Practical Guide on understanding Annual Return (including 120 FAQs)

(Hosted on 12.6.2019

TEAM HIREGANGE

Author: CA Ashish Chaudhary

Vetted by CA Madhukar N Hiregange

PREFACE

This booklet on GST Annual Return has been collated as a quick referencer considering the changes in provisions, formats, circulars issued till date.

We have made an attempt to express our views on some issues (where there is no clarity) based on our past indirect tax experience as well as serving the industry in GST from 2015 onwards in assessing the possible impact of upcoming new law. There are still a number of issues unresolved in the filing of the returns.

Now that this booklet is placed in your hands, we request you to kindly give your valuable feedback, which would improve the quality of this booklet and make it more enriching to the readers in future for audit for 2018-19 (Feedback can be sent to: ashish@hiregange.com, mahadev@hiregange.com or ravikumar@hiregange.com)

We acknowledge the dedicated efforts of CA Vishal Jain, CA Akshay M Hiregange, CA Bhavesh Mittal, CA Ravi Somani, CA Manish Sachdeva, CA Mannu Kashliwal, Ayushi Jain and other staff of Hiregange & Associates in helping us for the timely completion of this booklet.

12.6.2019

CA Madhukar N Hiregange
& CA Ashish Chaudhary

BRIEF PROFILE OF THE AUTHOR

CA Ashish Chaudhary: (ashish@hiregange.com, +91 85109 50400)

Chartered accountant qualified in November 2009 having meritorious academic background with All India 27th Rank in CA Final, 12th Rank in CA PE II and 22nd rank in CS Final. He has been practicing in indirect tax since then and presently partner at Hiregange & Associates, leading NCR and international practice of the firm.

Prolific speaker addressed more than 150 seminars on indirect taxes across various educational, trade and professional bodies including certification course and other programs of ICAI. Had contributed as special invitee in the Indirect Tax Committee of ICAI. Has co-authored books on Annual Return and Audit under GST, Service Tax and contributed to background material of ICAI on GST and UAE VAT.

He has been contributing articles on various contemporary issues under Service Tax and GST.

Advisors to many multinational and corporate clients on Indirect Tax matter across all the sectors and industries

INDEX

Chapter 1:
Annual Return under GST

1.1 Background:

GST is a destination-based consumption tax which has been implemented in India w.e.f. 1.7.2017. The law designed and implemented in India is highly compliance-based law where thrust of the Government was to automate the processes to avoid leakage of revenue, reducing the requirement of interaction between tax payer and administration and higher responsibility of reporting of transaction in very detailed manner. The players in the grey market to be encouraged to join the tax complaint by way of carrot & stick approach.

The original architecture of the GST had conceived the requirement to file the GSTR-1, GSTR-2 and GSTR-3 by each registered taxable person through the GST common portal. However, because of frequent amendments to the law, technical glitches and under preparedness of the IT infrastructure, it was not possible. This was also owing to the fact that there was hue and cry on the real difficulties in the initial phase of GST implementation where taxpayers were also grappling with the challenges of the understanding the substantial provisions of the law + making continuous compliance of the law.

There were always apprehensions as to whether matching system on real time basis would be successful in India considering the experience of the various countries in the past, the huge unorganised/ uneducated trade and mammoth volume of business transactions in India. These apprehensions became reality where the common portal started crumbling and the GSTR-2 and GSTR-3 could never virtually be introduced (except GSTR-2 filing requirement for the month of July). Realizing various challenges faced by the industry, the Government attempted to simplify the process of filing the return and introduced the stop gap arrangement of filing GSTR-3B instead of GSTR-2 and GSTR-3. The objective was to get the details of the transactions in the summary manner and to avoid the transaction level reporting especially on the inward supply side and waiving the requirements of the matching of input tax credits with the corresponding outward supply reported by the vendors. When industry was settling down with the filing requirements, the new challenge surfaced in the form of ITC reconciliation where under the taxpayers have been asked to reconcile the ITC availed by them in the GSTR-3B *viz a viz* entries appearing in the GSTR-2A. Finally, the compliance requirement has been in the form of filing of GSTR-1 and GSTR-3B and ITC reconciliation. There have been frequent extensions in the filing of returns and waiving of the late fees and subsequent reduction therein.

Being first year of implementation, it has been felt and observed that focus of some has been on the filing of returns without much care as to the correctness or sanctity of the data. These taxpayers were more concerned with the uploading - filing the returns without much focus as to whether all disclosure requirements have been made as required under the law. Frequent amendments in the law also led to the confusion resulting in less than perfect filing of the Returns. There was no mechanism available for validating the data. Everyone had the option of Annual Return in mind where it was thought that any mistakes occurred in the periodical returns could be corrected through Annual Return though without knowing much as to the contents and methodology to file the Annual Return. It has been long wait for the release of the format of Annual Return. Finally, the Government had released the format of Annual Return vide Notification No. 39/2018-Central Tax dated 04.09.2018 which has been subsequently amended through Notification No. 74/2018-Central Tax dated 31.12.2018 manifesting the intention of the Government as to their expectations from the GSTR-9.

1.2 Requirement of Annual Return:

The requirement to file Annual Return stems from the section 44 of the CGST Act as per which every registered person shall furnish an annual return for every financial year electronically in such form and manner as may be prescribed on or before the 31st day of December following the end of such financial year. However, due to the fact that the requisite utility was not in functional stage by then, the Government had extended the due date of filing of Form GSTR 9 for the period July 2017 to March 2018 till 30.06.2019 by appending an explanation to Section 44 vide Order No. 03/2018-Central Tax dated 31st December, 2018. It is important to note that there is no requirement to file the Annual Return by an Input Service Distributor, a person paying tax under section 51 or section 52, a casual taxable person and a non-resident taxable person. Further, section 44 (2) provides that every person who is required to get his accounts audited in accordance with the provision of section 35 (5) is required to furnish the Annual Return along with the copy of 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.

Rule 80 of the CGST Rules lays down the manner in which Annual Return is required to be filed by the registered persons. Sub rule 1 provides that every registered person who is required to file Annual Return under section 44 shall file it electronically in FORM GSTR-9 through the common portal. In case of person paying tax under composition scheme under section 10, the Annual Return has to be filed in Form GSTR-9A. E commerce operator who are required to collect the tax under section 52 shall file Annual Return in the Form GSTR-9B (no such format prescribed for FY 2017-18). The last date for filing of the Annual Return for all category of taxable person is 30st June 2019 for the FY 2017-18.

1.3 Salient features of Annual Return:

- As the name suggest, Annual Return is required to be filed annually.
- Each registered person under GST are required to file Annual Return in the below form:
  - Normal registered taxpayer – GSTR 9
  - Person paying tax under composition – GSTR-9A
  - E-commerce operator liable for collect the tax under section 52- GSTR9B
- There is no requirement to file the Annual Return by the following categories of persons:
  - Casual taxable person
  - Person deducting the tax under section 51 (the requirement of deduction of tax has remained in suspension throughout year 2017-18)
  - Non-resident person
- The last date for filing of Annual Return for FY 2017-18 is 30th June, 2019.
- Filing of Annual return is not linked with the GST Audit. In other words, a person having aggregate turnover less than Rs. 2 crores though may not be

required to get the accounts audited nevertheless he is required to file the Annual Return.

- The Annual Return has to be filed separately for each distinct registered person. A company having 25 registrations across different states is required to file 25 Annual Returns.
- Annual Return was introduced as a summary statement encompassing all the transactions occurred and reported in the periodical returns filed during the year (including the adjustments made to the transactions of the previous year after the end of the year).
- Initial understanding of the Annual Return was that it is merely consolidation of periodical returns with no scope for any corrections/rectifications. Any additional liability not reported in the periodical returns filed during the period cannot be reported in Form GSTR 9.
- However, on realizing that in the absence of any option of revision /amendment of the periodical returns and specifically considering that 2017-18 has been first year of implementation of GST, the Government amended the form and clarified vide Press Release issued on 03.06.2019 that the Annual Return should be prepared based on books of account making correct disclosure. Any transactions which could not be disclosed earlier or on which no tax could be paid earlier, have been permitted to be disclosed in the Annual Return.
- Although there is no facility of availment of any credit in the annual return which could not be availed in GSTR-3B within due date of filing the Return for the month of March 2019.
- Thus, the Annual Return is last option available with the assessees to disclose all transactions pertaining to the period in respect of which the annual return is filed.

1.4 Structure of Annual Return

Annual Return format as notified in the form GSTR-9 is very exhaustive document wherein the transactions pertaining to the last years have to be reported. It is divided in 5 parts as below:

Part 1: Basic Details: Annual return starts with the basic details to be furnished about the registered person. The information sought under this category is basic information about the registered person i.e. financial year, GSTIN, legal name and trade name.

Part II: Details of outward supplies and inward supplies made during the financial year: This part requires furnishing the details of all outward supplies made during the year (segregated between supplies liable to tax and not liable to tax) and inward supply liable to reverse charge basis. This includes not only the original supply as reported in the periodical returns but also the amendments made therein. This part is further subdivided in below tables:

- **Table 4:** All transactions on which tax liability has arisen segregated in below:
  - Taxable outward supplies (segregated in various categories based on nature)
  - Advance received in respect of which invoice has not been issued
  - Inward supply on which liability arises under reverse charge mechanism
- **Table 5**: Details of outward supplies on which tax is not payable during the financial year. This includes exempted supplies, non GST supplies and zero rated supplies.

Total of Table 4 and Table 5 gives turnover of the registered person during the financial year.

Part III: Details of ITC for the Financial Year: This part requires the person filing Annual Return to declare the details of all ITC related information. Some of the information in this segment is auto populated whereas most of other details have to be furnished in the Annual Return manually. This part is further sub divided in the below Tables:

- **Table 6:** Details of ITC availed as declared in the Return has to be given in this part of the Table. Total ITC availed is auto populated from GSTR-3B whereas the details of the ITC segregated in the inputs, input services and capital goods have to be provided by the registered person in respect of different categories of inward supplies. This part also requires separate disclosure of the transitional credits availed by the registered person.

- **Table 7:** The details of ITC reversed and ineligible ITC to be declared in this part. The difference between Table 6 and Table 7 indicates total credit which is available for utilization with the registered person during the financial year.
- **Table 8:** This table requires certain additional information to be furnished in the Annual Return related to ITC. The information contained in this Table is mainly for the purpose of analysis of the government to identify the instances of over/under availment of credit. The main part which requires disclosure is matching the credit availed in the GSTR-3B viz a viz credit which is auto populated in the GSTR-2A.

Part IV: Details of taxes paid as declared in returns filed during the financial year (Table 9): This part requires furnishing the information/details of different nature of taxes payable and paid either in cash or through utilization of input tax credits.

Part V: Details of the previous Financial Year's transactions reported in next Financial Year (Table 10 to 14): Many of the transactions pertaining to previous financial year might have missed reporting in the GSTR-1 and GSTR-3B filed for the last year. Such transactions might have been reported in the returns filed during period April 2018 to March 2019. Details of all such transactions reported or adjusted through Form GSTR 3B of the period April 2018 to March 2019 are required to be reported in this part including tax paid thereon.

Part VI: Other information: This part seeks additional information required to be reported in the Annual Return. Following details to be provided table wise:

- **Table 15:** Particulars of demand and refunds
- **Table 16:** Information on supplies received from composition taxpayers, deemed supply under section 143 (job work) and goods sent on approval basis
- **Table 17:** HSN wise summary of outward supplies
- **Table 18:** HSN wise summary of inward supplies

- **Table 19:** Late fees payable and paid for delay in filing of Annual Return

Last part of the Annual Return requires verification to be made by the registered person filing the Annual Return. Such person has to declare that information contained in the Annual Return is true and the benefit of any reduction in output tax liability has been passed or will be passed on to the recipient of supply.

Detailed discussion on each part of the Annual Return has been made in the subsequent chapters.

1.5 Relationship between periodical returns (GSTR-1 & GSTR-3B), annual returns (GSTR-9) and Reconciliation Statement (GSTR-9C)

There are different reporting/compliance requirements under GST which could be either periodical compliance or annual compliance. Each person liable to be registered under GST is required to undertake such compliances. This also necessitates understanding of all nature of returns and interrelationship between them:

- **GSTR-1:** This is a periodical submission of outward supply made by registered taxable person. It is segregated between the B2B supplies, B2C large and small supplies, export, deemed exports, supplies to SEZ, non taxable supplies. Further, there is also tables giving details of debit notes and credit notes issued in respect of the supplies made including amendments made in the original invoices/ debit notes/credit notes if any. The turnover/outward supply under different categories declared in GSTR-1 should match with the details of such supplies as per books of account.

  As there is no provision for the revision of GSTR-1 returns, any errors or omission therein has to be reported in the subsequent period. Proviso to section 37 (3) provides that the details of all such invoices may be disclosed latest by the due date of filing of the Return for the month of the September of the succeeding financial year or annual return whichever is earlier.

  There could many instances where such errors or omission might have happened in the financial year. All such corrections have to be made in the GSTR-1 of the period between April to September of succeeding FY. (for FY 2017-18, the corrections/addition/modifications can be made in the period April 2018 to March 2019 GSTR-1 Returns in terms of the ROD 02/2018 which allowed the rectification or amendment of the details furnished in FY 2017-18 GSTR-1 Returns till the due date of filing of GSTR 1 Return of March 2019). Presuming corrections have been made in this interval, the total outward supply of the registered person for the FY 2017-18 would be determined by considering the GSTR-1 filed during period July 2017 to March 2019.

Thus the GSTR-1 gives transactional level details of all outward supplies reported by the taxable person pertaining to FY 2017-18 reported between July 2017 to March 2019.

- **GSTR-3B:** This is summary return filed by the registered person giving summarized information of the outward supply made, input tax credits availed, tax and other sum payable and paid to the Government. Unlike GSTR-1, the information has to be given in summary form. It is needless to mention that the details of outward supply as submitted in the GSTR-1 should match with the details furnished in the GSTR-3B and any difference/deficiency in the one has to be corrected by submitting the details in the subsequent period returns but not later than the due date of filing of the Return for the month of September of the succeeding financial year. However, the due date has been extended to 31st March 2019 for the FY 2017-18.

  Similar to discussion made above in case of GSTR-1, the details of all transactions made in the last FY may be gauged from the GSTR-3B filed for the period July 2017 to March 2019.
- **GSTR-9 (Annual Return):** Having discussed the essential characteristics of the GSTR-1 and GSTR-3B, we can come to know that these returns have certain limitations especially there is no provision for the revision of the returns. This makes it difficult for the business and government to ascertain the consolidated details of all transactions undertaken in the concerned financial year. Annual Return overcomes the limitation by consolidating all the returns filed in respect of transactions pertaining to the last year in single return so that summarized details is available for all transactions of the last year. **It can be inferred from the clarifications furnished in the press release issued by the Government lately, that Annual Return is intended to disclose the transactions which have been omitted to be disclosed in the**

periodical returns and it is not just a mere consolidation of details submitted with the Government over a period of time through periodical returns. Hence, errors or omissions committed by the registered person may be rectified through Form GSTR 9.

- **GSTR-9C (Audit/Reconciliation):** Filing of Annual Return does not mean that all transactions have been reported therein. There is possibility of many transactions which are shown in the audited financial statements but not in the Annual Return. These could arise due to different principles under GST Law *viz a viz* the principles adopted for preparation and presentation of books of account and financial statements. GSTR 9C is intended to provide the details of all such transactions which constitute difference between the books of account and the Annual Return. Some of the transactions may be of temporary difference (i.e. income accrued as per books of account but time of supply not occurred in the current FY) whereas others may be of permanent difference (i.e. non monetary consideration which may not be considered for the purpose of preparation of books of account but considered for the purpose of valuation under GST). The GSTR-9C is intended to reconcile all such differences and certification thereof by the Chartered Accountant or Cost Accountant under the provision of Section35 (5). In case of multi-locational assessee, the reconciliation and certification thereof becomes more challenging.

1.6 GSTR 9 System Generated Summary available on GSTIN Portal:

The GSTN has provided various summaries of the periodical data furnished on GSTIN Portal for the taxpayer’s perusal in filing GSTR 9. One of them is GSTR 9 System Generated summary which uses GSTR 1 as its source for revenue part and GSTR-3B for the purpose of tax liability, RCM and ITC availed. It considers amendments made by the taxpayers in their GSTR 1 also but to a certain extent. In the ITC part of GSTR 9, details of ITC segregated into inputs, input services and capital goods for the different categories of inward supplies are to be declared. Since no such details were requested at the time of filing of Form GSTR 3B, there is no ITC summary available in the system generated GSTR 9.

