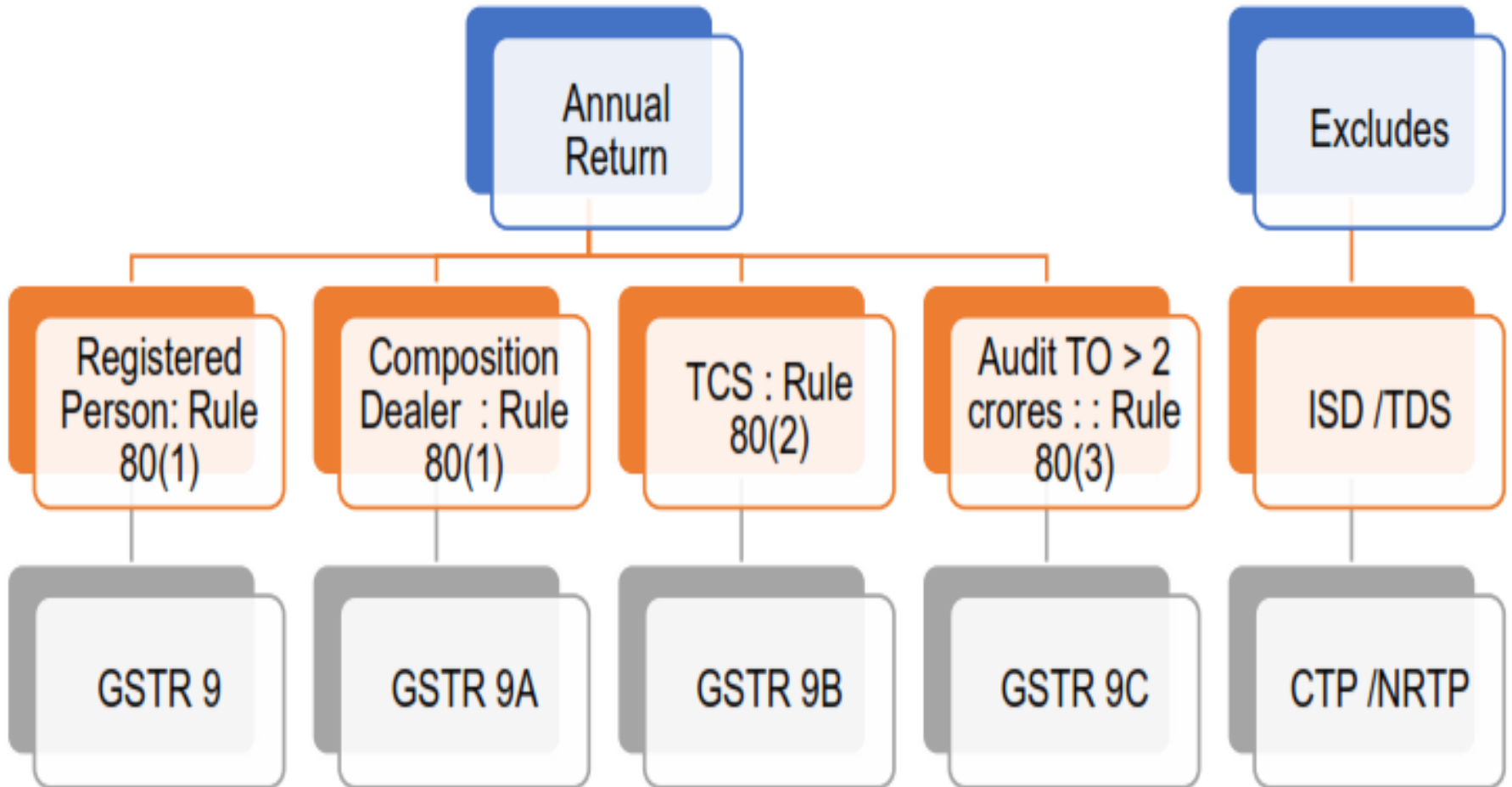
GSTR 9 - Points to be noted

- It is mandatory to file all the GSTR 1 & 3B forms for the FY 2017-18 before filing Annual Return in Form GSTR-9.
 - Details for the period between July 2017 to March 2018 are to be provided in GSTR-9.
 - Additional liability for the FY 2017-18 not declared in Form GSTR-1 & 3B to be declared in this return(GSTR-9).
 - Tax payers cannot claim unclaimed input tax credit through GSTR-9
 - In GSTR-9, an option to pay any additional liability declared in this form is provided through Form DRC-03 (select “Annual Return” in drop down box)
 - Such tax liability can be paid through electronic cash ledger only.
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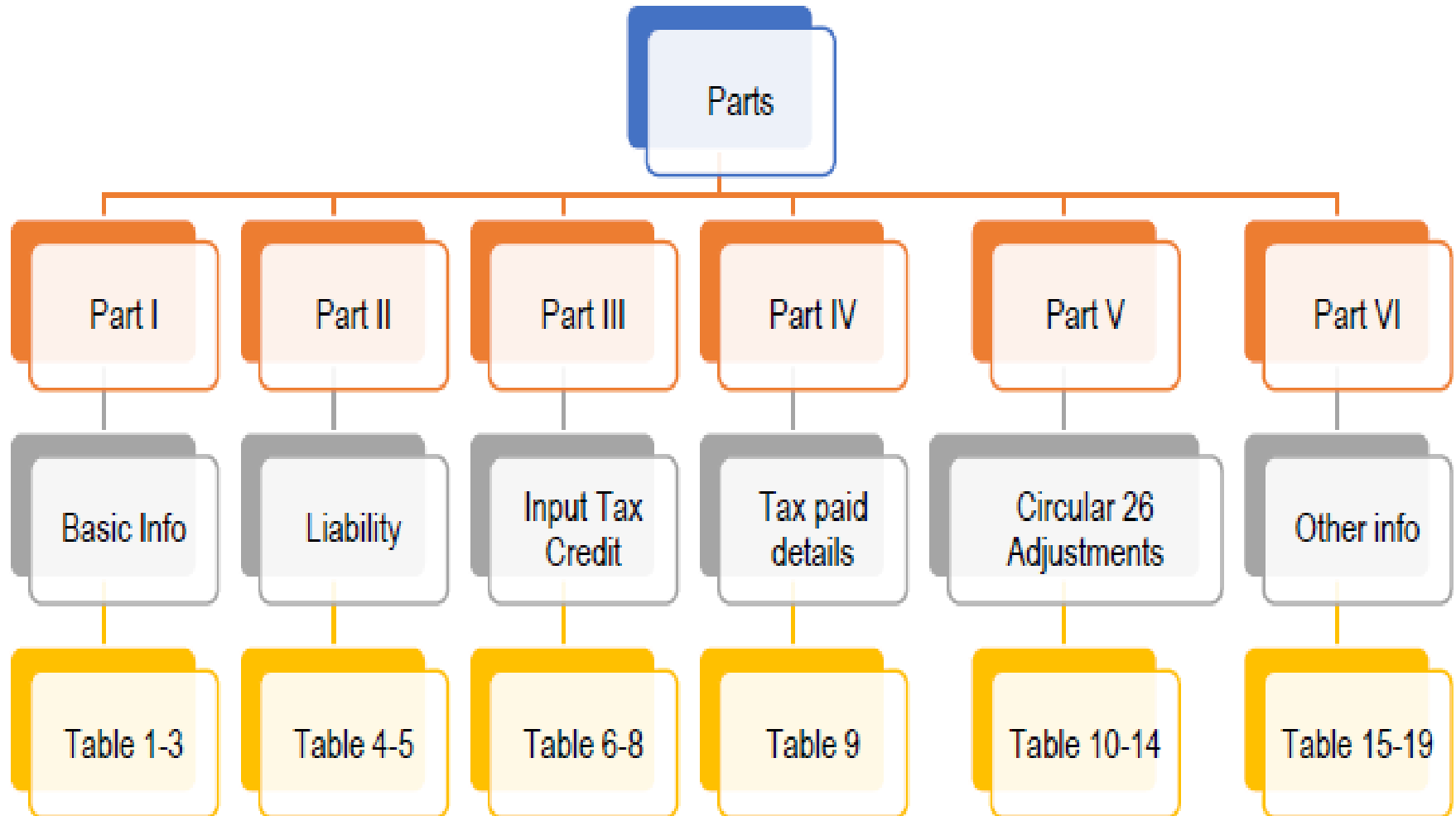
GSTR 9- Points to be noted

- Regd Person having No Transactions shall file NIL Annual Return .
- A Regd Person who has got his Registration cancelled during the year, is also required to file the Respective Annual Return.
- A Regd Person who has opted-in or opted-out of Composition Scheme is required to file both GSTR 9 & GSTR 9A for the relevant periods.
- System generates consolidated 3B, R1 & R4 and draft GSTR 9/GSTR 9A

