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Presentation on GST Annual Return

5 Nov 2018

1 Legal provisions

Legal provision – Applicability

Section 44 (1) - ***<u>Every registered person</u>***, *other than an Input Service Distributor, a person paying tax under section 51 or section 52, a casual taxable person and a non-resident taxable person*, shall furnish an annual return for every financial year electronically in such form and manner as may be prescribed ***<u>on or before the thirty-first day of December following the end of such financial year.</u>***

Applicable to

- Every registered person including person who has opted composition scheme
- TCS collector under Section 52 (5)

Not applicable to

- Input service distributor
- TDS deductor
- **TCS collector**
- Casual taxable person
- Non-resident taxable person

Type of forms	**Person liable to file such form**
GSTR - 9	Every registered person other than composition dealer & TCS collector
GSTR – 9A	Composition dealer
GSTR – 9B	E-commerce operator (Format not yet notified)

Legal provisions – Applicability

Section 44(2) - ***Every registered person who is required to get his accounts audited in accordance with the provisions of sub-section (5) of section 35 shall furnish,*** electronically, the annual return under sub-section (1) along with a copy of the audited annual accounts and a reconciliation statement, reconciling the value of supplies declared in the return furnished for the financial year with the audited annual financial statement, and such other particulars as may be prescribed

Applicable to Every registered person whose **Aggregate Turnover Exceeds Two Crores** for period from July 17 – Mar 18

Calculated on all India basis

Includes

- Taxable Supply
- Exempt Supply
- Exports
- Inter – State supply

Excludes

- Supplies covered under RCM
- Taxes (CGST, SGST, IGST & Cess)

Applicable forms

Type of forms	Particulars
GSTR – 9	Annual return
GSTR – 9C	Reconciliation statement & certification by CA/CMA

Legal provisions – Late fee

Section 47(2) - Any registered person who fails to furnish the return required under section 44 by the due date shall be liable to pay a ***late fee of one hundred rupees for every day during which such failure continues subject to a maximum of an amount calculated at a quarter per cent. of his turnover in the State or Union territory***

Type of forms	Late fee per day			Maximum late fee		
	CGST		SGST	CGST		CGST
GSTR – 9	Rs.100	+	Rs.100	0.25% of T.O. in State/UT	+	0.25% of T.O. in State/UT
GSTR – 9A	Rs.100	+	Rs.100	0.25% of T.O. in State/UT	+	0.25% of T.O. in State/UT
GSTR – 9C	Rs.100	+	Rs.100	0.25% of T.O. in State/UT	+	0.25% of T.O. in State/UT

2 Format of Annual Return

Basic concepts & requirement

Basic concept

- It is consolidated statement of GSTR – 1 & GSTR – 3B filed during July 17 to March 18 except in case of HSN summary of inward supply and details of supplies pertaining to July 17 to March 18 furnished or amended during the period from April 18 to September 18, However, in some cases it would be reorganisation of data filed in GSTR – 1 & GSTR – 3B return
- Any tax liability which remains unpaid cannot be paid in this return or any input tax credit which remains to be availed cannot be claimed in this return

Basic requirement

- Details of GSTR – 1 & GSTR – 3B return filed during the period from July 17 to March 18
- Details of supply pertaining to the period from July 17 to March 18 furnished or amended in return filed from April 18 to September 18
- Details for GSTR – 2A Reconciliation with inward supply register

Overview of the GSTR – 9 (Annual Return) format

Part No	Particulars
I	Basic Details of Registered person will be auto-populated
II	Details of Outward and Inward supplies declared during the financial year(FY). The said details may be picked up by consolidating summary of all GSTR – 1 returns filed in previous FY
III	Details of ITC declared in returns filed during the previous FY. The said details will be picked up from all GSTR – 3B returns filed in previous FY
IV	Details of tax paid as declared in returns filed during the previous FY
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
VI	Other information comprising details of: ▪ GST Demands and Refunds ▪ Information related supply received from composition dealers, deemed supply under 143 & goods sent on approval basis but not returned ▪ HSN wise summary of outward as well as inward supply ▪ Late fees payable or paid ▪ Declaration