Although, GSTR 9 summary is generated on the basis of GSTR 1 facilitating the user where GSTR 1 had been filed correctly, there can be certain limitations to it which are as follows:

- **Where the taxpayer has not made correct disclosure of its outward supplies in GSTR 1 but discharged the tax correctly in GSTR-3B:** In this case, GSTR 9 functionality cannot be referred for filing of Form GSTR 9, as taxpayer would require to take GSTR 3B as its base for preparing GSTR 9.
- **Where there is a continuous mismatch in outward supplies reported in GSTR 1 *vis-a-vis* GSTR 3B:** Outward supplies reported in GSTR 1 would require to be reconciled with the outward supplies declared in GSTR 3B and adjustments therein along with books would be considered in preparing GSTR 9.
- **Where the outward supplies accounted in books of accounts of the taxpayer are not fully encapsulated in GSTR 1 and GSTR 3B:** Supplies which went unreported in the periodical returns should be disclosed vide Form Annual Return.

Other than above, it may also be noted that if details furnished in GSTR 9 are more/less than 20% from the auto-populated values, then cells would be highlighted in red for the taxpayer's reference. It would be worthwhile to see how department is going to use GSTR 9 auto- populated summary in validating the GSTR 9 filed by the taxpayer.

It has been clarified by the Government in press release dated 4.6.2019 that auto-population is a functionality provided to taxpayers for facilitation purposes, taxpayers shall report the data as per their books of account or returns filed during the financial year.

1.7 **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 would be leviable @ Rs. 100 per day during which such failure continues subject to a maximum of a quarter percent of the turnover in the State/UT. The late fee would be leviable both under the CGST and SGST Act. Thus the total late fee for each GSTIN would be Rs. 200 per day (Rs. 100 each under CGST and SGST Act) subject to maximum of 0.5% of the turnover in the State (0.25% under CGST Act and 0.25% under SGST Act). Here it needs to be emphasised that filing the annual return with incomplete data is not preferable to paying some penalty and fling properly. This being a IT driven system- inaccuracies would be located faster.

1.8 The Wit and Wisdom of Annual Return

1.8.1 Non declaration in Annual Return could amount to 'suppression'

Explanation 2 to Section 74 defines suppression as "*non-declaration of facts or information which a taxable person is* ***required to declare in the return****, statement, report or any other document furnished under this Act or the rules made thereunder, or failure to furnish any information on being asked for, in writing, by the proper officer".* The definition of suppression and format of Form GSTR 9 has the excuse to stretch the demands to longer period of 5 years.

Take for example, Form GSTR 9 requires the taxpayer to fill nuisance details like HSN Summary of Outward supplies, inward supplies, details of inward supplies received from composition dealers. Imagine a tax-payer who had been fully compliant and fully open about their disclosures in other parts of the return, but was no so diligent on these parts on the premise that such details don't have any revenue impact either on him or upon government.

Suppose in future a demand arises on an issue on which the taxpayer had made complete disclosure however, details of HSN summaries and receipt from composition dealers were filled casually. Can revenue authorities claim that the suppression of facts were involved qua the later details and extend the period of demand to longer period in respect of which full disclosure was made? The thrust of the matter is should suppression be counted so wide so as to make even the miniscule irrelevant details as prejudice to even those information which the taxpayer had diligently declared to the revenue? In defence there is a need to have an intent to evade or positive wrong doing but these arguments would be appreciated only in the higher appellate levels. If it were to be so, there isneed to take care of all the relevant fields in the annual return even if they are of nuisance value.

1.8.2 In-ability of disclosing the contentious stands taken by taxpayer:

In the normal course of business, the taxpayers are confronted with tax positions which are unclear in terms of taxability, eligibility of Input tax credit, availability of the exemption etc. The taxpayer has the option to go to the advance ruling authority for them to have a concrete binding view on the tax position. However, the keeping in mind the *status quo* of advance ruling the tax-payer may opt to take a stand on the positive tax position [as to not paying a tax or availing exemption] and be prepared for litigation in the future.

In the event of losing the litigation over tax position, the demand of tax by revenue would succeed. However, the tenure/stretch of such crystalized demand, be it 3 year or 5 years would depend upon the corroborative evidence produced by the taxpayer as to his *bona fide.*

How can a taxpayer corroborate his bona fide and full disclosure while filing annual return? Under the erstwhile law, Form ER-1/ ER-3 and ST-3 had embedded option of providing remarks in the returns. The remarks column was often used by the taxpayers for disclosing the controversial tax positions taken by them. This taxpayer used to get the benefit of such disclosure in the form reduced demand [of shorter period] from the judicial forums. See Shrishti Packaging Pvt. Ltd. vs CCEx 2007 (213) E.L.T. 419 (Tri. - Mumbai).

In the Annual return format in Form GSTR 9, there is no facility to add any comments by the taxpayer, accordingly the taxpayer is not in a position to disclose any particular stand taken by them on a litigation prune issue. However, it has also been seen that returns having no facility to disclose something has been led to believe that the taxpayer was not at all liable to disclose such thing, and the Courts have invariably extended the benefit of *bona fide* to the taxpayers, See CCEx vs Pushp Enterprises 2011 (22) S.T.R. 299 (Tri. - Del.) Tax compliant assessees have in the past sent a voluntary disclosure letter to the jurisdictional officer as a method of keeping good documentation to protect themselves.

1.8.3 Declaration of passing on the benefit – excessive delegated?

At the footer of the Annual return, the form requires the taxpayer to make declaration that *“in case of any reduction in output tax liability the benefit thereof has been/will be passed on to the recipient of supply”*. The declaration stems from the mandate of Section 171 of the CGST Act – Anti Profiteering clause, which stipulate that benefit of reduction in output tax by commensurate rate of reduction in prices.

Section 44 of the CGST Act mandates the taxpayer to file annual return which is part of Chapter IX – returns. On the contrary Section 171 although enforces upon the taxpayer to pass on the benefit of anti-profiteering, however the declaration that benefit has been passed on is completely out of context. Vide Section 171 (2) and (3), the Parliament has delegated the power to monitor the anti-profiteering to the National Anti-Profiteering Authority (NAPA).On the basis of above it is plainly clear that the parliament has clearly divided the jurisdiction to monitor the Act to Central Government and to monitor anti profiteering to NAPA, That being the case, the Central Government in disguise of Annual return, cannot seek a declaration that the benefit of anti-profiteering has been/ will be passed on.

Given that all assessee will file Form GSTR 9, meaning thereby they are affirming to the fact that they will/ have already passed on anti-profiteering benefits. Effectively therefore GSTR 9 is eliminating the possibility to challenge the constitutional validity of anti-profiteering clause. Further, since NAPA's order are not challengeable before any forum, through this declaration it effectively means the NAPA orders are final and binding since the taxpayers have effectively waived off their right to challenge NAPA's order vide the above declaration.

It brings out that if the declaration of anti-profiteering, so worded is interpreted in above terms, plainly suffers from the vice of excessive delegation. The Central Government in its limited wits, cannot incorporate which it doesn't have the power to. In Alstom India Ltd. vs Union of India 2014-TIOL-223-HC-AHM-EXIM, the Gujarat High Court had struck down a similar declaration incorporated in the form of claiming Duty Drawback, when the DGFT hadn't had jurisdiction make substantive law relating to such declaration.

It would therefore be interesting as to what extent such declaration is used/ misused by the revenue in the Anti profiteering challenges before High Courts and Supreme Court.

1.8.4 Relevant Date for increasing the timelines related to annual return

Under GST Law, there are few provisions which fixes the higher threshold from the due date of furnishing annual return, such as Section 36 of the CGST stipulates that records shall be maintained till the expiry of 72 months from the due date of annual return, similarly Section 73 and 74 of the CGST Act counts the limitation period of issuing order for recovery of tax from the due date of furnishing the annual return.

The original due date for furnishing annual return is envisaged under Section 44 as 31st December of the subsequent financial year. However, for financial year the date has been extended to 30th June 2019. Does it mean that the threshold under Section 36, 73 and 74 also gets extended?

Vide removal of difficulty order 01/2018 and 03/2018, vide the powers of Section 172, an explanation has been added before Section 44 to stipulate that "***for the period FY 2017-18, it is hereby declared that annual return shall be furnished on or before 30th June 2019"***A close reading of the removal of difficulty order, it appears that due date of furnishing annual return has not been extended, since such power continues to remain with the Parliament. It is only as an exception that the government has agreed to admit the annual return before 30th June 2019. The due date of furnishing annual return still remains 31st December 2018, accordingly, the threshold for Section 36, 73 and 74 still relies on 31st December 2018 as due date.

1.8.5 Legal Sanctity of lapsing credit through Annual return

Table 8H of Form GSTR 9 derives a computation based on the figures of ITC appearing in Form GSTR 2A and the actual ITC availed by the taxpayer during the permissible time period. Table 8H says that ITC appearing in Form GSTR 2A in excess of the ITC availed by the taxpayer shall lapse.

Although the CGST Act or Rules doesn't incorporate any provision calling for lapse of the credit, however it appears that objective behind such field is to stop the possible camouflage by the taxpayers. Once the figures are explicitly brought out under this field, the taxpayers won't be able to fit such ITC in the figures in the ITC availed figures of Form GSTR 3B filed in next FY onwards.

Although the field serves the objective of the government in to restricting the possible camouflage however such lapse of ITC might not have the sanctity of the law. Further arriving at the figures on the basis of

GSTR 2A is highly irrational in as much as GSTR 2A is highly un-reliable capture of ITC details.

1.8.6 Unknown ramifications of *inter se* differences between GSTR 1, GSTR 3B, auto populated GSTR 9 and the GSTR 9 actually filed

With more data and varied amount of data, the government at the end of the exercise of GSTR 9, will have at least four set of figures available with them. While GSTR 1 is based on invoice wise items, GSTR 3B is the consolidated figures punched long back, GSTR 9 more or less replica of figures of books of accounts, it is inconceivable as to how the government is going to use such data.

The taxpayers are already facing with the hassle of reconciling GSTR 1 with GSTR 3B and books of accounts, at the end of the exercise GSTR 9 instead of being a consolidation of all these data, may end up being another data which may be formed as basis of seeking demands by the revenue.

The erstwhile VAT laws had the facility to accommodate corrections in the monthly/ quarterly filed returns through annual return. Therefore for the purpose of assessment, only the annual return formed the basis of comparing the short and excess tax payable by the taxpayers. However, this is far from truth when it comes to annual return under GST. GSTR 9 could be the most dangerous where the revenue starts raising demands based on the mere comparison of GSTR 9 with GSTR 1 and GSTR 3B.

1.9 Conclusion:

Above discussion makes it very clear that the preparation and filing of annual return cannot be taken casually by the taxpayers and they have to be diligent to ensure that all disclosures required to be made in the Annual Return or additionally have correctly been made. Once the taxpayer discloses all the information correctly to the best of his knowledge and belief, it could always act as risk mitigating factor against proceeding of the department. There should be proper back up of information and documentations to establish the basis of disclosure made so that these could be submitted before the authorities in the event required by them.

Having discussed the important aspects of the Annual Return, we proceed for the column by column discussion on the annual return in the subsequent part of the booklet.

Chapter 2:
Understanding Annual Return

In this part, we discuss step by step understanding of each of the columns of the GSTR-9.

Pt I	Basic Details	Analysis
1	Financial Year	The details of the FY for which the annual return is being filled is required to be mentioned here. In for the first year of GST, although it was implemented from July 1, 2017, still the FY would be from April 17 to March 2018, though the details would be punched from July 1, 2017 to March 31, 2018.
2	GSTIN	Since, the annual return is to be filled separately for all the registrations under same PAN, the GSTIN of the specific unit is to be provided.
3A	Legal Name	The legal name under which the business activities are being carried out. The trade name may differ from the legal name such as 'D-mart' may be the trader name but the legal name is "Avenue supermarts Limited" or for instance, a proprietor CA firm may be Jain Kanika & Company, that's the trade name, but the legal name is Kanika Jain. In case the assessee is not having any trade name then in such cases the table 3B shall be left blank.
3B	Trade Name (if any)	

Part II of the GSTR 9 captures the details of the outward and inward supplies made during the financial year. This is most important part of the GSTR-9 so far as it concerned with the outward supply made by the registered person.

There could be possibility of the registered persons declaring the supplies made by it for the FY 2017-18 in the GSTR-1/GSTR-3B upto March 2018 as well as after end of the year i.e. upto March 2019. This table covers only such supplies which have been disclosed till March 2018.

The source of information for the purpose of this part could be GSTR-1/ GSTR-3B and actual books of account. There could always be possibility of difference between the information contained in any or all of these. This could require taxpayers to determine correct information to be filled in this part.

Following could be approach for the filing of the Annual Return as far as it pertains with the disclosure of outward supply.

- Wherever there is conflict between GSTR-3B and GSTR-1 for the outward supply, the disclosure made in the GSTR-3B would prevail considering that the tax has been paid through GSTR-3B.
- The sequencing for arriving the value of outward supply for disclosure in the GSTR-9 would be as below:
    a. Identify actual supply made as per books of account. This should come in the GSTR-9 by disclosing in the appropriate tables.
    b. Ensure that such supplies have been disclosed and taxes thereon have been paid in the GSTR-3B. Disclose in GSTR-9 as per below:
        i. If supplies and taxes declared and paid till March 2018 – show in Part II of the GSTR-9.
        ii. If supplies and taxes declared and paid between April 2018 to March 2019 – Disclose in Part V of GSTR-9.
        iii. If not disclosed in GSTR-3B at all- disclose the value of supply in the Part II, tax payable on such supply in Part IV and pay taxes through DRC-03.
    c. Detailed break up (B2C, B2B, exports etc.) of above supplies to be taken as per GSTR-1 if it is in sync with the GSTR-3B. If GSTR-1 has incorrect reporting, it may be ignored.

Based on above understanding, we proceed with the discussion on the Part II of the GSTR-9. Below discussion is on the understanding that there is no mismatch between GSTR-3B and GSTR-1 and hence the detailed information have been derived from GSTR-1. In case of any conflict between GSTR-1 and GSTR-3B, the details have to be derived from GSTR-3B.

Table 4- It captures the details of advances, and outward supplies made during the financial year on which tax is payable by the registered person including the inward supplies on which tax is to be paid by him under reverse charge basis.

The contents of table 4 is as follows:

Pt II	Details of Outward and inward supplies made during the financial year					
			(Amount in ₹ in all tables)			
	Nature of Supplies	Taxable Value	Central Tax	State Tax/UT Tax	Integrated Tax	Cess
	1	2	3	4	5	6
4	Details of advances, inward and outward supplies made during the financial year on which tax is payable					

<table>
<tr><th colspan="3">Instructions- 4A</th></tr>
<tr><td colspan="3">As per the instructions provided in the CGST Rules, 2017, Table 5, Table 7 along with respective amendments in Table 9 and Table 10 of FORM GSTR-1 may be used for filling up these details.</td></tr>
<tr><td>A</td><td>Supplies made to un-registered persons (B2C)</td><td>In this row the sum total of outward (which are liable to GST) made to unregistered person (both B2C small and B2C Large) is required to be disclosed.
Both intra-state as well as inter-state supplies needs to be disclosed here.
Supplies made to UIN holders will not be reported here, though they are not a ‘registered person’.
The disclosure is to be made net of credit and debit notes issued in respect of such supplies during the FY 2017-18.
Further, any amendments made in the details of B2C supplies during the FY should be disclosed.
Credit and debit notes issued in respect of such supplies after the end of the FY 17-18 i.e. in FY 2018-19 will not be reduced from here and will be reflected in Part V of the FORM GSTR 9.</td></tr>
<tr><th colspan="3">Instructions-4B</th></tr>
<tr><td colspan="3">Aggregate value of supplies made to registered persons (including supplies made to UINs) on which tax has been paid shall be declared here. 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. 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.</td></tr>
<tr><td>B</td><td>Supplies made to registered persons (B2B)</td><td>In this row the sum total of outward (which are liable to GST) supply made to registered person is required to be disclosed.
Both intra-state as well as inter-state supplies needs to be disclosed here.
Merchant exporting in terms of notification 41/2017 IGST-Rate dated 23rd October 2017, will be reported here.
Supplies made to UIN holders will be reported here, though they are not a ‘registered person’.
shall not include supplies on which tax is to be paid by the recipient on reverse charge basis.</td></tr>
</table>

		- The disclosure is to be made **<u>without taking</u>** any impact of issued in respect of such supplies during the FY 2017-18 i.e. gross of credit and debit notes. - The credit/ debit notes issued and reported within the FY 2017-18 would be disclosed in table 4I and 4J respectively. - Amendments made in the details furnished within the FY 2017-18 will NOT be disclosed here and will be shown in table 4K or 4L. - Credit notes, debit notes and other amendments relating to FY 17-18, made or disclosed in FY 18-19 would be disclosed in part V of GSTR 9.
Instructions-4C		
Aggregate value of exports (except supplies to SEZs) on which tax has been paid shall be declared here. Table 6A of **FORM GSTR-1** may be used for filling up these details.		
C	Zero rated supply (Export) on payment of tax (except supplies to SEZs)	- Only exports (Goods as well as services) **with payment of tax** is to be disclosed here. - Supplies made to SEZ on payment of tax will be disclosed in table 4D. - There is a difference in 'deemed exports' and 'exports', only 'actual exports' on payment of tax will be shown here. Deemed exports will be disclosed in table 4E. **Also, merchant exporting in terms of notification no.** 41/2017 IGST-Rate dated 23rd October 2017, **will not be reported here. IT will be reported in the table 4B above.** - Advances received for export of services will not be included here. If exports against such advances is made during the year then disclosure is required. - The credit note, debit note or amendments made to the reported figures during the FY 2017-18 will be disclosed in table 4I to 4L. - The credit note, debit note or amendments relating to FY 17-18 but disclosed in FY 18-19 will be disclosed in Part V. - Zero-rated supplies without payment of tax under LUT or bond will be disclosed in table 5.