Overview of Annual Return






Overview of Annual Return



Overview of Annual Return

- ❖ Parts – I to VI
- ❖ Tables – 1 to 19
- ❖ Instructions – 1 to 7
- ▶ Total Liability = Table 4 + Table 10 – Table 11
- ▶ Total Tax Payment = Table 9 + Table 14
- ▶ Input Tax Credit = Table 6 – Table 7 + Table 13 – Table 12

GSTR 9

- ▶ Certain boxes are auto populated – ITC related, Tax paid and certain outward supplies – based on declarations in GSTR 3B and GSTR1  
FORM GSTR 01 FORM GSTR 3B
- ▶ Many boxes are editable to declare actual values – except Tax paid (table 9) and ITC availed
- ▶ Values reported in 2018–19 returns pertaining to 2017–18 also to be declared. 
FORM GSTR 09
- ▶ Tax payable i.e., output tax & reverse charge as per books and also any ITC availed in excess shall be declared in Table 9

GSTR 9...

- ▶ For example
 - SGST declared through 3B: Rs.1,00,000
 - SGST found as per books while filing GSTR 9 Rs.1,20,000
 - SGST ITC availed for utilization through 3B: Rs.50,000
 - SGST ITC available for utilization as per books: Rs.40,000
 - SGST 'Tax payable' to be declared in Table 9 of GSTR 9: $\text{Rs.1,20,000} + \text{Rs.10,000} = \text{Rs.1,30,000}$
 - Additional SGST liability is Rs.30,000.