GSTR – 9 (Annual Return) format & Comments

I **Basic Details of Registered person. These details will be auto-populated**

“FORM GSTR-9 (See rule 80) **Annual Return**		
Pt. I	Basic Details	
1	Financial Year	
2	GSTIN	
3A	Legal Name	
3B	Trade Name (if any)	

GSTR – 9 (Annual Return) format & Comments

II	Details of advances, inward and outward supplies on which tax is payable as declared in returns filed during the financial year

Sr No. 4

A	Supplies made to un-registered persons (B2C)	• Table 5 (B2C (Large) : Inter State supply & Value more than Rs 2.5 lakhs) • Table 7 (B2C (Small) : Net of Debit / credit note to be reported • Table 9 & 10 (Amendment of Table 5 & Table 7 respectively)
B	Supplies made to registered persons (B2B)	• Table 4A (B2B) and Table 4C (Supply through Ecommerce) of GSTR 1 • Debit/ credit note to be reported separately • Doesn't include supplies on which tax is payable under RCM
C	Zero rated supply (Export) on payment of tax (except supplies to SEZs)	• Table 6A of GSTR 1 • Export under LUT & SEZ supply under LUT or on payment is not to be reported here • Debit/ credit notes to be reported separately
D	Supply to SEZs on payment of tax	• Table 6B of GSTR 1 (Supply to SEZ under LUT is not to be reported here) • Debit/ credit note to be reported separately

GSTR – 9 (Annual Return) format & Comments

II	Details of advances, inward and outward supplies on which tax is payable as declared in returns filed during the financial year

Sr No. 4

E	Deemed Exports	• Table 6C of GSTR 1 (Notified on 18.10.17 supply to EPCG, EOU, etc.,) • Debit / credit note to be reported separately
F	Advances on which tax has been paid but invoice has not been issued (not covered under (A) to (E) above)	• Details of advances received but invoice not issued during July 17 to Mar 18 are to be reported • Table 11A of GSTR 1 • Advance received for goods was considered as time of supply of respective goods upto 15.11.17
G	Inward supplies on which tax is to be paid on reverse charge basis	• As Recipient - Cases where Sec 9(3) & 9(4) is applicable to be reported • Table 3.1(d) of GSTR 3B • 9(4) deferred from 13.10.2018 • Net of Debit/ credit note to be reported
H	Sub-total (A to G above)	• Auto – populated

GSTR – 9 (Annual Return) format & Comments

II	Details of advances, inward and outward supplies on which tax is payable as declared in returns filed during the financial year

Sr No. 4

I	Credit Notes issued in respect of transactions specified in (B) to (E) above (-)	• Table 9B of GSTR 1 • Details of Credit note of B2C is to be mentioned in Para 4A above
J	Debit Notes issued in respect of transactions specified in (B) to (E) above (+)	• Table 9B of GSTR 1 • Details of Debit note of B2C is to be mentioned in Para 4A above
K	Supplies / tax declared through Amendments (+)	• Details of amendment made to the transaction covered in above Para: 4B, 4C, 4D, 4E, 4I, 4J of GSTR 9 to be reported here based on Table 9A and Table 9C of GSTR 1
L	Supplies / tax reduced through Amendments (-)	
M	Sub-total (I to L above)	• Auto – Calculated
N	Supplies and advances on which tax is to be paid (H + M) above	• Auto – Calculated

GSTR – 9 (Annual Return) format & Comments

II	Details of Outward supplies on which tax is not payable as declared in returns filed during the financial year

Sr No. 5

A	Zero rated supply (Export) without payment of tax	• Table 6A of GSTR 1 • Export under LUT & SEZ Supply under LUT or with payment is not to be reported here
B	Supply to SEZs without payment of tax	• Table 6B of GSTR 1 • Supplies under LUT is to be reported here
C	Supplies on which tax is to be paid by the recipient on reverse charge basis	• As Supplier - Cases where Sec 9(3), 9(4) is applicable to be reported • Reported from Table 4B of Form GSTR1 • Debit / credit note to be reported separately
D	Exempted	• Table 8 of Form GSTR 1
E	Nil Rated	• Table 8 of Form GSTR 1
F	Non-GST supply	• Reported from Table 8 of Form GSTR 1
G	Sub-total (A to F above)	• Auto-calculated