Instructions-4D		
Aggregate value of supplies to SEZs on which tax has been paid shall be declared here. Table 6B of GSTR-1 may be used for filling up these details.		
D	Supply to SEZs on payment of tax	• Supply of goods as well as services with payment of tax to the SEZ unit or developer is to be disclosed here. • Supplies made to SEZ units or developer without payment of tax will be disclosed in table 5. • The credit note, debit note or amendments made to the reported figures during the FY 2017-18 will be disclosed in table 4I to 4L. • The credit note, debit note or amendments relating to FY 17-18 but disclosed in FY 18-19 will be disclosed in Part V.
Instructions-4E		
Aggregate value of supplies in the nature of deemed exports on which tax has been paid shall be declared here. Table 6C of **FORM GSTR-1** may be used for filling up these details.		
E	Deemed Exports	• Deemed exports as referred in section 147 read with notification no. 48/2017-CT dated October 18, 2017 would be disclosed here. • Only 4 transactions are regarded as 'deemed exports viz. 1. Supply of goods against advance authorization 2. Supply of capital goods against EPCG authorization 3. Supply of goods to EOU (export-oriented undertakings) (4. Supply of gold by bank/PSU specified in Notification no. 50/2017-Customs dated 30th June 2017. • The credit note, debit note or amendments made to the reported figures during the FY 2017-18 will be disclosed in table 4I to 4L. • The credit note, debit note or amendments relating to FY 17-18 but disclosed in FY 18-19 will be disclosed in Part V.
Instructions-4F		
Details of all unadjusted advances i.e. advance has been received and tax has been paid but invoice has not been issued in the current year shall be declared here. Table 11A of **FORM GSTR-1** may be used for filling up these details.		
F	Advances on which tax has been paid but invoice has not been issued (not covered under (A) to (E) above)	• For supplier of **goods** having aggregate turnover upto INR 1.5 crores, only those advances which were received till October 13, 2017 on

		which tax has been paid, but in respect of which the invoice has not been issued till March 31, 2018, would be shown here. (N.N. 40/2-17-CT dated Oct 13, 2017). • For supplier of goods having aggregate turnover EXCEEDING INR 1.5 crores, only those advances which were received till November 10, 2017 on which tax has been paid, but in respect of which the invoice has not been issued till March 31, 2018, would be shown here. (NN 66/2017-CT dated Nov 15, 2017). • For supplier of services, reporting is required for those advances which remain unadjusted till March 31, 2018. • The tax paid by the recipient on account of advance payment to the supplier for the inwards supplies on which tax is to be paid under reverse charge basis, will not be included here but will be shown in table 4G.
Instructions-4G		
Aggregate value of all inward supplies (including advances and net of credit and debit notes) on which tax is to be paid by the recipient (i.e.by the person filing the annual return) on reverse charge basis. This shall include supplies received from registered persons, unregistered persons on which tax is levied on reverse charge basis. 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.**		
G	Inward supplies on which tax is to be paid on reverse charge basis	• Taxes paid under reverse charge on inward supplies, is required to be reported. • Inward supplies from unregistered person on which reverse charge was leviable under section 9(4) of CGST Act, 2017 or Section 5(4) of the IGST Act, 2017, till October 13, 2017. (N.N. 38/2017-CT(R) dated Oct 13, 2017). • Inward supplies of goods or services notified under section 9(3) of CGST Act, 2017 or section 5(3) of IGST Act, 2017. • Import of services including ocean freight and OIDAR services. • **Taxes paid on import of goods shall not be reported here as the same is not paid under reverse charge basis.**
H	Sub-total (A to G above)	Auto-populated
Instructions-4I		

Aggregate value of credit notes issued in respect of B to B supplies (4B), exports (4C), supplies to SEZs (4D) and deemed exports (4E) shall be declared here. Table 9B of **FORM GSTR-1** may be used for filling up these details.		
I	Credit Notes issued in respect of transactions specified in (B) to (E) above (-)	• Credit notes issued during the FY 17-18 and disclosed in GSTR 1 till march 2018, will be reported here. • Credit notes issued in respect of B2C domestic supplies will not be shown here and will be adjusted in table 4A. • Financial credit notes, not bearing any GST impact will not be reported here. • Credit notes issued during the FY 17-18 but reported in FY 18-19, will be reported in part V. • **Credit notes issued during the FY 18-19 for supplies relating to FY 17-18, two views are there:** **1. Report it in part V of GSTR 9 and the corresponding impact will be in table 5E of GSTR 9C, or** **2. Do not disclose at all in GSTR 9 of the FY 2017-18 and disclose in the annual return of FY 18-19 only.**
Instructions- 4J		
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. Table 9B of **FORM GSTR-1** may be used for filling up these details.		
J	Debit Notes issued in respect of transactions specified in (B) to (E) above (+)	• Debit notes issued during the FY 17-18 and disclosed in GSTR 1 till march 2018, will be reported here. • Debit notes issued in respect of B2C domestic supplies will not be shown here and will be adjusted in table 4A. • Financial debit notes, not bearing any GST impact will not be shown here. • Debit notes issued during the FY 17-18 but reported in GSTR 1 of FY 18-19, will be reported in part V. • **Debit notes issued during the FY 18-19 for supplies relating to FY 17-18, two view are possible:** **1. Report it in part V and the impact will be table 5O of GSTR 9C as no specific column is provided in this regard in GSR 9C, or** **2. Do not disclose if GSTR 9 of the FY 17-18 and just show in the GTSR 9 of FY 18-19.**
Instructions- 4K & 4L		

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. Table 9A and Table 9C of **FORM GSTR-1** may be used for filling up these details.		
K	Supplies / tax declared through Amendments (+)	• Details of amendments made during the FY 17-18, in respect of supplies made with payment of tax, which increase the output liability will be shown here. • Amendments made in 2018-19 in relation to supplies made in 17-18 will be disclosed in part V. • This table has to be filed with the differential value (i.e. original supply was shown as Rs. 100 in GSTR-1 which was subsequently modified to Rs. 1000. This table will have differential value i.e. Rs. 900)
L	Supplies / tax reduced through Amendments (-)	• Details of amendments made during the FY 17-18, in respect of supplies made with payment of tax, which reduces the output liability will be shown here. • Amendments made in 2018-19 in relation to supplies made in 17-18 will be disclosed in part V.
M	Sub-total (I to L above)	Auto-populated
N	Supplies and advances on which tax is to be paid (H + M) above	Auto-populated

Table 5- It captures the details of Outward supplies made during the financial year on which tax is not payable such as:

1. Exempt supplies
2. Nil rated supplies
3. Zero-rated supplies.

5	Details of Outward supplies made during the financial year on which tax is not payable	
Instructions-5A		
Aggregate value of exports (except supplies to SEZs) on which tax has not been paid shall be declared here. Table 6A of **FORM GSTR-1** may be used for filling up these details.		
A	Zero rated supply (Export) without payment of tax	• Exports (both goods and services) made without payment of tax under bond or LUT is to be reported here. • The Credit note or debit note issued

		during the FY 17-18 are not to be adjusted here and would be disclosed in table 5H and 5I respectively. • Amendments made to the details reported in GSTR 1, during the FY 17-18 would be reported in table 5J or 5K. • Amendments made in FY 18-19 in respect of export supplies reported in 17-18 would be disclosed in part V. • Supplies made to SEZ without payment of tax, is not to be reported here and would be reported in table 5B. • Exports on payment of tax would be reported in table 4C above.
Instructions-5B		
Aggregate value of supplies to SEZs on which tax has not been paid shall be declared here. Table 6B of GSTR-1 may be used for filling up these details.		
B	Supply to SEZs without payment of tax	• Supply to SEZ units or SEZ developers, without payment of tax under bond or LUT is to be reported here. • The Credit note or debit note issued during the FY 17-18 are not to be adjusted here and would be disclosed in table 5H and 5I respectively. • Amendments made to the details reported in GSTR 1, during the FY 17-18 would be reported in table 5J or 5K. • Amendments made in FY 18-19 in respect of export supplies reported in 17-18 would be disclosed in part V. • Exports are not to be reported here and would be reported in table 4C or 5B. • Supplies to SEZ on payment of tax would be reported in table 4D above.
Instructions-5C		
Aggregate value of supplies made to registered persons on which tax is payable by the recipient on reverse charge basis. Details of debit and credit notes are to be mentioned separately. Table 4B of **FORM GSTR-1** may be used for filling up these details.		
C	Supplies on which tax is to be paid by the recipient on reverse charge basis	• The outward supplies on which the tax is to be paid by recipient on reverse charge basis. • The supplies of goods or services notified under section 9(3) of the CGST Act, 2017 and section 5(3) of the IGST Act, 2017, via NN NN 4/2017-CT(R) tax dated Jun 28, 2017 and NN 13/ 2017-CT(R) tax dated Jun 28, 2017 as amended from time to time, are to be reported here.

		• Outward supplies notified under aforesaid notifications but which remains exempt by virtue of NN 12/ 2017-CT(R) tax dated Jun 28, 2017, such as services by arbitral tribunal, firm of advocates or senior advocates to non-business entities etc., will not be reported here. These would be reported in Table 5D. • Details of credit notes and debit notes are to be reported separately in table 5H and 5I respectively. • Details of amendments during the FY 17-18 would be reported in table 5J and 5K.
Instructions-5D, 5E, 5F		
Aggregate value of exempted, Nil Rated and Non-GST supplies shall be declared here. Table 8 of **FORM GSTR-1** may be used for filling up these details. **The value of "no supply" shall be declared under Non-GST supply (5F).**		
D	Exempted	• Value of supply exempted under section 11 of the CGST Act, 2017 or Section 6 of the IGST Act, 2017 by virtue of NN 2/2017-CT(R) tax dated Jun 28, 2017 for goods and NN 12/ 2017- CT(R) tax dated Jun 28, 2017 for services. • Nil-rated supplies will not be reported here. Although the term 'Nil rated' has not been defined under law and the term 'exempt supply' includes nil-rated supplies, still it is understood to mean those supplies which contains 0% tax rate in the tariff itself, and on the contrary, the exempted supply would mean the supply which has been exempted under section 11. • Zero-rated supplies will not be reported here as the same includes only 'EXPORTS' and supply to SEZ. These would be shown in table 4C and 4D or table 5A and 5B respectively. • Non-taxable supply such as 5 petroleum products and alcoholic liquor for human consumption will be reported in table 5F. • Supply to merchant exporters as referred to in NN 40/ 2017-Central tax (Rate), dated 23-Oct-2017 notified a lower rate of 0.05% CGST for intra-State supplies made to registered merchant exporters, will not be included here although the exemption is issued under section 11(1). The

		same would be reported in table 4B. • Invoice-cum-bill of supply issued by a Registered Person supplying taxable as well as exempt supply shall bifurcate the exempt supplies to be reported in this Table.
E	Nil Rated	• Supplies which contains 0% tax rate in the tariff NN 1/ 2017-CT(R) dated Jun 28, 2017 for goods and NN 11/2017-CT(R) dated Jun 28, 2017 for services, will be reported here. • Non-taxable supplies shall not be reported here.
F	Non-GST Supply (includes 'no supply')	• Non-taxable supply such as 5 petroleum products and alcoholic liquor for human consumption will be reported here. • As per instructions, a transaction which is not regarded as supply by virtue of schedule III, will be reported here. • **High sea sales** as referred to in Circular No. 33/ 2017-Customs, dated Aug 30, 2017, would be reported here. • **Sales from bonded warehouse** as referred to in Circular No. 3/ 1/ 2018-IGST dated May 25, 2018, would be reported here.
G	Sub-total (A to F above)	Auto-populated
Instructions-5H		
Aggregate value of credit notes issued in respect of supplies declared in 5A,5B, 5C, 5D, 5E and 5F shall be declared here. Table 9B of **FORM GSTR-1** may be used for filling up these details.		
H	Credit Notes issued in respect of transactions specified in A to F above (-)	• Credit notes issued during the FY 17-18 and disclosed in GSTR 1 till march 2018, will be reported here. • Financial credit notes, not bearing any GST impact will not be reported here. • Credit notes issued during the FY 17-18 but reported in GSTR 1 of FY 18-19, will be reported in part V. • **Credit notes issued during the FY 18-19 for supplies relating to FY 17-18, two views are there:** **1. Report it in part V of GSTR 9 and the corresponding impact will be in table 5E of GSTR 9C, or** **2. Do not disclose at all in GSTR 9 of the FY 2017-18 and disclose in the annual return of FY 18-19 only.**
Instructions-5I		
Aggregate value of debit notes issued in respect of supplies declared in 5A, 5B,		

5C, 5D, 5E and 5F shall be declared here. Table 9B of **FORM GSTR-1** may be used for filling up these details.		
I	Debit Notes issued in respect of transactions specified in A to F above (+)	• Debit notes issued during the FY 17-18 and disclosed in GSTR 1 till march 2018, will be reported here. • Financial debit notes, not bearing any GST impact will not be shown here. • Debit notes issued during the FY 17-18 but reported in GSTR 1 of FY 18-19, will be reported in part V. • **Debit notes issued during the FY 18-19 for supplies relating to FY 17-18, two view are possible:** **1. Report it in part V and the impact will be table 5O of GSTR 9C as no specific column is provided in this regard in GSR 9C, or** **2. Do not disclose if GSTR 9 of the FY 17-18 and just show in the GTSR 9 of FY 18-19.**
Instructions-5J & 5K		
Details of amendments made to exports (except supplies to SEZs) and supplies to SEZs on which tax has not been paid shall be declared here. Table 9A and Table 9C of **FORM GSTR-1** may be used for filling up these details.		
J	Supplies declared through Amendments (+)	• Details of amendments made during the FY 17-18, which increases the value of supply will be shown here. • Amendments made in 2018-19 in relation to supplies made in 17-18 will be disclosed in part V.
K	Supplies reduced through Amendments (-)	• Details of amendments made during the FY 17-18, which reduces the value of supply will be shown here. • Amendments made in 2018-19 in relation to supplies made in 17-18 will be disclosed in part V.
L	Sub-Total (H to K above)2	Auto-populated
M	Turnover on which tax is not to be paid (G + L above)	Auto-populated
Instructions-5N		
Total turnover including the sum of all the supplies (with additional supplies and amendments) on which tax is payable and tax is not payable shall be declared here. This shall also include amount of advances on which tax is paid but invoices have not been issued in the current year. However, this shall not include the aggregate value of inward supplies on which tax is paid by the recipient (i.e. by the person filing the annual return) on reverse charge basis.		
N	Total Turnover (including advances) (4N + 5M - 4G above)	• Total turnover including the sum of all the supplies (with additional supplies and amendments) on which tax is payable and tax is not payable shall be declared here • This shall also include the amount of

		advance on which tax is paid but invoices have not been issued in the current year. • However, this Table shall not include the aggregate value of inward supplies on which tax is paid by the recipient (i.e. by the person filing the annual return) on reverse charge basis.