IGST Settlement

Particulars	Revenue inflow/Outflow
SGST Liability discharged through IGST ITC	Revenue to the State
IGST Liability discharged through SGST ITC	Revenue outgo from the State
SGST portion of IGST collected on all B2C supplies	Revenue to the State
SGST portion of IGST collected for inter-state supplies made to Composition taxpayers	Revenue to the State
SGST portion of IGST collected on B2B supplies where ITC is declared as ineligible including lapsed credit	Revenue to the State

IGST Settlement

Particulars	Revenue inflow/Outflow
SGST portion of IGST collected on supplies imported by unregistered persons	Revenue to the State
SGST portion of IGST collected on supplies imported by composition taxpayers	Revenue to the State
SGST portion of IGST collected on supplies imported by registered persons other than composition taxpayers where ITC is declared as ineligible	Revenue to the State

GSTR 9...

▶ Important issues:

○ IGST settlement

- GST is a destination based tax and IGST mechanism provides revenue to the states on consumption basis.
- Correct reporting of IGST credit gives more revenue to the state in the form of IGST settlement.
- In some cases reporting of IGST credit may not affect the liability
 - Composition tax payers inward supplies from out side the state
 - Suppliers mostly dealing in exempt supplies –hospitals , education institutions, distilleries, oil companies
 - Others such as banks, insurance companies, manufacturers of exempt goods
- Table 8 of GSTR 9– very important–especially with lapsed credit

GSTR 9...

- ▶ Important issues contd....
 - Interest liable and not discharged shall be reported
 - Values declared in R1, utilization of e way bills and GSTR 2A shall be taken in to consideration while declaring values in GSTR 9.
 - Declared values in GSTR 9 expected to be more than GSTR 1 / 3B and e way bill and corresponding GSTR 2A.
 - RP shall ensure filing of GSTR 3B by his suppliers, not only filing of GSTR 1.

GSTR 9...

- ▶ Important issues contd....
 - Reverse charge U/s 9(4) i.e., inward supplies from unregistered persons is there up to 12-10-2017.
 - Advances on supplies of goods liable to forward charge up to 14-11-2017(for below Rs.1.5cr up to 12-10-2017).
 - Reversal of credit under rule 42(2)–similar to VAT 200B.
 - Rule 42(1)(j)– non business purpose– common credit (C2) –shall be equal to 5%(D2).
 - Schedule 1 transactions to be reported
 - Transaction value to be applied for the transactions between related persons.

HOW TO FILE FORM GSTR-9

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

PART – I Basic Details

1	Financial Year	2017-18 (01-07-2017 to 31-03-2018)
2	GST IN	07-AT XYZ-4420-PITT
3A	Legal Name	Amalgamated Bean Coffee Company
3B	Trade Name(if any)	Café Coffee Day

Part II

Transactions having
Tax Implications

Table 4

Transactions not
having tax implications

Table 5

HOW TO FILE FORM GSTR-9

PART-II :Details of Outward and inward supplies made during the FY

TABLE NO.	DESCRIPTION
4	Details of advances, inward and outward supplies made during the FY on which tax is payable

HOW TO FILE FORM GSTR-9

4A	Supplies made to un-registered persons (B2C)
4B	Supplies made to registered persons (B2B)
4C	Zero rated supply (Export) on payment of tax (except supplies to SEZs)
4D	Supply to SEZs on payment of tax
4E	DEEMED EXPORTS
4F	Advances on which tax has been paid but invoice has not been issued (not covered under (A) to (E) above)
4G	Inward supplies on which tax is to be paid on reverse charge basis
4H	Sub-total (A to G above)

HOW TO FILE FORM GSTR-9

4I	Credit Notes issued in respect of transactions specified in (B) to (E) above (-)
4J	Debit Notes issued in respect of transactions specified in (B) to (E) above (+)
4K	Supplies / tax declared through Amendments (+)
4L	Supplies / tax reduced through Amendments (-)
4M	Sub-total (I to L above)
4N	Supplies and advances on which tax is to be paid (H + M) above

HOW TO FILE FORM GSTR-9

TABLE NO.	DESCRIPTION
5	Details of Outward supplies made during the FY on which tax is not payable

HOW TO FILE FORM GSTR-9

5A	Zero rated supply (Export) without payment of tax
5B	Supply to SEZs without payment of tax
5C	Supplies on which tax is to be paid by the recipient on reverse charge basis
5D	Exempted
5E	Nil Rated
5F	Non-GST supply
5G	Sub-total (A to F above)

HOW TO FILE FORM GSTR-9

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

HOW TO FILE FORM GSTR-9

PART-III: Details of ITC for the Financial Year

TABLE NO.	DESCRIPTION
6	Details of ITC availed during the FY

HOW TO FILE FORM GSTR-9

**AUTO-
POPULATED**

6A	Total amount of ITC availed through FORM GSTR-3B ((sum total of Table 4A (ITC available) of FORM GSTR-3B))
6B	Inward supplies (other than imports and inward supplies liable to reverse charge but includes services received from SEZs)
6C	Inward supplies received from unregistered persons liable to reverse charge (other than B above) on which tax is paid & ITC availed
6D	Inward supplies received from registered persons liable to reverse charge (other than B above) on which tax is paid and ITC availed