GSTR – 9 (Annual Return) format & Comments

II | **Details of Outward supplies on which tax is not payable as declared in returns filed during the financial year**

Sr No. 5

H	Credit Notes issued in respect of transactions specified in A to F above (-)	• Table 9B of Form GSTR 1
I	Debit Notes issued in respect of transactions specified in A to F above (+)	• Table 9B of Form GSTR 1
J	Supplies declared through Amendments (+)	• Table 9A & Table 9C of Form GSTR 1
K	Supplies reduced through Amendments (-)	• Table 9A & Table 9C of Form GSTR 1
L	Sub-Total (H to K above)	• Auto – Calculated
M	Turnover on which tax is not to be paid (G + L above)	• Auto – Calculated
N	Total Turnover (including advances) (4N + 5M - 4G above)	• This will include all taxable, Non taxable outward supplies including outstanding advances • This will not include inward supplies on which tax paid under RCM

GSTR – 9 (Annual Return) format & Comments

III	**Details of ITC declared in returns filed during the FY. This will be summarised values picked up from all GSTR – 3B returns filed in previous FY**

- In Part III, only tax amount is required to be mentioned. Value of supplies is not required to be mentioned
- Bifurcation of inward supply is required to be categorised in inputs, input services and Capital goods

Sr No. 6

			Comments
A	Total amount of input tax credit availed through FORM GSTR-3B (sum total of Table 4A of FORM GSTR-3B)		• Table 4A of FORM GSTR-3B for the taxpayer would be auto-populated
B	Inward supplies (other than imports and inward supplies liable to reverse charge but includes services received from SEZs)	Inputs	• Table 4(A)(5) of FORM GSTR-3B • This shall not include ITC which was availed, reversed and then reclaimed in the ITC ledger. This is to be declared separately under 6(H) below.
		Capital Goods	
		Input Services	
C	Inward supplies received from unregistered persons liable to reverse charge (other than B above) on which tax is paid & ITC availed	Inputs	• Table 4(A)(3) of FORM GSTR-3B • RCM on inward supply from unregistered person deferred from 13 Oct 18
		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	• Table 4(A)(3) of FORM GSTR-3B • This includes goods and/or services notified under RCM
		Capital Goods	
		Input Services	

GSTR – 9 (Annual Return) format & Comments

III **Details of ITC declared in returns filed during the FY. This will be summarised values picked up from all GSTR – 3B returns filed in previous FY**

Sr No. 6

			Comments
E	Import of goods (including supplies from SEZs)	Inputs	• Table 4A of FORM GSTR-3B for the taxpayer would be auto-populated
		Capital Goods	• Table 4(A)(2) of GSTR 3B
F	Import of services (excluding inward supplies from SEZs)		• Table 4(A)(4) of GSTR 3B
G	Input Tax credit received from ISD		• Amount of ITC claimed, reversed and reclaimed is to be reported here
H	Amount of ITC reclaimed (other than B above) under the provisions of the Act		• Auto-calculated
I	Sub-total (B to H above)		• Ideally, this amount should be Zero. Figures as per para 6B to 6H are just detailed versions of amount mentioned in Para 6A above
J	Difference (I - A above)		
K	Transition Credit through TRAN-I (including revisions if any)		
L	Transition Credit through TRAN-II		• Details of ITC availed through ITC 01, ITC 02 etc., to be reported here
M	Any other ITC availed but not specified above		
N	Sub-total (K to M above)		
O	Total ITC availed (I + N above)		

GSTR – 9 (Annual Return) format & Comments

III	Details of ITC Reversed and Ineligible ITC as declared in returns filed during the financial year