Pt III	Details of ITC 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 during the financial year					
Instructions-Table 6A						
Total input tax credit availed in Table 4A of **FORM GSTR-3B** for the taxpayer would be auto-populated here.						
A	Total amount of input tax credit availed through FORM GSTR-3B (sum total of Table 4A of FORM GSTR-3B)	• The amount of ITC already availed in GSTR 3B upto March 2018 will be ***Auto-populated*** here. • ITC availed on all inward supplies through GSTR 3B will be reflected here. • The amount punched in Table 4A of GSTR 3B will be reflected here. • ITC received from ISD will we reported here. • The transitional credit will be reported in table 6 K and 6L. • This is a non-editable field.				
Instructions-Table 6B						
Aggregate value of input tax credit availed on all inward supplies except those on which tax is payable on reverse charge basis but includes supply of services received from SEZs shall be declared here. It may be noted that the total ITC availed is to be classified as ITC on inputs, capital goods and input services. Table 4(A)(5) of **FORM GSTR-3B** may be used for filling up these details. 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.						
B	Inward supplies (other than imports and inward supplies liable to reverse charge but includes services received from SEZs)	Inputs	**Source:** • ***The figures of ITC as per Input Tax Credit Register maintained by the registered person based on which ITC had been availed in the monthly GSTR-3B to be reported here.*** • It shall also include			
		Capital Goods				
		Input Services				

			the ITC on services received from SEZ. • The figures are required to be bifurcated into the ITC availed on: - Inputs - Input Services - Capital Goods • Only amount of ITC is to be disclosed. Value of inward supplies needn't be reported here but will be handy while preparing table 14 of GSTR 9C. • ITC availed through table 4A of GSTR 3B and reversed through table 4B of GSTR 3B, will be included here. • Such bifurcation was not required to be reported in GSTR 3B, but the same is required in GSTR 9. • If the Registered Person has disclosed gross total ITC [including ineligible ITC u/s 17(5)] in Table 4A of GSTR 3B and reduced the ineligible ITC in Table 4B (2) of GSTR 3B, then he should disclose the gross total ITC [including ineligible ITC u/s 17(5)] in Table 6B of GSTR 9. The ineligible ITC u/s 17(5) would be disclosed in Table 7E of GSTR 9. • This Table should contain data which has been disclosed in GSTR 3B for the period July 2017 to March 2018. Therefore, there is no scope for revision / addition of data which

			is available in books of accounts but not disclosed in GSTR 3B. **Exclusions:** Following nature of ITC not to be covered in this column: • ITC availed on tax paid under RCM. • Import of goods and services • ISD Credit • ITC reclaimed which was reversed on account of non-payment to the vendor within 180 days as per section 16(2) read with Rule 37. • ITC pertaining to financial period but availed in the GSTR-3B after end of financial year (i.e. 2017-18 invoices on which IITC availed in 2018-19) Comment: There could be difference between ITC availed in GSTR-3B and ITC as per books of account. Such difference would form part of reconciliation statement in GSTR-9C.
Instructions-Table 6C			
Aggregate value of input tax credit availed on all inward supplies received from unregistered persons (other than import of services) on which tax is payable on reverse charge basis shall be declared here. It may be noted that the total ITC availed is to be classified as ITC on inputs, capital goods and input services. Table 4(A)(3) of **FORM GSTR-3B** may be used for filling up these details.			
C	Inward supplies received from unregistered persons liable to reverse charge (other than B above) on which tax is paid & ITC availed	Inputs Capital Goods Input Services	• The details of inward supplies on which tax is paid under reverse charge basis and whose ITC is availed upto March 2018, is to be reported. • Supplies only from unregistered person will be disclosed here whether tax paid under 9 (3) or 9 (4).

			• In addition to inward supplies under section 9(3), supplies taxable under section 9(4) gets get covered till October 12, 2017 only (N.N. 38/2017- CT(R)). • In other words, inward supplies for which self-invoicing is required is to be reported here. **Exclusion** • Supplies on which ITC is availed in FY 2018-19, will be reported in Part V. • Supplies from registered person will be disclosed in table 6D. • Import of services, although leviable to reverse charge, will be reported in Table 6F. • In case the ITC is not availed, reporting in not required.
Instructions-Table 6D			
Aggregate value of input tax credit availed on all inward supplies received from registered persons on which tax is payable on reverse charge basis shall be declared here. It may be noted that the total ITC availed is to be classified as ITC on inputs, capital goods and input services. Table 4(A)(3) of **FORM GSTR-3B** may be used for filling up these details.			
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	• The details of inward supplies on which tax is paid under reverse charge basis and whose ITC is availed upto March 2018, is to be reported. • Supplies on which ITC is availed in FY 2018-19, will be reported in Part V. • Supplies only from registered person will be disclosed here. • inward supplies under section 9(3) will only get covered. • In case the ITC is not availed, reporting in

			not required.
Instructions-Table 6E			
Details of input tax credit availed on import of goods including supply of goods received from SEZs shall be declared here. It may be noted that the total ITC availed is to be classified as ITC on inputs and capital goods. Table 4(A)(1) of FORM GSTR-3B may be used for filling up these details.			
E	Import of goods (including supplies from SEZs)	Inputs Capital Goods	• ITC availed on import of goods is to be reported here. • Inward supplies of goods from SEZ would be reported here. • Only IGST will be reported, customs duty i.e. BCD, social welfare surcharge will not be reported. • ITC availed from July 2017 to March 2018 will be disclosed here. • ITC availed in 2018-19 in respect of bill of entry pertaining to FY 2017-18 will be reported in Part V. *Note: The Government has clarified vide press release dated 4.6.2019 that import of goods on which ITC have been availed (whether in 2017-18 or 2018-19) to be disclosed here. However, it is to be noted that if the ITC availed in 2018-19 is shown here, it would result in wrong disclosure of ITC as such credit was not available for utilisation for the FY 2017-18 which has to be suitably explained by auditor in GSTR-9C.*
Instructions-Table 6F			
Details of input tax credit availed on import of services (excluding inward supplies from SEZs) shall be declared here. Table 4(A)(2) of **FORM GSTR- 3B** may be used for filling up these details.			
F	Import of services (excluding inward supplies from SEZs)		• ITC availed on import of services will be reported. • The details would be available in the table 4(A)(2) of GSTR-3B. • In case of services provided by SEZ to DTA, the tax is charged by the SEZ itself and hence such supplies do not get

		covered in the RCM. • Import of service means: - Supplier- outside India - Recipient- In India - POS- India
Instructions-Table 6G		
Aggregate value of input tax credit received from input service distributor shall be declared here. Table 4(A)(4) of FORM GSTR-3B may be used for filling up these details.		
G	ITC received from ISD	• Aggregate value of ITC received from input service distributor will be reported here. • Only eligible portion received from ISD is to be reported here. • The details would be available in the table 4(A)(4) of GSTR-3B • Ineligible credit received from ISD will not appear. • The figures should be reported after considering the effect of ISD credit notes.
Instructions-Table 6H		
Aggregate value of input tax credit availed, reversed and reclaimed under the provisions of the Act shall be declared here.		
H	Amount of ITC reclaimed (other than B above) under the provisions of the Act	• This table specifically deals with the situation where the credit was availed at first with subsequent reversal and re-availment of the same. • The situation could arise where ITC, which was earlier reversed pursuant to section 16(2) r/w rule 37, on account of non-payment of ITC to the vendor, is reclaimed. • ITC reversed in 2017-18 but reclaimed in 18-19 will be reported in part V. • Ex: - Total ITC availed during the period is Rs.1,00,000/- - Less: The ITC reversed due to non-payment of value including tax to the supplier is Rs.20,000/- - Add: The ITC reclaimed after payment made to the supplier is Rs.8,000/- In this ex; the ITC to be disclosed in - table 6B is Rs.92,000/- - table 6H is Rs.8,000/- - table 7A is Rs.12,000/- [20,000-8,000]
I	Sub-Total (B to H above)	Auto-populated
Instructions-Table 6J		
The difference between the total amount of input tax credit availed through **FORM GSTR-3B** and input tax credit declared in row B to H shall be declared here. Ideally, this amount should be zero.		

J	Difference (I - A above)	• This is an auto-populated field. • This should be 'zero'. • The difference in this column should be zero. However, in case the difference is in negative, the registered person has to identify the reason of such differences. If the difference is on account of excess availment of ITC for which no supporting exists, it may have to be paid through DRC-03.
Instructions-Table 6K		
Details of transition credit received in the electronic credit ledger on filing of **FORM GST TRAN-I** including revision of TRAN-I (whether upwards or downwards), if any shall be declared here.		
K	Transition Credit through TRAN-I (including revisions if any)	• Details of transitional credit obtained through GST FORM TRAN -1 would be reflected here. • In case the TRAN-1 was not filled in FY 18 due to **technical glitches**, and has been filled in FY 19 upto March 31, 2019, in pursuance of Rule 117(1A), then such credit would not be reported here.
Instructions-Table 6L		
Details of transition credit received in the electronic credit ledger after filing of **FORM GST TRAN-II** shall be declared here.		
L	Transition Credit through TRAN-II	• Details of transitional credit obtained through GST FORM TRAN -2 would be reflected here. • In case the TRAN -2 credit is reflected in Electronic credit ledger in 2018-19 or upto April 30, 2019 pursuant to rule 117(4), then the same would not be reported here.
Instructions-Table 6M		
Details of ITC availed but not covered in any of heads specified under 6B to 6L above shall be declared here. Details of ITC availed through **FORM ITC- 01** and **FORM ITC-02** in the financial year shall be declared here.		
M	Any other ITC availed but not specified above	• ITC availed due to reasons other than listed above, would be reported here. • Ex: the credit transferred by the transferor company to transferee company under Form ITC-02 or the ITC availed by the composition scheme when he is opted out from the composition scheme to regular. *Note: This table should not be construed as residuary table wherein any non-reconciled/ unexplainable ITC could be added. It should be on account of specific reasons as indicated above.*
N	Sub-total (K to M above)	Auto-populated
O	Total ITC availed (I + N above)	Auto-populated
7	Details of ITC Reversed and Ineligible ITC for the financial year	

<table>
<tr><th colspan="3">Instructions-Table 7A, 7B, 7C, 7D</th></tr>
<tr><td colspan="3">Details of input tax credit reversed due to ineligibility or reversals required under rule 37, 39, 42 and 43 of the CGST Rules, 2017 shall be declared here.</td></tr>
<tr><td>A</td><td>As per Rule 37</td><td rowspan="4">ITC reversed and reported in table 4B of GSTR 3B during the period July 2017 to March 2018, would be reported here.
In case the amount of ITC required to be reversed is shown by reducing the ITC in table 4A of GSTR 3B, then no amount would be disclosed here.
Rule 37: ITC reversed on account of non-payment to the vendor for a period beyond 180 days of the invoice date.
Rule 39 : ITC reversed on account of ISD credit notes received.
Rule 42 & Rule 43: ITC reversed on account of common inward supplies being used partly for business purposes and partly for non-business purposes, or partly used for making taxable supplies, including zero-rated supplies and partly for making exempt supplies.
Comment:
In case of Rule 42/43, there is requirement of reversal of ITC on monthly as well as on annual basis. This column should contain only such ITC which has been reversed in the monthly return.
There could be instances where the ITC reversed under these provisions is less than ITC required to be reversed or some ineligible ITC has been availed based on the invoice issued by ISD. There is no specific column for reversal of such ITC in the GSTR-9. In the absence of the same, there could be two approach to deal with the same:
The ITC in these columns may be shown net of ineligible ITC. This would result in difference between ITC availed as per GSTR-3B viz a viz final ITC to be taken in GSTR-9 which may have to be explained by the auditor in GSTR-9C.
Such excess credit may be reversed by disclosing it in the Table 7H of the GSTR-9.
In both the cases, the differential credit may be paid through DRC-03. There would be difference to that extent in Table 12 of GSTR-9C which could be explained by the auditor along with giving details of DRC-03 based on which such ITC has been reversed.</td></tr>
<tr><td>B</td><td>As per Rule 39</td></tr>
<tr><td>C</td><td>As per Rule 42</td></tr>
<tr><td>D</td><td>As per Rule 43</td></tr>
</table>

Instructions-Table 7E, 7F, 7G, 7H		
This column should also contain details of any input tax credit reversed under section 17(5) of the CGST Act, 2017 and details of ineligible transition credit claimed under **FORM GST TRAN-I** or **FORM GST TRAN-II** and then subsequently reversed. Table 4(B) of **FORM GSTR-3B** may be used for filling up these details. Any ITC reversed through **FORM ITC -03** shall be declared in 7H. 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**.		
E	As per section 17(5)	• Taxes paid on the inward supplies listed in section 17(5) and is reported in table 4B of GSTR 3B, after availing the same in table 4A of GSTR 3B, would be reported here. • In case the amount of taxes paid on the inward supplies listed in section 17(5) is merely disclosed in table 4C of GSTR 3B, then such amount would not be reported anywhere in GSTR 9. • Normally, the registered persons do not include the ineligible credit in their GSTR-3B and hence this column should be nil. However, there could be instances where ITC is availed but it becomes ineligible subsequently (i.e. goods lost, stolen, destroyed etc). This Table should capture all such ITC which have been reversed by the registered person u/s 17 (5) of the Act.
F	Reversal of TRAN-I credit	• Transitional credit availed, as reported in table 6K and 6L above, and reversed would be reported here.
G	Reversal of TRAN-II credit	
H	Other reversals (pl. specify)	• Reversal of ITC on account of grounds other than listed above, such as reversal of ITC on cancellation of registration under section 29(5) r/w rule 44. • Any other amount of ineligible credit which registered person comes across at the time of preparation of GSTR-9 may also be reversed here and tax paid through DRC-03.
I	Total ITC Reversed (A to H above)	Auto-populated
J	Net ITC Available for Utilization (6O - 7I)	Auto-populated
8	Other ITC related information	
Instructions-Table 8A		
The total credit available for inwards supplies (other than imports and inwards supplies liable to reverse charge but includes services received from SEZs) pertaining to FY 2017-18 and reflected in **FORM GSTR-2A** (table 3 & 5 only) shall be auto-populated in this table. This would be the aggregate of all the input		

tax credit that has been declared by the corresponding suppliers in their **FORM GSTR-1.**		
A	ITC as per GSTR-2A (Table 3 & 5 thereof)	• GSTR-2A has following tables: - Table 3: for normal inward supply where vendor has reported invoice in GSTR-1 - Table 4: Supplier registered under GST Law but the supplies made by them is liable under RCM for the recipient of supply - Table 5: Credit Note/Debit Note issued by the supplier against original supply - Table 6: Invoice issued by ISD based on which the ITC appears in GSTR-2A of the recipient entity • Out of above tables, only Table 3 and 5 (invoice issued by vendors and adjustment thereto on account of debit notes/credit notes issued) would only get reflected in this table. • ITC on import of services and on supplies under RCM is not considered here. • Table seeks at the comparison of ITC being reflected in GSTR 2A and the ITC availed in GSTR 3B. • There is no breakup available for the information auto populated in this table. The taxpayer is required to download GSTR-2A from common portal to examine the details as per Table 3 and 5 of GSTR-2A so that the break up can be compared with the ITC availed in GSTR-3B.
Instructions-Table 8B		
The input tax credit as declared in Table 6B and 6H shall be auto-populated here.		
B	ITC as per sum total of 6(B) and 6(H) above	• Here, the figures auto-populates from the table 6(B) and 6(H) above, which reflects the credit availed or re-availed on the inward supplies under forward charge, respectively.
Instructions-Table 8C		
Aggregate value of input tax credit availed on all inward supplies (except those on which tax is payable on reverse charge basis but includes supply of services received from SEZs) received during July 2017 to March 2018 but credit on which was availed between April to September 2018 shall be declared here. Table 4(A)(5) of **FORM GSTR-3B** may be used for filling up these details.		
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	• The ITC booked in 17-18 is availed in GSTR 3B in 18-19, will be reported here. • This would be same figure as reported in table 13 of GSTR 9 other than ITC availed on RCM.