HOW TO FILE FORM GSTR-9

6E	Import of goods (including supplies from SEZs)
6F	Import of services (excluding inward supplies from SEZs)
6G	ITC received from ISD
6H	Amount of ITC reclaimed (other than B above) under the provisions of the Act
6I	Sub-total (B to H above)
6J	Difference (I -A above)

HOW TO FILE FORM GSTR-9

6K	Transition Credit through TRAN-I (including revisions if any)
6L	Transition Credit through TRAN-II
6M	Any other ITC availed but not specified above
6N	Sub-total (K to M above)
6 O	Total ITC availed (I + N above)

HOW TO FILE FORM GSTR-9

7	Details of ITC Reversed and Ineligible ITC for the FY
7A	As per Rule 37: After 180 days
7B	As per Rule 39: ISD credit
7C	As per Rule 42: Proportionate credit on inputs and input services
7D	As per Rule 43: Proportionate credit on capital goods
7E	As per section 17(5): Blocked credits
7F	Reversal of TRAN-I credit
7G	Reversal of TRAN-II credit
7H	Other reversals (pl. specify)
7I	Total ITC Reversed [A to H above]
7J	Net ITC Available for utilization [6O-7I]

HOW TO FILE FORM GSTR-9

8

Other ITC related information

AUTO-
POPULATED

8A	ITC as per GSTR-2A (Table 3 [Inw. Supply] & 5 [DN/CN] thereof)
8B	ITC as per sum total of 6(B) and 6(H) above
8C	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
8D	Difference [A-(B+C)]
8E	ITC available but not availed (out of D)
8F	ITC available but ineligible (out of D)

HOW TO FILE FORM GSTR-9

8G	IGST paid on import of goods (including supplies from SEZ)
8H	IGST credit availed on import of goods (as per 6(E) above)
8I	Difference (G-H)
8J	ITC available but not availed on import of goods (Equal to I)
8K	Total ITC to be lapsed in current FY (E + F + J)

**AUTO-
POPULATED**

HOW TO FILE FORM GSTR-9

Pt.IV	Details of tax paid as declared in returns filed during the financial year						
9	Description	TAX Payable	Paid thorough cash	Central Tax	paid through ITC		
					State Tax/ UT Tad	Integra ted Tax	Cess
	1	2	3	4	5	6	7
	Integrated Tax						
	Central Tax						
	State/UT Tax						
	Cess						
	Interest						
	Late fee						
	penalty						
	Other						

HOW TO FILE FORM GSTR-9

PART-V: Particulars of the transactions for the previous FY declared in returns of April to September of current FY or up-to date of filing of annual return of previous FY whichever is earlier

TABLE NO.	DESCRIPTION
10	Supplies/ tax declared through Amendments (+) (net of debit notes)
11	Supplies/ tax reduced through Amendments (-) (net of credit notes)
12	Reversal of ITC availed during previous FY
13	ITC availed for the previous FY

HOW TO FILE FORM GSTR-9

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		



To segregate manually from Table 6.1 of GSTR-3B

HOW TO FILE FORM GSTR-9

PART-VI: Other Information

TABLE NO	DESCRIPTION
15	Particulars of Demands and Refunds
15A	Total Refund claimed
15B	Total Refund sanctioned
15C	Total Refund Rejected
15D	Total Refund Pending
15E	Total demand of taxes
15F	Total taxes paid in respect of E above
15G	Total demands pending out of E above

HOW TO FILE FORM GSTR-9

TABLE NO.	DESCRIPTION
16	Information on supplies received from composition taxpayers, deemed supply under section 143 and goods sent on approval basis
16A	Supplies received from Composition taxpayers
16B	Deemed supply under Section 143
16C	Goods sent on approval basis but not returned

HOW TO FILE FORM GSTR-9

17 HSN Wise Summary of out ward 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

HOW TO FILE FORM GSTR-9

19	Late fee payable and paid		
	Description 1	Payable 2	Paid 3
A	Central Tal		
B	State Tax		

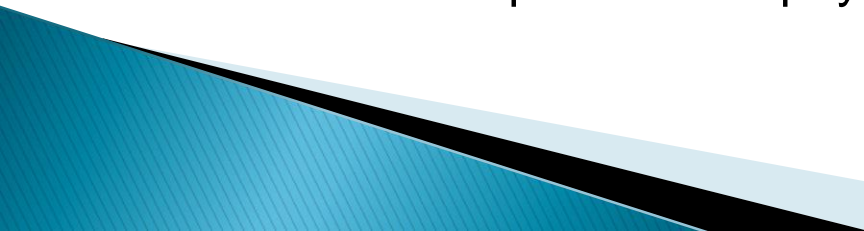
Input or source for GSTR 9

PART of GSTR 9	GSTR1 data to be used in GSTR 9 Table	GSTR2A data to be used in GSTR 9 Table	GSTR 3B data to be used in GSTR 9 Table	TRAN-I data to be used in GSTR 9 Table	TRAN-II data to be Used in GSTR 9 Table
Part II	Table 4A to 4L except 4G Table 5A to 5K	NA	Table 4G	NA	NA
Part III	NA	Table 8A (auto populated) 8D	Table 6A to 6G,6J Table 7A to 7H & Table 8C to 8F	Table 6K& Table 7A to 7H	Table 6L & Table 7A to 7H
Part IV	NA	NA	3B may be used	NA	NA
Part V	Table 10 & 11 (GSTR1 of Apr to Sep 18)	NA	Table 12 & 13 (3B of Apr to Sep 18)	NA	NA
Part VI	Table 17	NA	Table 16A	NA	NA