Sr No. 7

A	As per Rule 37	• Table 4B of GSTR 3B - Case of payment not made within 180 days
B	As per Rule 39	• Table 4B of GSTR 3B - Reversal of excess ITC distributed by ISD
C	As per Rule 42	• Table 4B of GSTR 3B - Reversal common ITC on Input/Input Services, if used for exempted supply
D	As per Rule 43	• Table 4B of GSTR 3B - Reversal of common ITC of CG, if used for exempted supply
E	As per section 17(5)	• Table 4B of GSTR 3B – Ineligible ITC
F	Reversal of TRAN-I credit	• Table 4B of GSTR 3B – Wrongly availed ITC
G	Reversal of TRAN-II credit	• Table 4B of GSTR 3B – Wrongly availed ITC
H	Other reversals (pl. specify)	• ITC reversed through ITC 03, reversal due to closure of business or any other reversal including DRC 03
I	Total ITC Reversed (A to H above)	• Auto – Calculated
J	Net ITC Available for Utilization (6O - 7I)	• Auto – Calculated

GSTR – 9 (Annual Return) format & Comments

III Other ITC related information

A	ITC as per GSTR-2A (Table 3 & 5 thereof)	• This will be auto populated by system from GSTR 2A
B	ITC as per sum total of 6(B) and 6(H) above	• It will be auto populated
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	• Credit pertaining to July 17 to Mar 18, but availed in GSTR 3B of April 18 to Sep 18, shall be declared here. • Table 4(A)(5) of Form GSTR 3B may be used for filling up these details
D	Difference [A-(B+C)]	• Auto – Calculated
E	ITC available but not availed (out of D)	• Amount of Para 8E + 8F = 8D
F	ITC available but ineligible (out of D)	
G	IGST paid on import of goods (including supplies from SEZ)	• Table 4(A)(1) may be used if every su ch credit is availed
H	IGST credit availed on import of goods (as per 6(E) above)	• This will be auto populated by system from para 6E above
I	Difference (G-H)	• Auto-calculated
J	ITC available but not availed on import of goods (Equal to I)	• This should be equal to Para 8I above.
K	Total ITC to be lapsed in current financial year (E + F + J)	• Amount calculated will be the lapsed ITC of FY 17 - 18

GSTR – 9 (Annual Return) format & Comments

IV	Details of tax paid as declared in returns filed during the financial year

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

GSTR – 9 (Annual Return) format & Comments

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**

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	Central Tax	State Tax / UT Tax	Integrated Tax	Cess
	1	2	3	4	5	6
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 financial year					
13	ITC availed for the previous financial year					

GSTR – 9 (Annual Return) format & Comments

V	Differential tax paid on account of declaration in 10 & 11 above

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		

GSTR – 9 (Annual Return) format & Comments

VI Other Information - Demands and Refund

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
	1	2	3	4	5			
A	Total Refund claimed							
B	Total Refund sanctioned							
C	Total Refund Rejected							
D	Total Refund Pending							
E	Total demand of taxes							
F	Total taxes paid in respect of E above							
G	Total demands pending out of E above							

GSTR – 9 (Annual Return) format & Comments

VI	**Information on supplies received from composition taxpayers, deemed supply under section 143 and goods sent on approval basis**

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
	1	2	3	4	5	6
A	Supplies received from Composition taxpayers					
B	Deemed supply under Section 143					
C	Goods sent on approval basis but not returned					

Goods sent on approval but not returned within 180 days shall be declared here

Deemed supplies from principal to job worker shall be declared here

Table 5 of Form GSTR 3B may be used for filling up these details. Only Taxable value is to be reported

GSTR – 9 (Annual Return) format & Comments

VI HSN Wise Summary of outward supplies & inward supply

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

Upto 1.5 Cr	NO HSN
From 1.5 Cr To 5 Cr	2 digit HSN
Above 5 Cr	4 digit HSN

VI	Declaration

Verification:

I hereby solemnly affirm and declare that the information given herein above is true and correct to the best of my knowledge and belief and nothing has been concealed there from and in case of any reduction in output tax liability the benefit thereof has been/will be passed on to the recipient of supply.

Signature

Place

Name of Authorised Signatory

Date

Designation / Status

Thank You !

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Optitax's Consulting LLP

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