	but availed during April to September, 2018	
Instructions-Table 8D		
Aggregate value of the input tax credit which was available in **FORM GSTR- 2A** (table 3 & 5 only) but not availed in **FORM GSTR-3B** returns shall be computed based on values of 8A, 8B and 8C. However, there may be circumstances where the credit availed in **FORM GSTR-3B** was greater than the credit available in **FORM GSTR-2A**. In such cases, the value in row 8D shall be negative.		
D	Difference [A-(B+C)]	• This indicates the difference between the ITC reflecting in GSTR 2A and the ITC availed in books, on normal inward supplies. • A positive figures would reflect the short availment of ITC in GSTR 3B and could be on account of: 1. Inward supplies on which the ITC is blocked under section 17(5), or 2. Inward supplies not belonging to the registered person, or 3. ITC omitted to be availed. 4. Double reporting of the invoices by the vendor. • The above reason for differences is also required to be reported in table 8E and table 8F. • On the other hand, the negative figures would reflect the excess availment of ITC. It could be on account of: 1. Invoices not reported by the vendor in its GSTR 1. 2. Excess availment of ITC. • The appearance of negative figures would be matter of concern.
Instructions-Table 8E, 8F		
The credit which was available and not availed in **FORM GSTR-3B** and 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.		
E	ITC available but not availed	• The positive difference (excess ITC in GSTR 2A) appearing in table 8D needs to be distinguished between table 8E and table 8F. • 8E indicates those cases where ITC is legally available to the taxpayers but it could not be availed in the GSTR-3B and hence it gets lapsed. • Table 8F covers instances of ineligible credits which could be on account of supplies covered under section 17 (5), vendors not pertaining to the registered persons or such other supplies which are
F	ITC available but ineligible	

		appearing in the GSTR-2A but the registered person is not entitled to avail the ITC.
Instructions-Table 8G		
Aggregate value of IGST paid at the time of imports (including imports from SEZs) during the financial year shall be declared here.		
G	IGST paid on import of goods (including supplies from SEZ)	• IGST paid on the import of goods (including supplies from SEZ) would be reported here. There is no cross referencing of the information from the GST portal. However, this information could be gauzed from the ICEGATE wherein details of all the bill of entries filed by the importers are covered. • Further, the purchase made from SEZ unit is also covered in this as it is treated as import of goods in the India and credit is taken based on the bill of entry.
Instructions-Table 8H		
The input tax credit as declared in Table 6E shall be auto-populated here.		
H	IGST credit availed on import of goods (as per 6(E) above)	• ITC on imports of goods availed in FY 17-18 would be reported here. • Further, as per the recent clarifications by CBIC, ITC on imports made in 17-18, availed in 18-19 would also be reported here.
I	Difference (G-H)	Auto-populated
J	ITC available but not availed on import of goods (Equal to I)	• That part of ITC which is not availed upto GSTR 3B of March 2019, would be reported here.
Instructions-Table 8K		
The total input tax credit which shall lapse for the current financial year shall be computed in this row.		
K	Total ITC to be lapsed in current financial year (E + F + J)	Auto-populated.

Part IV is the actual tax paid during the financial year. Payment of tax under Table 6.1 of **FORM GSTR-3B** may be used for filling up these details.

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			
				CGST	SGST	IGST	CESS
	1	2	3	4	5	6	7
	Integrated Tax	- The **'actual tax payable'** as per table 4 above	- The actual liability paid through CASH upto	- The actual liability paid through ITC on self-assessment basis, upto GSTR 3B of March 2018,			
	Central Tax						

	State Tax/UT Tax Cess Interest Late Fee Penalty Other	should be disclosed here. - In case there is any difference in tax payable and tax already paid in GSTR 3B for the FY 17-18, the differential liability should be paid via Challan DRC-03. - The tax payable in this column should match with the tax payable as arrived at in the Table 4 of Part II of GSTR-9.	GSTR 3B of March 2018, would be reported here. • This could be obtained from GSTR 3B for the 9 months.	would be reported here. - This could be obtained from the GSTR 3B for the 9 months. - System generated GSTR-9 is computing this amount based on the tax paid by utilising ITC as per GSTR-3B

Instructions- Part V

Part V consists of particulars of transactions for the previous financial year but paid in the **FORM GSTR-3B** of April to September of current FY or date of filing of Annual Return for previous financial year (for example in the annual return for the FY 2017-18, the transactions declared in April to September 2018 for the FY 2017-18 shall be declared), whichever is earlier. The instructions to fill Part V are as follows:

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

Instructions- Table 10 & 11

Details of additions or amendments to any of the supplies already declared in the returns of the previous financial year but such amendments were furnished in Table 9A, Table 9B and Table 9C of **FORM GSTR-1** of April to September of the current financial year or date of filing of Annual Return for the previous financial year, whichever is earlier shall be declared here.

10	Supplies / tax declared through Amendments (+)	• As already discussed, items to be reported in Table 10 are: (a) Additional Invoices related to 2017-18 but

	(net of debit notes)	reported in the GSTR 3B returns for the months April 2018 to March 2019 ; (b) Debit notes dated before Mar 31, 2018 omitted in 2017-18 and reported in the returns for the months of April 2018 to March 2019 (c) Amendments to invoices related to 2017-18 and reported (with errors) in the GSTR 3B for 2017-18 but now reported (duly rectified) in the returns for the months of April 2018 to March 2019.
11	Supplies / tax reduced through Amendments (-) (net of credit notes)	• As already discussed, items to be reported in Table 11 are: (a) Credit notes dated 2017-18 and reported in GSTR 1 'for' 2017-18 but reported in the returns 3B for the months April 2018 to March 2019 (b) Amendments to invoices related to 2017-18 and reported (with errors) in the GSTR1 for 2017-18 but now reported (duly rectified) in the returns i.e 3B for the months April 2018 to March 2019
Instructions- Table 12		
Aggregate value of reversal of ITC which was availed in the previous financial year but reversed in returns filed for the months of April to September of the current financial year or date of filing of Annual Return for previous financial year, whichever is earlier shall be declared here. Table 4(B) of **FORM GSTR-3B** may be used for filling up these details.		
12	Reversal of ITC availed during previous financial year	• ITC availed in during the period July 2017 to March 2018, which has been reversed during the current financial year. • Ex: Ineligible credit availed in March 2018, which was identified as ineligible and reversed in July 2018, needs to be reported in this section • Refer details of ITC reversed in the GST returns filed during the current financial year There appears to be some nexus between values reported in Table 8, with the values reported in Table 13 and Table 12 (though not in all respects)
Instructions- Table 13		
Details of ITC for goods or services received in the previous financial year but ITC for the same was availed in returns filed for the months of April to September of the current financial year or date of filing of Annual Return for the previous financial year whichever is earlier shall be declared here. Table 4(A) of **FORM GSTR-3B** may be used for filling up these details. However, any ITC which was reversed in the FY 2017-18 as per second proviso to subsection (2) of section 16 but was reclaimed in FY 2018-19, the details of such ITC reclaimed shall be furnished in the annual return for FY 2018-19.		
13	ITC availed for the previous financial year	• ITC availed in the CFY pertaining to supplies received in the PFY • Reference should also be made to Table 8 of the Annual Return – Reporting of ITC availed in CFY for supplies received in PFY

		There appears to be some nexus between values reported in Table 8, with the values reported in Table 13 and Table 12 (though not in all respects)
14	Differential tax paid on account of declaration in 10 & 11 above	

	Description		Paid
	1	Payable	3
	Integrated Tax	• In this column the additional liability created due to the amendments made in table 10 and 11above is required to be disclosed. • If there is excess payment in some period and shortage in some other period, there is no mechanism for self adjustment, whereby the excess payment has to be claimed as refund and short payment has to be paid separately.	
	Central Tax		
	State Tax/UT Tax		
	Cess		
	Interest		

Pt VI	Other Information							
15	Particulars of Demands and Refunds							
	Details	Central Tax	State Tax/ UT Tax	Integrated Tax	Cess	Interest	Penalty	Late fees/Others

Instructions- Table 15A, 15B, 15C, 15D.

Aggregate value of refunds claimed, sanctioned, rejected and pending for processing shall be declared here. Refund claimed will be the aggregate value of all the refund claims filed in the financial year and will include refunds which have been sanctioned, rejected or are pending for processing. Refund sanctioned means the aggregate value of all refund sanction orders. Refund pending will be the aggregate amount in all refund application for which acknowledgement has been received and will exclude provisional refunds received. These will not include details of non-GST refund claims.

A	Total Refund claimed	• This table requires the assessee to provide the details of refund claimed by them and status of the same. • Further, the demand notices if any received is also required to be reported along with the status of the case. • Note, the refund means all types of refund claimed under section 54 may be required to be disclosed.
B	Total Refund Sanctioned	
C	Total Refund Rejected	
D	Total Refund	

	pending	

Instructions- Table 15E, 15F, 15G		
Aggregate value of demands of taxes for which an order confirming the demand has been issued by the adjudicating authority shall be declared here. Aggregate value of taxes paid out of the total value of confirmed demand as declared in 15E above shall be declared here. Aggregate value of demands pending recovery out of 15E above shall be declared here.		
E	Total Demand of Taxes	• Only such demands are required to be reported where adjudication has been done as on 31st March 2018. • If any demand pertains to the pre GST period, it is not required to be disclosed in this part.
F	Total taxes paid in respect of E above	
G	Total demands pending out of E above	

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

Instructions- Table 16A		
Aggregate value of supplies received from composition taxpayers shall be declared here. Table 5 of **FORM GSTR-3B** may be used for filling up these details.		
A	Supplies received from Composition taxpayers	• In this column, sum total of inward supplies received from composition taxpayers need to be disclosed. This detail would be available in Form GSTR-3B Table 5

Instructions- Table 16B		
Aggregate value of all deemed supplies from the principal to the job-worker in terms of sub-section (3) and sub-section (4) of Section 143 of the CGST Act shall be declared here.		
B	Deemed supply under Section 143	• Deemed supply under section 143 means any inputs/capital goods sent for job work has not been received back with the specified time limit under section 143 (inputs – 1 year and capital goods – 3 years) because of which, such supplies are considered as deemed supply in the hands of the person who had sent the goods.

<table>
<tr><td></td><td></td><td colspan="7">For the annual return of 2017-18, this column may not be filled because the inputs/capital goods sent for job work during July 2017 will still within the time limit of 1/3 years respectively.</td></tr>
<tr><td colspan="9">Instructions- Table 16C</td></tr>
<tr><td colspan="9">Aggregate value of all deemed supplies for goods which were sent on approval basis but were not returned to the principal supplier within one eighty days of such supply shall be declared here.</td></tr>
<tr><td>C</td><td>Goods sent on approval basis but not returned</td><td colspan="7">The details of deemed supply with respect to goods sent on approval but not has been approved within the period of six months is required to be reported here.
The reporting is merely disclosure in this column and the actual transaction which have been shown in table 4 above.</td></tr>
<tr><td colspan="9">Instructions- Table 17 & 18</td></tr>
<tr><td colspan="9">Summary of supplies effected and received against a particular HSN code to be reported only in this table. It will be optional for taxpayers having annual turnover upto ₹ 1.50 Cr. It will be mandatory to report HSN code at two digits level for taxpayers having annual turnover in the preceding year above ₹ 1.50 Cr but upto ₹ 5.00 Cr and at four digits' level for taxpayers having annual turnover above ₹ 5.00 Cr. UQC details to be furnished only for supply of goods. Quantity is to be reported net of returns. Table 12 of FORM GSTR-1 may be used for filling up details in Table 17. It may be noted that this summary details are required to be declared only for those inward supplies which in value independently account for 10 % or more of the total value of inward supplies.</td></tr>
<tr><td>17</td><td colspan="9">HSN wise Summary of outward supply</td></tr>
<tr><td rowspan="3"></td><td>HSN Code</td><td>UQC</td><td>Total Quantity</td><td>Taxable Value</td><td>Rate of Tax</td><td>Central Tax</td><td>State Tax/UT Tax</td><td>Integrated Tax</td><td>Cess</td></tr>
<tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr>
<tr><td colspan="9">The outward supply made by the registered person during July 2017 to March 2018 need to be reported HSN wise in this section.
The details would be available from Table 12 of GSTR-1</td></tr>
<tr><td>18</td><td colspan="9">HSN wise Summary of inward supply</td></tr>
<tr><td rowspan="2"></td><td>HSN Code</td><td>UQC</td><td>Total Quantity</td><td>Taxable Value</td><td>Rate of Tax</td><td>Central Tax</td><td>State Tax/UT Tax</td><td>Integrated Tax</td><td>Cess</td></tr>
<tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr>
</table>

	• The inward supplies received during the period July 2017 to March 2018 needs to be reported at HSN level. • It may be noted that this summary details are required to be declared only for those inward supplies which in value independently account for 10 % or more of the total value of inward supplies. • This data would not be available from any of the returns filed by the registered person. • Hence, it is important to prepare this detail from the accounting software and to be reported in this column. • Therefore, there would be lot of challenges to fill the data in the HSN wise with respect to inward supplies.

Instructions- Table 19			
Late fee will be payable if annual return is filed after the due date.			
19	Late fee payable and paid		
	Description	Payable	Paid
	1	2	3
A	Central Tax	• Late fee will be payable if annual return is filed after the due date. • The late fee is Rs.100 per day under each Act (total Rs. 200 per day) and maximum of quarter percentage (0.25%) under each Act (total 0.5%) of the turnover in the state or union territory. • This figure would be auto-populated in case of delayed filing on Annual return.	
B	State Tax/UT Tax		

Chapter 3:

Approach and Checklist for preparation of GSTR-9

3.1 Background

Filing of GSTR-9 would conclude the reporting of all transactions for the last financial year. However, considering the detail in which the information is required to be submitted, there has to be systematic approach to prepare the GSTR-9 and GSTR-9C. Both the forms are required to be filed for each GST Number separately and hence following could be broad approach to prepare and submit these forms including checklist of important action points:

Step:1 Download system generated GSTR-9

- GSTR-9 is auto populated from the GSTIN for each of the registered persons. This may be downloaded in the PDF as well as in excel also. Registered person is required to validate the information contained in the auto populated GSTR-9 with their filed GSTR-1 and GSTR-3B.

Step 2: Segregate the GSTIN wise transactions in the books of account

- Review the books of account maintained by the entity to ensure that the details of outward supply made, input tax credits availed, taxes payable and paid and similar other details pertaining to the GST are identified and segregated at the GSTIN level. All below steps to be performed at GSTIN level unless mentioned separately.

Step 3: Outward Supply Reporting

- Identify the supplies as per books of account for which time of supply have fallen in the concerned financial year.
- Review the monthly working of GSTR-3B filed to cross verify the turnover and liability reported therein from the books of account.
- Review the GSTR-1 filed during the FY to reconcile it with the outward supply reported in the GSTR-3B and books of account.
- Transactions on which taxes have been paid through GSTR-3B during the period April 2018 to March 2019 to be reported in the Part V of the GSTR-9.
- All balance transactions on which liability to pay tax arises should be reported in the Part II of the GSTR-9. This would include below:
    - Outward supply on which taxes have been paid through GSTR-3B filed upto 31st March **2018**
    - Outward supplies which have been **omitted to be disclosed** in GSTR-3B till March **2019** to be covered in the Part II.

- Transactions which have been **wrongly reported or any errors committed** in GSTR-3B to be rectified in the Annual Return by declaring correct turnover and tax liability to be paid in the Part II.

Above steps would ensure that all transactions of outward supply have been correctly reported in the in the annual return and are in consonance with the books of account.

Step 4: Input Tax Credit reporting

- Review Input Tax Credits as per books of account and compare it with the details furnished in the GSTR-3B. Any ITC missed out from availment in the GSTR-3B may not be availed when the last date for availment of credit already expired.
- Any input tax credit which has been wrongly availed in the GSTR-3B should be reversed in the Annual Return.
- Input tax Credits availed in the books of account and GSTR-3B should be compared with the credits appearing in GSTR-2A and differences, if any, have to be reconciled and appropriately disclosed in the Annual Return.

Above steps would ensure that ITC in the books of account matches with the credit availed in the GSTR-3B and credit appearing in the GSTR-2A.

Step 5: Reporting of RCM transactions

- Scan the books of account and reconcile with the GSTR-3B to ensure that all transactions where liability arises under reverse charge mechanism have been reported in the GSTR-3B.
- If any liability is detected which remained unpaid may be disclosed in the Annual Return and tax to be paid thereon.