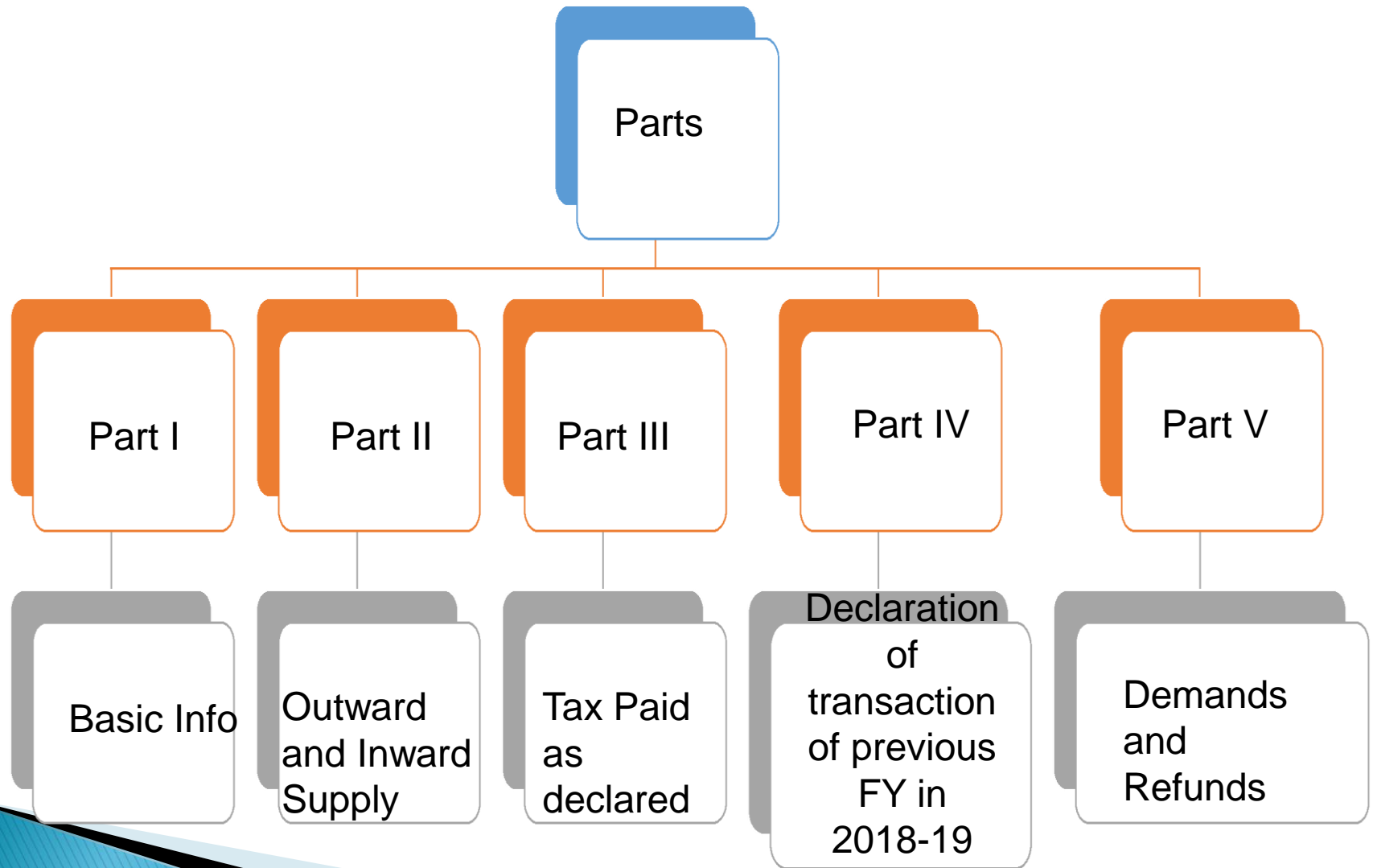
GSTR 9 - Conclusion

- Offline tool is made available to download and prepare GSTR9.
- Auto-populated GSTR-9 (*System computed json*) is made available to be downloaded from the portal before filling up values.
- Provision for consolidated GSTR1 & GSTR 3B is made available in PDF format
- **Revision facility is not there**, therefore, GSTR 9 should be filed after reconciling the information provided in the returns (GSTR 1, GSTR 3B & Tran-I / II, Form ITC 01 & ITC 02 and Annual financial statements).
- **Additional liability , if any, shall be discharged through GST DRC-03.**
- **Unclaimed ITC cannot be claimed through GSTR-9**