Step 6: Reconciling taxes payable as per correctly filed Annual return with the taxes already paid in the GSTR-3B

- Gross taxes payable as per books of account should match with the tax liability declared in the GSTR-1 and GSTR-3B
- Net taxes payable (after adjustment of credit balance) should match in the GSTR-3B with the books of account.
- Any differences between tax liability arising on account of supply in the books of account and the tax liability disclosed in the GSTR-1/GSTR-3B should be reconciled. If there is differential tax liability, it has to be paid through DRC-03. On the contrary, if there is excess payment of tax, there may be need to apply for the refund of the same.

Step 7: Reconcile the balances in various ledgers in the portal with the books of account

- Balance in Electronic Credit Ledger at GST common portal should be reconciled with the balance of ITC ledgers as maintained in the books of account
- Balance in Electronic Liability Ledger at GST common portal should be reconciled with the liability ledgers in the books of account
- Balance in Electronic Cash Ledger at GST common portal should be reconciled with the details of tax deposited in cash a maintained in the books of account

Above reconciliation should be done at monthly level so that it can be ensured the credits have been availed and liability has been reported in the correct month and books of account matches with the details in common portal. Any difference in the monthly balance between two sets of records could trigger the interest liability.

Step 8: Perform all above steps for all GSTIN separately and consolidate for the purpose of aggregate reconciliation at entity level

- All above steps should be performed separately for each of the GSTIN and consolidated at the entity level to ensure the aggregate summarised information is available for the entire entity
- GSTIN wise details maintained in the books of account should be consolidated at entity level.
- Reconciliation should be done between details as per books of account and consolidated details of all GSTIN at the entity level. This would result in identifying the following:
    - Permanent differences between two sets of records considering the different principles adopted for preparing the two sets of records
    - Temporary differences between two sets of records considering that the transaction may have been considered in one set of record in current FY and other sets of records in the subsequent FY and *vice versa*
    - Errors or omission in any of the records requiring corrective course of action therein

Step 9: Prepare GSTR-9 for all GSTIN separately and consolidation thereof

- Based on reconciled GSTR-1 and GSTR-3B with the books of account, working for GSTR-9 should be prepared each GSTIN wise. This should be reconciled with the books of account of the GSTIN to ensure that all transactions have been reported and reconciliation items for GSTR-9C are identified.

- Working of GSTIN wise GSTR-9 should be consolidated at entity level. This should be reconciled with the entity level books of account to ensure that all transactions have been reported and reconciliation items for GSTR-9C are identified at the entity level

Step 10: Preparation of offline utility for the GSTR-9

- Once the flow of information and correct details are worked out, these should be punched in the GSTR-9 offline utility for the purpose of generation of JSON file.

Step 11: Submission of GSTR-9 on the common portal

- Having prepared all the forms at GSTIN level, they should be submitted on the common portal.
- It should be ensured that all submissions are made before due date so that the compliance can be made timely and there is no late fee for delay in furnishing the details.
- Once the GSTR-9 is furnished on the common portal, the copy thereof should be provided to the auditor for the purpose of preparation of GSTR-9C.

3.2 Some common checkpoints within GSTR-9

There is requirement of disclosing various details in the GSTR-9. Also, many of the information contained within GSTR-9 are inter dependent and should be cross verified before submission and finalisation of Annual Return. Some of the indicative checks which could be performed by the taxpayers for the purpose of Annual Return are tabulated below:

S No	Checkpoint	Source
1	Difference in Turnover & Tax amounts in system computed GSTR 9 and registered person's prepared GSTR 9	Part II - Table 4 & 5
2	The difference in Table 6J Part III should be NIL.	Part III - Table 6
3	Difference between Tax amounts in Table 4N - Part II and Tax Payable in Table 9 - Part IV should not exist.	Part II- Table 4N & Part IV - Table

		9
4	If there is any difference reported in S No 3 above, there should be reporting under Table 10 / 11 of Part V of GSTR 9. If no reporting in Part V Table 10/11, it should be ensured that no such instances exist.	Part V -Table 10/11
5	If any amount is reported in Part V - Table 10/11 and correspondingly there is no difference in Tax Payable as per Table 4N - Part II and Tax Payable in Table 9 - Part IV. This needs to be flagged and reason for such reporting to be noted and identified.	Part II- Table 4N & Part IV - Table 9
6	Amounts reported under Table 17 should be reconciled with amounts reported in Table 5N - Part II.	Part II- Table 5N & Table 17
7	RCM Liabilities reported in Table 4G - Part II to be reconciled with sum of Table 6C, 6D & 6F of Part III of GSTR 9. Difference to be flagged	Table 4G - Part II & Table 6C/6D/ 6F of Part III
8	Wherever outward liability shown in the Table 10 (Part V) or ITC reversal in Table 12 (Part V), whether interest has been paid for such delay.	Table 10 & 12 - Part V
9	RCM liability pertaining to 2017-18 paid after end of year, gross value not to be shown in the Table 10 and 11 otherwise it would create difference in the turnover for the purpose of GSTR-9C	Table 10 and 11
10	ITC in Table 8C should normally match with ITC availed as shown in Table 13 (though there could be differences also). A reco may be maintained for such differences.	Table 13 and Table 8C
11	Wherever difference in the auto populated and reinserted number is more than 20%, such differences should be examined in depth to ensure the correctness of final reporting	General
12	Table 8F should not be less than the ineligible ITC disclosed in the periodical GSTR-3B	8F
13	Total of 4C, 4D, 5A and 5B should not be less than the exports shown in GSTR-1/3B on which refund has	4C, 4D, 5A, and 5B

	been claimed	
14	8H should be equal to or more than 6E.	8H and 6E
15	If any tax is paid through DRC-03, the turnover in Table 4 part II should be more than auto populated turnover	Part II

3.3 Checklist for various reporting/returns

Following indicative checklist could be used for making compliance as per above

Checklist for GSTR-1

Sl. No.	Description	Remarks
1	Check whether all the outward supplies for the period July 2017 to March 2018 has been disclosed in GSTR-1.	
2	Check whether the following outward turnover is disclosed separately in GSTR-1: • B2B • B2C • Export • SEZ • Deemed supply • Exempted/nil rated/non-gst supply • HSN Summary	
3	Check whether the turnover of outward supplies disclosed in GSTR- 1 is reconciled with the books of accounts.	
4	Check whether all the debit notes/credit notes raised during the period July 2017 to March 2018 is disclosed in the GSTR-1.	
5	Check whether advances received towards goods (up to 13.10.2017) and services are disclosed in GSTR-1.	
6	Check whether invoices are raised against such advances received and disclosed in GSTR-1 and adjusted against the liability payable in GSTR-3B.	
7	Check whether the balance advances received on which invoices is not yet raised during the financial year is identified and reconciled.	

8	Check any changes/amendments of outward supplies of 17-18 are made during April 18 to Sept 18. If yes, reconciliation of the same is to be checked.	
9	Check whether any amendments have been done with respect to July 17 to Mar 18 outward supply and adjustment to that extent is done. Further, also see whether the details of changes/amendments during April 18 to Sept 18 are prepared.	
10	Check whether any turnover of July 17 to Mar 18 is not disclosed in the GSTR-1 return.	
GSTR-3B		
11	Check whether the turnover disclosed in the GSTR-3B for the period July 17 to Mar 18 is matching with the corresponding GSTR-1 return.	
12	Check whether reconciliation for the difference if any between GSTR-1 and GSTR-3B is prepared.	
13	Check whether reconciliation for the information of July 17 to Mar 18 in April 18 to Sept 18 is prepared.	
14	Check whether the credit note/debit note for the supplies made during period July 17 to Mar 18 by Sept 18 and also disclosed in GSTR-1 & GSTR-3B.	
15	Check whether the GST on inward supplies attracting GST under reverse charge [Sec 9(3) and 9(4)] is paid.	
16	Check whether the ITC is reversed, wherever the payment to supplier is **not** made within 180 days. Also check, if the payment is made to the supplier after reversal, the ITC is reclaimed back.	
17	Check whether the reclaimed credit of already reversed credit are identified and kept separately.	
18	Check whether the reversal of ITC under Rule 42 & 43 is done month on month basis (if applicable).	
19	Check whether the reversal of ITC under Rule 42 is recomputed, • If recomputed ITC towards exempted supplies is more than the actual reversal – check whether the differential ITC has been reversed by Sept 18 along with interest from April 18 to the date of reversal. • If recomputed ITC towards exempted supplies is less than the actual reversal – check whether the excess ITC reversal has been availed back by Sept 18, if not ITC will get lapsed.	

20	Check whether the reconciliation between GSTR-2A and ITC as per GSTR-3B is reconciled. If not, to ensure it is done and avail any missed out ITC by Sept 18.	
21	Check whether the payment made in GSTR-3B is off- set with the corresponding liability.	
22	Check whether the interest is paid on delay payment made in GSTR-3B.	
23	Check whether the Non-GST inward supply, exempt inward supply and composition and NIL rated inward supplies are disclosed in GSTR-3B separately.	
Books of Accounts		
24	Check whether the turnover disclosed in the GSTR-1 & GSTR-3B is matching with books of accounts.	
25	Check whether the ITC availed in the books of accounts is matching with table 4 of GSTR-3B	
26	Check whether any reconciliation between books to GSTR-1 & books to GSTR-3B is done. If any difference identified, check whether the same is rectified till the Sept 18 return.	
27	The credit balance of profit and loss account is required to be reconciled with the GSTR-1 & 3B and any difference, reconciliation statement need to be prepared.	
28	Check whether the advance at the end of the year is identified and matched with the books of accounts	
GSTR-9		
29	Check whether the details of the turnover which has tax implication has been separately identified.	
30	Check whether the details of the turnover (tax implication + no tax implication) is bifurcated as follows: • B2C • B2B • Exports with payment of tax • SEZ with payment of tax • Deemed exports • Advances at the end of the year on which invoice is not raised • Inward supplies on which tax to be paid under RCM	

31	Check whether the turnover on which recipient is made liable to pay the GST is identified separately.	
32	Check whether the details of credit notes/debit notes raised during the July 17 to Mar 18 details is available.	
33	Check whether the amendments made with respect to the outward supplies during July 17 to Mar 18 are identified and summarised.	
34	Check whether the ITC register is maintained wherein ITC is classified as inputs, input services or capital goods.	
35	Check whether the ITC availed in GSTR-3B is matched with books of accounts as well as GSTR-2A. If any ITC is not availed by Sept 18 would get lapsed.	
36	Check wherever the GST is paid under reverse charge on import of goods/services, the ITC on the same is availed and disclosed in the GST returns.	
37	Check whether the ITC on ISD invoices is availed and shown in the GSTR-3B.	
38	Check whether TRAN-1 & II properly filed and ITC is auto-populated in Electronic Credit Ledger.	
39	Check whether the ITC (if any) under Rule 37, 39, 42, 43 &Section 17(5) are reversed.	
40	Check whether composition scheme is opted out/opted in, if yes see whether the corresponding availment/reversal of ITC is done.	
41	Check whether the ITC as per GSTR-2A and GSTR-3B is reconciled. If any ITC is not availed, the same have to be availed in Sept 18. If not, ITC will get lapsed.	
42	Check whether any ineligible ITC is availed, if yes the same has to be identified and reversed at the earliest.	
43	Compare the output tax payable as per the reconciled turnover with tax paid as per GSTR-3B and if any liability arose the same is required to be made with interest and disclosed in the returns.	
44	Check whether the details of refund claimed and status as on Mar 18 are prepared and maintained separately.	
45	Check whether any demand notices are received by the assessee, if yes details of the same are required to be obtained.	
46	Check whether HSN wise outward supplies/inward supplies are maintained along with quantity details.	

3.4 MAPPING OF GSTR-1 TO GSTR-9

Ref in Form GSTR-1	Description	Further breakup required	Ref in Form GSTR-9
4A	B2B (others)		4B
4B	B2B RCM		5C
4C	B2B e- commerce		4B
5	B2CL - invoice-wise details		4A
6A	Exports	With payment	4C
		W/o payment	5A
6B	Supply to SEZ	With payment	4D
		W/o payment	5B
6C	Deemed export	With payment	4E
7	Supplies to URP (net of DN/CN)		4A
8	Nil-rated		5D
	Exempt		5E
	Non-GST (incld. No supply)		5F
9	**Amendments - to 4,5,6 above**		
9A	Amendment to invoice	B2CL	4A
		With payment	4K,L
		W/o payment	5J,K
9B	DN/CN	B2CL	4A
		With payment	4I,J
		W/o payment	5H,I
9C	Amendment to DN/CN	B2CL	4A
		With payment	4K,L
		W/o payment	5J,K
10	Amendments in supply to URP		4A
11	Advances	Taxable advances for which invoice not issued in 2017-18	4F

12	HSN details		17

3.5 MAPPING OF GSTR-3B (ITC) TO GSTR-9

Ref in Form GSTR-3B and description	Break up required for annual return		Ref in Form GSTR-9
Eligible ITC			
(A) ITC Available (whether in full or part)			
(1) Import of goods	Customs clearance	Inputs	6E
		capital goods	6E
	Supplies from SEZ	Inputs	6E
		capital goods	6E
(2) Import of services			6F
(3) Inward supplies liable to reverse charge (other than 1 & 2 above)	Unregistered RCM - sec 9(4)	Inputs	6C
		capital goods	6C
		input services	6C
	Notified RCM -sec 9(3)	Inputs	6D
		capital goods	6D
		input services	6D
(4) ITC from ISD			6G
(5) All other ITC	Reclaimed as per rule-37		6H
	Supplies from SEZ	Inputs	6E
		capital goods	6E
		input services	6B
	Sec 17(5) -blocked credit	Inputs/CG/input services	6B
	Others	Inputs	6B
		capital goods	6B
		input services	6B
(B) ITC Reversed			
(1) As per rules 42 & 43 of CGST Rules	Prop reversal for inputs & input		7C

	services		
	Prop reversal for capital goods		7D
(2) Others	Reversal - 180 d non-payment		7A
	ISD Reversals		7B
	As per sec 17(5)		7E
	ITC-03		7H
(C) Net ITC Available (A) – (B)			
(D) Ineligible ITC			
(1) As per section 17(5)			7E
(2) Others			

Chapter 4:
Frequent Asked Questions on Annual Return

General FAQs

1. What is Annual Return?

Annual Return is a statement of return which is required to be filed annually by each registered person (except few specified categories of persons) under GST giving summarized details of outward supply and taxes paid thereon, Input Tax Credits claimed, taxes paid and refund claimed in the financial year in respect of which such annual return is filed. It also includes the transaction pertaining to the said financial year in respect of which the effect has been taken in the next financial year.

2. Is it compulsory to file Annual Return?

Section 44 of the CGST/SGST Act provides that every registered person is required to file Annual Return for the financial year, by the end of December of following year except few categories of persons as provided in the section 44(1). Hence, there is need to file the Annual Return by every registered person including the person paying tax under composition scheme under section 10 of the Act.

3. Who are not required to file Annual Return?

The following categories of persons are not required to file annual return:

i. Casual taxable person
ii. Input service distributors
iii. Non-resident taxable persons
iv. Persons paying TDS/TCS under section 51 or 52 of the Act.
v. Every electronic commerce operator who is required to collect tax at source (TCS) in terms of section 52 is required to file annual return in form 9B (which is not notified yet).

4. What is the last date of filing the Annual Return?

Annual return has to be filed on or before the 31st day of December following the end of such financial year to which the return is to be filed i.e. on or before 31.12.2018 for the F.Y. 2017-18.

This due date had been extended to 30th June 2019 vide Removal of Difficulty Order 03/2018 dated 31.12.2018 for FY 2017-18.

It is not as on date expected that the due date would be further extended beyond 30th June. Finance Ministry (News-Business Line: 4th June 2019)

5. What are consequences of not filing the Annual Return?

Following could be consequences of not filing the Annual Return:

1. Notice under section 46 could be issued to file the return within 15 days.
2. Late fee for non-filing /delay filing of Annual return shall be applicable under Section 47(2) of the Act , which would be **lower of**
   i. Rs.200 per day during which such failure continues
   ii. 0.50% of turnover in the state or union territory.

Note: To be paid in half to CGST & SGST respectively. General penalty as per section 125 of the Act, could be applicable which may extend up to Rs.50,000.

6. Whether Annual Return is required to be filed separately for each GSTIN?

If a person is having multiple GSTINs, then each such GSTIN would be considered as a distinct person. Every registered person (other than those mentioned in 44(1)) is required to file annual return. Thus, annual return has to be filed separately for every registration obtained by the registered person.

7. What is the relationship between Annual Return and Audit under GST?

Annual Return, as stated above, is required to be filed by every registered person irrespective of their turnover. GST Audit is required to be done for the registered persons having aggregate turnover exceeding Rs. 2 crores in the Financial Year. The relationship between two can be explained as below:

- Annual return is the responsibility of every registered person, where auditor is not required to certify the details furnished therein.
- Details furnished in the Annual Return could be said to be the starting point for the GST Audit/certification where auditor is required to report the reconciliation between value of supplies as declared in the Return with the audited annual financial statements.
- Annual Return is required to be filed in
  - Form GSTR-9 (normal registered persons),
  - Form GSTR-9A (person paying tax under composition scheme),
  - Form GSTR-9B (electronic commerce operator),

  whereas the audit report is to be filed in Form GSTR-9C.

8. Whether information furnished in the GSTR-1 and GSTR-3B for the FY 2017-18 would require to be reported in the Annual Return manually or it shall be auto populated by GST portal?

The responsibility of preparation of GSTR-9 is of the registered person. However, as a user friendly measure, GSTN is providing pre-filled GSTR-9 for the users wherein following information are auto populated:

i. Form GSTR-3B: RCM liability, ITC availed and Tax payable and paid is auto populated from GSTR-3B..

ii. Form GSTR-1: Part II (partially auto-populated).

iii. Form GSTR-2A: Table 3 and 5 (i.e. Inward supplies received form registered person other than RCM and their debit/credit notes) of GSTR 2A are auto populated in table 8A of Annual return.

Note: Where GSTR 1 matches to GSTR 3B and the books of accounts, data auto-populated in the GSTR 9 could be considered as final for reporting. However, in case of differences, it has to be reconciled and correct figure to be reported.

9. Whether differential tax liability reported in the Annual Return can be paid through the Annual Return?

No, additional liability cannot be paid through the Annual Return. Additional liability is to be disclosed in the annual return under Part II & Part V, and disclose tax payable under Table 9 & 14. The difference between actual tax paid and payable is to be paid through Form DRC-03 separately.

Step 1: Deposit cash in electronic cash ledger under tax/interest heads as per amount payable.

Step 2: Path for DRC-03: Login to GST portal > User Services > My Applications > Intimation of Voluntary Payment DRC-03 > Fill tax/interest payable values under respective heads > Set-Off.

Note: Suggest to discharge additional liabilities through cash only.

10. Whether submission of details of HSN summary is mandatory?

Yes, table 17 and 18 of requires reporting of HSN wise summary of both inward and outward supplies.

Note: For table 18 relaxation provided, i.e. HSN being over 10% of total inward supplies need to be disclosed.

For the purpose of Total Inward supplies, non-GST supplies and Schedule III expenses may be ignored.

11. **If the assess opts for composition scheme during the financial year, do they need to file both GSTR-9 and GSTR-9A?**

    It seems that registered taxable person needs to file Annual Return in GSTR-9 for first part of the financial year as a regular tax payer and also Form GSTR-9A for the second part of the financial year as a composite tax payer.

12. **Whether the Annual Return filed can be amended subsequently?**

    Option of amendment of Annual Return has not been provided under section 44 or rule 80. Therefore, once the annual return is filed, it would be considered as final and no further amendment would be possible.

13. **Why Form GSTR-9 is required to be filed additionally, if an assessee has already filed Form GSTR-1 and Form GSTR-3B?**

    Form GSTR-9 is a consolidated statement of the supplies effected and ITC availed by the registered person during the financial year along with additional reporting requirements, which provides a 360 degree view of transactions undertaken in the financial year. In a nutshell, it is a consolidated summary of all the returns filed for the financial year with specific reporting requirements.

14. **Is it mandatory to file GSTR-1 and GSTR-3B before filing of the Annual Return?**

    Yes, the instruction to GSTR-9 provides that it is mandatory to file GSTR-1 and GSTR-3B before filing of GSTR-9. Hence, any taxpayer who has failed to file GSTR-1/3B for any of the month for FY 2017-18 shall not permitted to file GSTR-9.

15. **I had migrated from service tax regime to GST regime. There were no transactions carried out under GST. Whether it is mandatory to file GSTR-9 in such cases?**

    Any person having valid GSTIN in any part of the year is required to file Annual Return irrespective of volume of the transaction in the said return. Hence, you have to file annual return in such case also.

16. I had applied for cancellation of registration and have filed my final return also. Whether there is need for filing of the Annual Return?

Irrespective of cancellation of registration, there is need for filing of the Annual Return. The liability to file annual return exists even after filing of the final return.

17. I failed to file my return for 6 months consequent to which department has cancelled my registration. What should I do?

The Government has enabled the revocation of registration of such class of taxpayers. Hence, in such cases, you should apply for revocation of registration, regularize the periodical returns not filed till date and then file Annual Return.

FAQs on reporting of Outward Supplies in Annual Return

18. Whether all outward supply (whether taxable or not) have to be declared in the Annual Return?

There is a need for disclosure of all outward supplies (whether taxable or not) in Form GSTR-9. Such details have to be disclosed in the Annual Return. Outward supply on which tax is to be paid is required to be disclosed in table 4 of Annual Return and details of supplies on which tax is not payable/exempt has to be disclosed in table 5 of Annual Return.

19. If any supply has not been reported in Form GSTR-3B upto the due date of March 2019 and also in Form GSTR-1, can it be shown in the Annual Return?

Yes, additional liabilities accounted in the books of accounts although not disclosed in GST returns can be disclosed in the Annual Returns – Part II. The tax liability thereon may be discharged through DRC-03.

20. If A Ltd. has filed Form GSTR-1 and Form GSTR-3B upto 20th April 2018. Now there is a need of amendment in the return relating to FY 2017-18 arise. Can we make any changes/amendments in Form GSTR-1 and Form GSTR-3B filed earlier, after 20th October/31st October 2018?

GSTR 1 and GSTR 3B once filed cannot be revised/amended. Based on Circular 26/2017 amendments can be made to subsequent GSTR 1/GSTR 3B as required.

Original date for making any amendment in the details furnished in GSTR-1/3B was till the due date of filing of Return for the month of September 2018. However, the same has been extended to 31st March 2019. Accordingly, all details furnished upto the due date of filing of return for the month of March 2019 to be considered for the purpose of filing of Annual Return.

21. Whether B2C larges supplies (>2.5 lakhs) made to un-registered person and other B2C supplies needs to be disclosed separately?

No, supplies reported as B2C in table 5 and 7 of Form GSTR-1 need to be clubbed and shown in table 4A of Annual Return and the same needs to be disclosed net of credit notes.

22. Whether credit note issued to registered and unregistered persons needs to be disclosed separately?

Credit note issued against B2B supplies needs to be disclosed in Table 4(I) of Annual Return. Whereas credit note issued to unregistered person i.e. B2C need to be reduced from the supplies and show at net values in table 4(a) of Annual Return.

23. There is mismatch between turnover reported in the Form GSTR-1, Form GSTR-3B and books of account. How to make adjustments/reporting for the same?

Annual Return is required to be prepared as per supplies made by the registered person during concerned financial year and covered in their books of account. There could be possibility of some of these supplies omitted from reporting in GSTR-1 and/or GSTR-3B. However, while Annual Return, the registered person is required to determine correct supplies made by him and report it in the Annual Return.

Let us consider following possible situations

- *Outward supplies reported in Form GSTR-3B but not reported in Form GSTR-1:* To consider values reported in Form GSTR-3B and also the details of payment (if any) would be reported in Table 9 of the Annual Return
- *Outward supplies reported in Form GSTR-1 but not reported in Form GSTR-3B upto March 2019:* Correct value as per GSTR-1 (matching with

books) to be reported in GSTR-9. Differential tax liability arising on account of correct disclosure of turnover to be paid through DRC-03.

- *Mismatch in values reported in Form GSTR-3B and Form GSTR-1:* To consider the correct value for the purpose of reporting in Annual Return. Excess/short payment would get captured in Table 9 of the Annual Return.

24. There is a view that the Annual Return should be prepared based on books of account showing correct supplies irrespective of supplies reported in GSTR-1/GSTR-3B. Whether it is correct?

Though the taxpayers are required to disclose all details correctly in the GSTR-1 and GSTR-3B. However, there could be possibility of errors of omission /commission. If such errors are detected by the registered person himself before filing of the Annual Return, it is suggested to disclose the correct value of supplies and liabilities thereon irrespective of incorrect disclosure made in the GSTR-1/3B. This could act as last opportunity for the taxpayers to make correct disclosure to the Government.

However, wherever there is difference between the supplies reported in the periodical returns and correct supplies to be reported in the Annual return, the tax payer is required to have proper documentary evidence (transaction level) to explain such difference to auditor/department officers in case of audit /assessment/investigation etc.

25. Annual Return should be prepared as per books of account. Does it mean that all outward supplies (including tax payable thereon) should be reported in the Part II only?

The view that annual return should be prepared based on the books of account does not mean that all supplies should get covered in the Part II only. It means that all supplies as per books of account should get captured in the Annual Return by filling such information in the table/column designated for that purpose but in aggregate, such supplies should match with the correct supplies made in that period. The disclosure under various tables based on the period when it has been disclosed in the GSTR-1/3B may be understood from below table:

Scenarios	Reported in FY 17-18	Reported in FY 18-19	Action in GSTR 9

	GSTR 1	GSTR 3B	GSTR 1	GSTR 3B	
1	✓	✓	-	-	Table 4 & 9
2	-	-	✓	✓	Table 10 & 14
3	✓	×	-	✓	Table 10 & 14
4	×	✓	-	-	Table 4 & 9
5	✓	×	×	×	Table 4 & 9 *
6	×	×	×	✓	Table 10 & 14
7	×	×	✓	×	Table 4 & 9 *
8	×	×	×	×	Table 4 & 9 *

** In such cases, where liability remains unpaid then such liability needs to be manually added in Table 9 and paid through Form DRC-03. It is important to note that, "tax payable" column in Table 9 has been left editable by the portal in offline utility.*

26. What if the supply was made in the year 2017-18 but invoice was raised toward such supply in the year 2018-19?

As the invoice has been raised in the FY 2018-19, such supplies would be reported in the Annual Return of 2018-19 not of 2017-18. However, the supplier may be liable to interest for delay in payment of tax on account of delayed raising of invoice.

27. If interstate supply has been declared as intra state supply and *vice versa* in Form GSTR-1, how to rectify it? Whether it has to be rectified in the Annual Return?

Where place of supply has been declared wrongly and tax has been paid wrongly, the registered person is required to pay correct tax and file refund of the tax paid wrongly. The amendment of wrong disclosure of place of supply has to be rectified through the Table 9A (B2B) and Table 9B (B2C large) of Form GSTR-1 only. Once the amendment has been done in the GSTR-1, the same may be disclosed in the Annual Return in Table 4K/4L or Table 10/11 depending upon the period in which such rectification has been done.

There could be a possibility that the supply was correctly reported in GSTR-3B. If so, the Annual Return would be prepared based on the correct value of GSTR-3B and it will not have any additional tax impact.

On the contrary, if the supplies were declared incorrectly in GSTR-3B also, the taxpayer may disclose correct nature of supply in GSTR-9. Correct tax could be paid in GSTR-9 through DRC-03 and wrong tax paid earlier has to be claimed back from the Government by filing the refund claim (not through GSTR-9)

Such amendments can be given effect directly in the Annual return even if not given effect thereof in the GSTR-1.

28. Financial Credit Note has been issued by the supplier of goods. How to report the same in the Annual Return?

There is no GST implication on the Financial Credit Note. It is not required to be disclosed in Form GSTR-1/GSTR-3B. Hence, the same is not required to be disclosed in the Annual return also. Table 4I which requires disclosure of credit note is applicable only for credit notes which are issued in accordance with the section 34 of the CGST Act.

Financial Credit Note could form part of reconciliation statement between audited annual accounts and GST Return and hence may be required to be disclosed in the reconciliation statement in form GSTR-9C.

29. How to disclose Credit Note issued in the FY 2017-18 and disclosed in Form GSTR-1 of the FY 2017-18?

This has resulted in the reduction of liability in the same financial year and reported in the periodical return of the same financial year. It has to be reported in the Table 4I of the Annual Return (except credit note issued in respect of B2C supplies which are required to be reported after netting of such Credit Notes in Table 4A).

30. How to disclose Credit Note issued in the FY 2017-18 (say November 2017), originally disclosed in Form GSTR-1 of 2017-18 (November 2017) and subsequently amended in the Form GSTR-1 of same FY 2017-18 (February 2018)?

The amendment to the credit note has been given effect to in the same financial year and disclosed in the same FY. It has to be reported in the Table 4K/4L of the Annual return (except for amendments made to B2C supplies which are to be reported after such amendments). This is on the understanding that the similar effect has been taken in GSTR-3B also for that particular month only.

On the other hand, if the credit note has been declared in the GSTR-1 upto March 2018 but declared in GSTR-3B after March 2018, such credit note would require to be disclosed in the Table 11 of Part V of GSTR-9.

31. **How to disclose Credit Note issued in the FY 2017-18 (say November 2017), originally disclosed in Form GSTR-1 of 2017-18 (November 2017) and amended in Form GSTR-1 of next FY 2017-18 (May 2018)?**

On the understanding that similar effect has been given in GSTR-3B also, the amendment to the credit note is in respect of the supplies made in the previous financial year, it has to be reported in Part V of the Annual Return.

32. **What shall be the treatment in case of Credit Note issued in respect of transaction of FY 2017-18 issued after end of FY and reported in the GSTR-1 of the subsequent financial year?**

The credit note pertains to the transaction of the last year and hence requires disclosure in the Part V of the Annual Return. This also finds support from the format of GSTR-9C where adjustment is required to be done for the credit note reported in the GSTR-9 after end of FY.

At the same point of time, there is other view also as per which the credit note issued in next FY should not get adjusted in the earlier year. i.e. Goods sold in Feb 2018 which are returned by the customer in June 2018 and credit note issued by the supplier. As the return of goods has taken place independently in FY 2018-19, it should not be reported in the Annual Return. In view of the author, second approach would be better considering the fact that the cause of action giving rise to issuance of credit note has arisen in the subsequent financial year and hence the same should form part of the GSTR-9 of FY 2018-19.

Note: Similar would be implication in case of debit note issued and disclosed under various scenarios.

33. **Original goods were supplies in March 2018 in respect of which credit note was issued in December 2018. How should treatment be done in the Annual Return.**

Section 34 of CGST Act requires that the credit note can be issued only upto the period of filing of return for the month of September of subsequent financial year. The extension of the date from September to March was merely for the purpose of disclosure of credit notes which were issued prior to such date but were omitted to be disclosed in the GSTR-1/3B. Hence, the credit note issued after September 2018 continues to be invalid credit note. The registered person is required to pay taxes on such wrong credit note. However, such credit note would not require to be reported in GSTR-9 of 2017-18. It would form part of GSTR-9 of 2018-19.

34. Credit note was issued by the supplier but the same was omitted to be disclosed in the GSTR-3B. Whether the same may be disclosed and adjusted in the GSTR-9?

Section 34 (2) provides that the registered person issuing credit note is required to disclose such credit note in the **'return'** for the month during which credit note has been issued. The return means the return as required to be filed under section 39 i.e. GSTR 3/3B. There is no provision for disclosure of the credit note in the GSTR-9 unless the same was reported in the GSTR-3B filed till March 2019. Hence, in the absence of the same, the registered person may not disclose such credit note in the GSTR-9.

35. Person issuing credit note is required to disclose the credit note in GSTR-3B by reducing the value if supply from other outward supplies and tax to be paid on net amount. But, by mistake, it was shown as availment of credit in GSTR-3B. What should be impact of the same in the Annual Return?

The substantial condition for credit note is that the recipient of supply has reduced ITC to the extent tax involved on the credit note. If the registered person is in a position to verify that the recipient of supply has reversed ITC on such supply, a view may be taken that disclosure of such credit note in the ITC instead of reduction of output liability is merely a disclosure error with no revenue impact (there is no loss of revenue to the Government). However, the view may be litigated by the department which have to be suitably addressed.