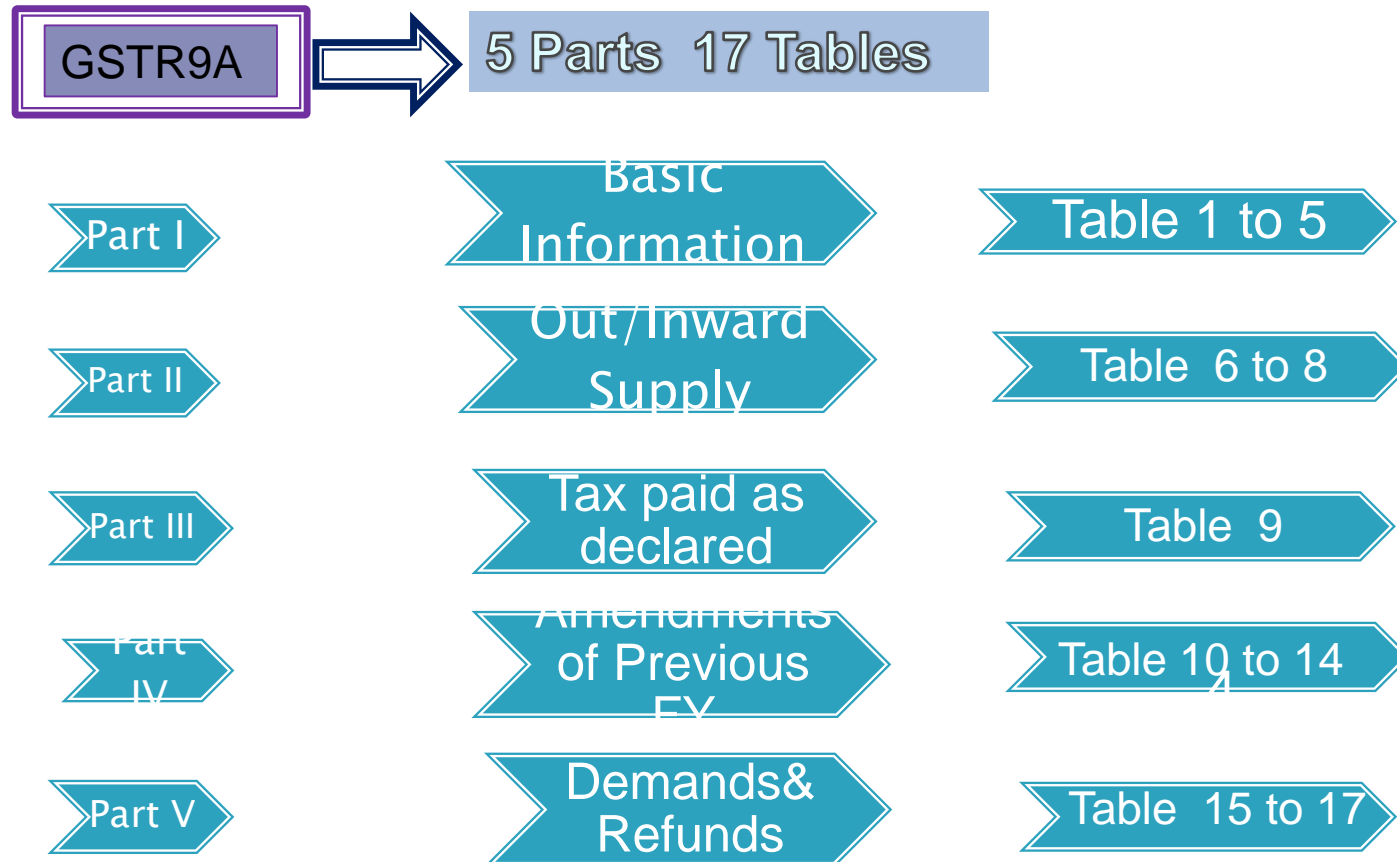
Annual Return for Composition Tax Payers

- **Form GSTR 9A (before filing it, filing of All GSTR-4 for 17-18 is mandatory)**
 - Consolidation of quarterly returns i.e., GSTR-4
 - Due date for filing GSTR 9A : 30-11-2019
 - Liable for late fee and penalty in case of filing after due date
 - Values reported in GSTR 4 of 2018-19 pertaining to 2017-18 shall be reported in Part IV of GSTR 9A
 - In case of additional liability found while filing GSTR 9A, shall be discharged by filing DRC-03
 - Composition for part period of FY 2017-18 also required to file GSTR 9A
 - Cancelled composition tax payers also need to file GSTR-9A
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GSTR 9A – Annual Return (Composition Tax Payer)



GSTR 9A- Summary of Parts- Tables



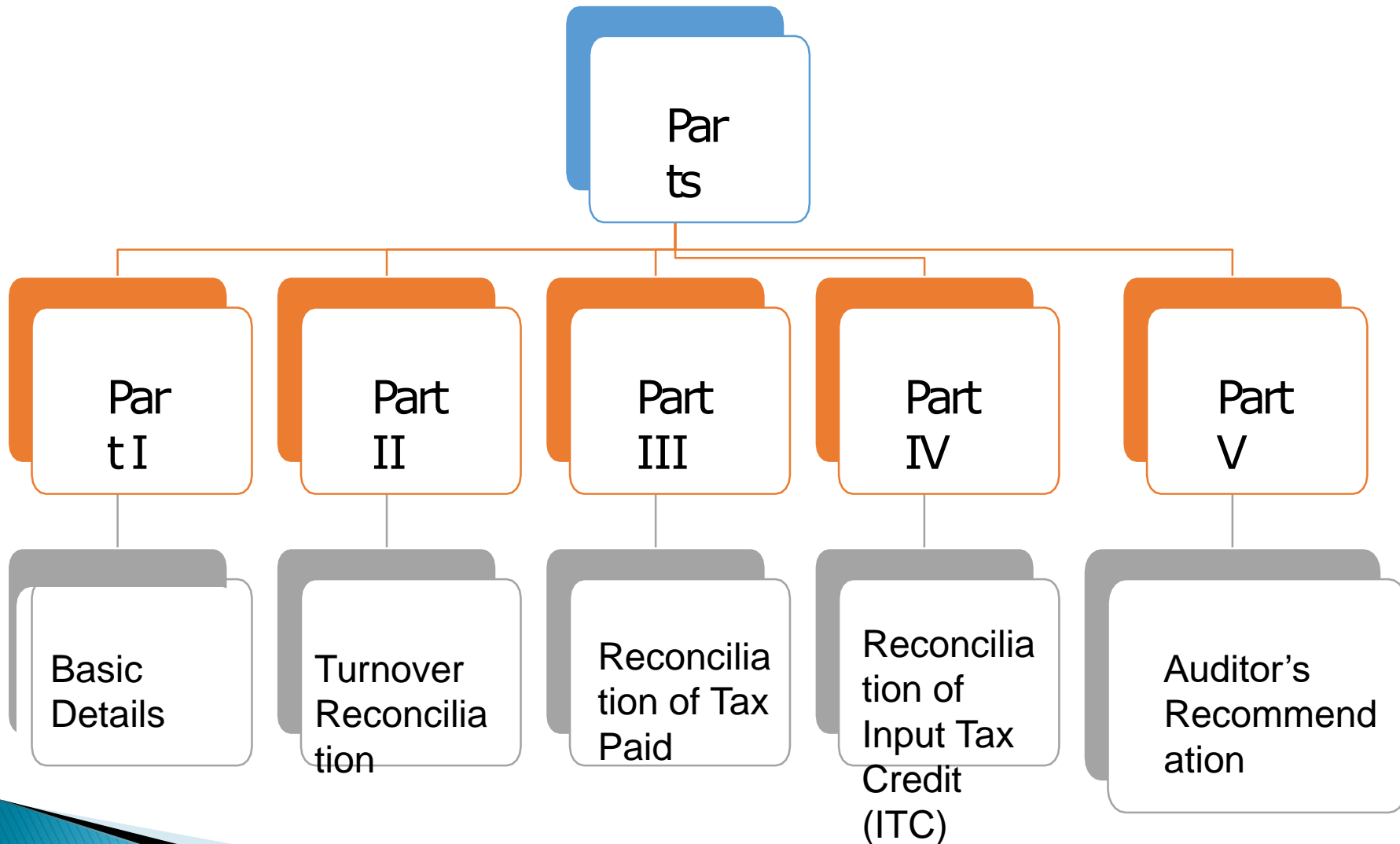
- Last date to file : 30-11-2019
- Late Fee & Penalty Attracts if files after due date.
- Addl Tax, if any to pay in DRC-03

- Composition Tax Payers
- Sec 44(1) & Proviso to Rule 80(1)

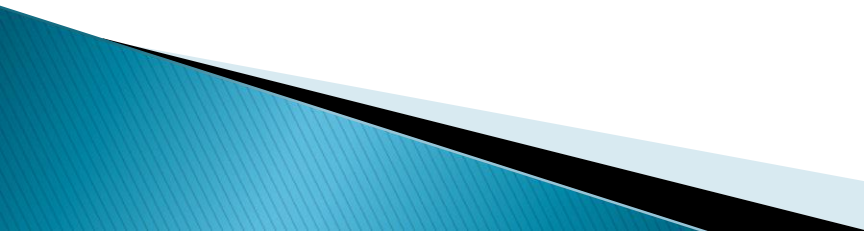
GSTR 9C – Reconciliation Statement

- GSTR 9C is a reconciliation statement to be filed by all regd. taxpayers having turnover above 2 crores. (Sec 35(5), 44(2) & Rule 80(3)).
- **It is mandatory to file GSTR1, 3B & 9 of FY 17-18, before filing GSTR-9C**
- It consists of two parts – Part A & Part B
- Part A is reconciliation of the annual turnover, taxes paid and ITC declared in the audited Annual Financial Statement with the turnover, taxes paid and ITC as declared in the Annual Return furnished in Form GSTR-9
- Part B is certification by CA or Cost Accountant.
- The GSTR 9C reconciles turnover, input tax credits and tax payments.
- Liability on reconciliation if any to be discharged by the taxpayer in DRC-

Broad Over View of GSTR- 9C



GSTR 9C – Brief description of Part A

- Part-I : Basic Details : FY, GSTIN, Legal Name, Trade Name: Table 1-4.
 - Part-II :Reconciliation of turnover declared in audited Annual Financial Statement with turnover declared in Annual Return (GSTR-9) : Table 5-8.
 - Part-III : Reconciliation of tax paid : Table 9-11.
 - Part-IV : Reconciliation of ITC : Table 12-16.
 - Part V : Auditors recommendation on additional liability due to non-reconciliation
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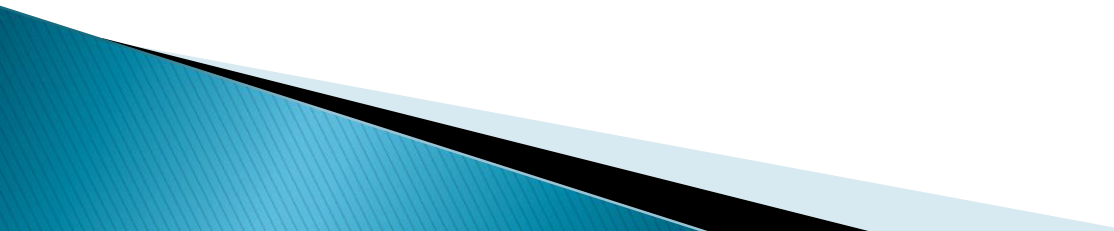
Reconciliation of Turnover – Table 5

Pt. II	Reconciliation of turnover declared in audited Annual Financial Statement with turnover declared in Annual Return (GSTR9)		
5	Reconciliation of Gross Turnover		
A	Turnover (including exports) as per audited financial statements for the State / UT (For multi-GSTIN units under same PAN the turnover shall be derived from the audited Annual Financial Statement)		GSTIN wise turnover as per Audited financial Statements. It Includes Export Turnover
B	Unbilled revenue at the beginning of Financial Year		
C	Unadjusted advances at the end of the Financial Year	(+)	All advances on which GST has been paid but revenue has not been recognised
D	Deemed Supply under Schedule I	(+)	Any deemed supply already a part of turnover as per Audited FS need not be included
E	Credit Notes issued after the end of the financial year but reflected in the annual return	(-)	Issued after 31 st march for supply accounted in CY. But reflected in GSTR-9
F	Trade Discounts accounted for in the audited Annual Financial Statement but are not permissible under GST	(+)	Trade discounts on which GST was leviable (being not permissible)

Reconciliation of Turnover – Table 5

Pt. II	Reconciliation of turnover declared in audited Annual Financial Statement with turnover declared in Annual Return (GSTR9)	
5	Reconciliation of Gross Turnover	
G	Turnover from April 2017 to June 2017	(-)
H	Unbilled revenue at the end of Financial Year	(-) Closing unbilled revenue on which GST was not payable
I	Unadjusted Advances at the beginning of the Financial Year	(-) Advances for which GST not been paid but same has been recognised as revenue (Pre-GST advances)
J	Credit notes accounted for in the audited Annual Financial Statement but are not permissible under GST	(+) Not admissible under sec 34 of the CGST Act
K	Adjustments on account of supply of goods by SEZ units to DTA units	(-)
L	Turnover for the period under composition scheme	(-) In case of Registered persons who have opted out of Composition scheme in the financial year. The Turnover for which Tax paid under composition is to be disclosed separately

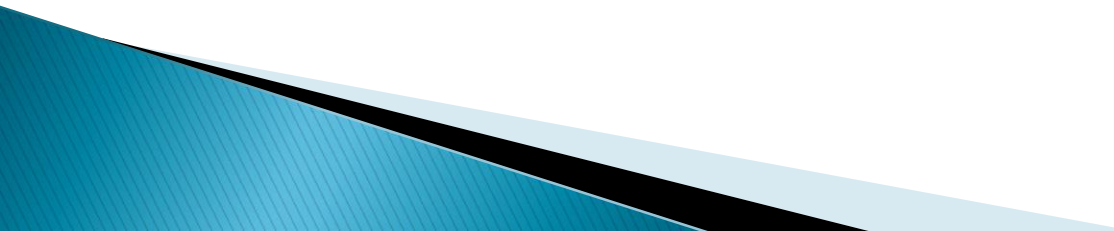
GSTR 9C – Tax payment advise by the auditor

- Part V consists of the auditor's recommendation on the additional liability to be discharged by the taxpayer
 - due to un-reconciled turnover or
 - un-reconciled input tax credit.
 - any other amount to be paid for supplies not included in the Annual Return.
 - Any refund which has been erroneously taken, shall be paid back to the Government
 - Any other outstanding demands which are recommended to be settled by the auditor shall be declared in this Table.
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GSTR 9C-Issues

- ▶ All sources of information to be taken into consideration–GSTR 3B, R1, 2A, E waybill
- ▶ Annual return is GSTIN wise, not PAN wise
- ▶ ITC reversals on annual basis
- ▶ ITC for non business purposes
- ▶ For ITC purposes its not only filing of R1 but also 3B by the supplier–can be verified from the common portal with out logging in
- ▶ Reconciliation by the auditor – should reveal all inconsistencies

Action points for Tax Officers

- ▶ Identification and categorization of RPs who need to file Annual Return
 - ▶ Sensitizing RPs to file Annual Returns correctly and in time
 - ▶ Conducting awareness meetings for GST practitioners and RPs
 - ▶ Identification of RPs with reference to ITC issues leading to IGST settlement and guiding them properly
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Action points for GSTPs

- ▶ Guiding the RPs whose turnover is up to Rs.2Cr. to declare correct liabilities
- ▶ Ensuring filing of all periodical returns to file Annual Return
- ▶ Arriving correct ITC as per the provisions
- ▶ In case of RPs whose turnover is above Rs.2Cr. Ensuring filing of 9C with correct values by auditor i.e., C.A/CMA
- ▶ Opportunity to prove and to guide RPs properly

THANK YOU