36. SEZ unit has supplied the goods to DTA unit. How should it be reported in the Annual return by SEZ unit?

Supplies by SEZ unit to DTA unit is not required to be disclosed in the periodical GSTR-1 by the SEZ unit. Instead, it is reported by the DTA unit as import made from SEZ against bill of entry. As this does not form part of the turnover of SEZ, it is not required to be included in the GSTR-9 to be filled by the SEZ unit.

37. Supply has been made without consideration. Whether disclosure is required in the Annual Return?

Generally, there is no GST liability on the supply made without consideration. In the absence of supply being made, it is not required to be disclosed in the Annual return. However, if the supply without consideration is in the nature of transactions covered in the Schedule I of the CGST/SGST Act and the details of the same is disclosed in the Form GSTR-1 filed then the same needs to be also disclosed in the Annual Return.

38. Term "Non GST Supply" has not been defined under the law. What is to be included therein in the Annual Return. Could details reported in this table be different from the details furnished in the periodical return?

Non GST supply could be said to be supply of alcoholic liquor for human consumption, petroleum crude, high speed diesel, motor spirit (commonly known as petrol), natural gas and aviation turbine fuel etc. Transactions falling within schedule III (neither supply of goods nor supply of services) may not be said to be non GST supply and accordingly may have not been declared in the periodical GSTR-3B and GSTR-1. However, instruction to table 5D, 5E and 5F requires disclosure of 'no supply' transaction also. There could be following approach:

- Disclose such "no supply" transaction pertaining to last year in the GSTR-3B and GSTR-1 till March of succeeding FY and accordingly include in Table 5F of GSTR-9,
- Even if not disclosed in the periodical returns, to be disclosed in GSTR 9.

39. Some amount has been recovered as Pure Agent. Does it require disclosure in the Annual Return?

Amount recovered as pure agent is excluded from the valuation under section 15 of the CGST/SGST Act read with Rule 33 of the CGST/SGST Rules. It is not shown in the periodical GSTR-1 also and accordingly there may not be disclosure requirement of the same in the Annual Return. If such transactions are routed through Balance Sheet, there will be no disclosure in the GSTR-9C also. However, if included in the turnover as per books of account, it would be one of the reconciliation item under GSTR-9C.

40. Whether High Sea Sales, warehousing sale and merchanting sale has to be reported in the Annual Return?

High sea sale, bonded warehouse sale and merchanting sale where there is no GST liability and covered in the Schedule III as per proposed amendment could be said to be in the nature of "no supply" transactions and covered in Table 5F of Annual Return.

41. Whether stock details have to be reported in the Annual Return?

The details in respect of movement of stock or addition/ consumption of stock is not required to be disclosed in the Annual return. However, assessee needs to internally derive the values of stock that is lost, stolen, issued as samples etc. and accordingly the same needs to be reversed in the monthly returns and the corresponding disclosure of the same needs to be given in Part III of the Annual Return.

42. Goods have been sent to job worker on delivery challan in respect of which ITC-04 has been filed in the Financial Year. Whether any disclosure is required in the Annual Return.

Goods sent to job worker on delivery challan are not in the nature of supply provided the goods are received back within the specified period. There is no requirement of disclosure of such removal in the Annual Return. However, if the goods are not received back within specified time period, it is treated as if supply has been made on the date of original removal of goods and tax has to be paid by the principal. Such instances have to be reported in the table 4 and Table 16B of the Annual Return.

Practically, as there is a minimum of 1 year time limit for it to be considered as a deemed supply, it would not apply for GSTR 9 of FY 2017-18.

43. How to disclose the difference between commercial value of the transaction and assessable value under GST?

There could be many instances where commercial value of the transaction could be different from the transaction value on which tax is payable under section 15 of the CGST/SGST Act read with rules issued thereunder. There is requirement to disclose the transaction value as arrived at under section 15 of the Act read with Rule in the Annual Return. Any difference between commercial value and transaction could form part of the Reconciliation Statement. There is no need of disclosure of such difference in the Annual Return.

44. Supplies made to registered persons have been disclosed as B2C supplies in Form GSTR-1. How to rectify the same in Annual Return?

Rectification should be made only in Form GSTR-1 before the due date of furnishing the return for the month of September (extended to March). Hence, the change of the nature of transactions from B2C supply to B2B supply have to be made in the GSTR-1. In the Annual Return, the supply should be disclosed under the appropriate head at the gross amount and adjustment should be shown in the amendment table.

However, if the supplier could not rectify it in the GSTR-1, it may be corrected in GSTR-9 and disclosed in the correct column.

As per ROD 02/2018 – Amendments to GSTR 1 were allowed up to March 2019. This would help enable to recipient to claim the ITC.

45. Supplies made to incorrect GSTIN of the registered persons. How to rectify the same in Annual Return?

Rectification can be made only in GSTR-1 before the due date of furnishing the return for the month of September extended to March. The earlier supply made needs to be amended by way of amendment tab in the Form GSTR 1 and the new GSTIN needs to be updated. Anyway, the amendment in the GST number may not have any impact on the tx liability and accordingly such amendments may not require to be disclosed in the GSTR-9.

46. There is no liability on advances received on supply of goods. Whether same has to be reported in the Annual Return?

Table 4F requires disclosure of advances in respect of which tax is payable on receipt of such advance and invoice has not been issued in the FY. As there is no liability on the advances received towards supply of goods, there is no disclosure requirement of such advances in the Annual Return. However, if the advances have been received in the period when there was liability pay tax on advances received towards the goods also and invoice has not been issued in the FY, the same has to be disclosed in the Annual Return in Table 4F.

47. In case the advance received is partially adjusted by end of the year. How to report the same in the Annual Return?

If there is a liability to pay GST on advance received then the said advance to the extent remaining unadjusted (i.e. in respect of which supply has not been made in the FY) has to be disclosed in the Table 4F.

48. Does the transactions pertaining to reverse charge needs to be disclosed in the Annual return of the supplier or in the return of the recipient?

The transaction covered under reverse charge needs to be declared both by the supplier and also by the recipient. the supplier of service is registered under GST, has to disclose the turnover on which recipient is liable to pay tax in table 5C of the Annual Return and the recipient needs to disclose the same in table 4G of the Annual Return

49. I have not declared exempted supply, Non GST supply and Nil rated supply in the monthly returns. Whether disclosure of the same is required to be made in the Annual Return?

Table 5 of the Annual Return deals with disclosure of such supplies. although the heading of Table 5 provides for disclosure of "Details of Outward supplies made during the financial year on which tax is not payable", it is suggested that all transactions pertaining to the previous year should be reported in the Annual Return whether or not such details have been shown in the periodical Return as the annual return would later be considered as the basis for preparation and filing of the Reconciliation statement.

50. Provision made for unearned income in the books of account at the end of financial year is required to be disclosed in the Annual Return?

Provision for unearned income is not in the nature of supply of the FY and hence it is not required to be disclosed in the Annual Return. This would be a reconciliation item between audited annual accounts and returns which is required to be disclosed in the GSTR-9C, not in the Annual Return.

51. Whether turnover as per Profit and Loss Account is required to be matched with the Annual Return?

There is no requirement under GST law to match the turnover as per the profit and loss account with the annual return but it is pertinent to note that the reconciliation statement as to the difference in the turnover needs to be reported, therefore it is important that the turnover is matched in the back end at the time of filing the annual return and the monthly returns so that the differences does not crop up in the reconciliation statement in Form GSTR-9C.

52. Turnover for the period April 2017 to June 2017 is required to be reported in the Annual Return?

No. only the details for the period July 2017 to March 2018 are to be provided in annual return. The turnover pertaining to April 2017 to June 2017 would be required to be reported in the Form GSTR-9C as a part of reconciliation with the financial statements.

53. Supply made to merchant exporter by charging GST @ 0.1%. Whether it has to be disclosed in the Annual Return?

For manufacturer exporter such supply are in the nature of deemed exports and has to be disclosed in table 4E of the Annual Return.

54. Year-end discount has been given to the distributor for achievement of target and such expenses have been shown as sales and marketing expenses. Whether there is need of reporting the same in Annual Return?

If the discount has been given in accordance with the agreement existing on the date of supply for which adjustment is permitted under section 15, the credit note may be issued under section 34 of the CGST/SGST Act. Such credit note has to be disclosed in the different scenarios mentioned for the credit note above. However, if the discount has been issued which is not in accordance with the section 15, there is no GST implication and hence no disclosure is required in the Annual Return.

55. There was sale of motor vehicle on which GST was paid on the margin value. How should disclosure be made in the Annual Return?

In case of sale of motor vehicle where GST is paid only on the margin (sale value – WDV as per IT Act), the value of supply should be shown in the Table 4 as the value of such margin along with applicable tax thereon. There is no need of reporting of the value on which exemption is claimed (to the extent of Income Tax WDV) in any of the table of GSTR-9.

56. Table 9 of the GSTR-9 auto populate the tax payable and tax paid. What is the source of such information? Could there be any change in these fields?

The value of tax payable in the Table 9 is auto populated based on the GSTR-3B. However, there could be possibility of some corrections made in the GSTR-9 on account of which tax payable may require to be changed. Following to be noted in this regard:

- Tax payable indicates the tax payable on the outward supplies made by the registered person + RCM liability. Hence, the tax payable in the Table 9 should match with the tax payable as per table 4 of GSTR-9.
- Pre filled value of tax payable may be edited by the registered person to bring it in line with the tax liability arising on total supplies as declared in the Table 4.
- Tax paid in cash and by utilizing credit cannot be altered as it flows from the GSTR-3B. If there is difference between tax payable (revised based on correct reporting made in GSTR-9) and tax paid, it may have to be dealt with as below:
  - Tax payable is more than the tax paid – pay differential tax based on DRC-03 and report the same in the GSTR-9C
  - Tax payable is less than the tax paid – The excess tax paid may be claimed as refund under provision of section 54 (not through Annual Return) subject to conditions of the section 54.

57. What is the relevance of DRC-03? Whether tax may be paid through DRC-03 by utilizing the credit available with the registered person?

DRC-03 is form available on the common portal whereby registered person can pay any tax/amount to the Government other than by way of GSTr-3B. Any liability which arises on account of addition disclosure made in the GSTR-9 may be paid through DRC-03. Instruction to the GSTR-9 provides that the tax may be paid through DRC-03 in cash only.

58. Whether there is any field for the disclosure of tax paid through DRC-03?

While paying taxes in DRC-03, the option of 'annual return' should be chosen. But, there is no specific column for the disclosure of the tax paid through DRC-03. This may be identified based on the difference between tax payable and tax paid which should get discharged through DRC-03. Further, the auditor may disclose the fact of payment through DRC-03 in the GSTR-9C.

59. Invoice was issued under Service tax regime when Tax rate was 14%. Credit note was issued during the GST regime when tax rate was 18%. Where to show the credit note as it is relating to the service tax period?

As per section 142(2)(a) of CGST Act, credit note issued for downward revision of price shall be deemed to have been issued in respect of an outward supply made under GST Act, hence such credit notes shall be disclosed in 4(I) of the annual return.

Note: Sales returns from B2B recipient would be considered as an outward supply transaction and liable under GST. Refer Section 142(1) of CGST Act for more details.

<u>FAQs on Input Tax Credits</u>

60. We missed out availing input tax credits on few invoices last year. Whether credit of the same can be taken in the Annual Return?

As per the provisions of the GST law, any credit can be availed up the due date of filing of returns for the month of September of the subsequent financial year. In case of FY 17-18, the said time limit was extended upto the due date of filing of the returns for the month of March 2019. Hence, only those credits which have been availed within the prescribed period can be reported in the annual return and no new/ additional credits be allowed to be taken in the annual returns. Further, it is to be noted that, Sl.No.8 under Part III provides for disclosure of information w.r.t. credits pertaining to FY 2017-18 availed during the period April-September 2018 (extended to March 2019), purely as a check with Form GSTR-2A credits and an informative requirement. Also, the details of credit so availed has to be reported in the Part V of the Table 13 for disclosure requirement only.

61. Credit has been wrongly taken in TRAN-I and the same has been identified and also reversed in the GSTR-3B of September 2018. Whether disclosure is required in the Annual Return? If yes, under which table?

In the given case, since the credit availed is reversed in the subsequent financial year, therefore the details of such reversal must be disclosed in under Table 12 of GSTR-9. It is to be noted that this information is only for disclosure purpose and the actual effect of reconciliation arising due to such reversal would be carried out in the subsequent FY in which the reversal is done.

62. Disputed credit has been availed and reversed under the protest. How should it be disclosed in the Annual Return?

The GST law does not provide for reversal of credit under protest. Hence, there is no separate disclosure available in the Annual Return for the same. The registered person may file a separate communication with the jurisdictional officer for such reversals made and no separate disclosure is needed in the Annual Return.

63. Person opting out of the composition scheme has availed input tax credits on the goods in stock. How to disclose in the Annual Return?

A registered person opting out of the composition scheme is eligible to avail the Input tax credit of the goods lying as stock and therefore any credit so availed on account of a person opting out of the Composition Scheme shall be reported under Table 6(M) of the Annual Return GSTR-9A to be filed by person under composition scheme.

64. Some credit has been availed wrongly which has been identified in the course of GST audit. How to reverse such credits?

In case assesse has self-assessed the amount of ITC to be reversed which has otherwise not been reversed in the monthly GSTR 3B returns, then in such case credits can be reversed in the annual return. There is no specific column to provide for reversal which are done in the Annual return. However, considering that the objective of annual return is to file the correct value of supplies and ITC thereon, it may be shown in the Table 7H (as other reversals). However, it is to be noted that merely disclosure in this table will not give any effect in the electronics credit ledger and hence the registered person is required to pay the wrongly availed ITC through DRC-03. In view of the author, if there are sufficient credit available, such credit may be reversed in DRC-03 by utilizing the credit available with the registered person.

65. Credit has been availed on certain invoices but the invoice is not appearing in the GSTR-2A. Whether credit of the same has to be reversed in the Annual Return?

Sl.No.8 under Part III appears to provide for disclosure of additional information required to be reported by assessee, with respect to matching of credit balances with Form GSTR-2A. There is no specific requirement for reversal of credit on account of invoices not reported in Form GSTR-2A. However, the details reported in Sl.No.8 would become the basis for the department to determine the cases of input tax credit availed in excess of credits reported in Form GSTR-2A.

66. Assessee is engaged in making both taxable supply as well as exempted supply. No reversal has been made for common input tax credits. What treatment should be done in the Annual Return?

In case assesse has not carried out any reversal of common input tax credit availed on account of both taxable as well as exempted supplies, then it is suggested to give effect to such reversals in Table 7C or 7D of the Annual return. It is to be noted that the form has now been amended to self-assess and declare the taxes properly and therefore any additional reversals that has not been in the GSTR 3B returns filed can be reversed through annual returns and pay such wrongly availed credit through DRC-03.

67. Excess credit reversed in the year under Rule 42 which has been worked out after the end of the year. Can adjustment be made in the Annual Return?

Where the excess credit availed earlier is reversed after the end of year at the time of computation of annual eligibility of credit, such reversal is not required to be disclosed in the Table 7 (as the reversal is made after end of year). It needs to be shown in the Table 12 merely for informative purpose.

68. A company has demerged one of its unit to another company and transferred such credits. How should it be disclosed in the Annual Return on the company who has availed credit on such transfer?

Credit is availed by the recipient company by filing ITC-02 on the common portal. There is table 6M of the Annual Return which provides for disclosure of such credits. New company has to disclose the credit so availed in this Table field (M) of sl. No. 6 in Part III as "Any other ITC availed as not specified above".

69. It is difficult to reconcile the GSTR-2A with ITC availed in GSTR-3B on individual invoice basis. Can it be done at aggregate level for each vendor and disclosed in the Annual Return?

Sl.No.8 under Part III appears to be provided for the purpose of additional information required to be reported by the assessee with respect to matching of credit balances with Form GSTR-2A. There is no specific requirement to match input tax credit at invoice level with Form GSTR-2A. However, the details reported in Sl.No.8 would become the basis for the department to determine in case of input tax credit availed in excess of credits reported in Form GSTR-2A on an overall basis.

70. Certain credits have been carried forward in the TRAN-I and TRAN-II. What are the disclosure requirement for the same in the Annual Return?

The details of input tax credit availed in Form TRAN 1 needs to be separately disclosed under Sl. No. 6(K) and 6(L) under Part III of Annual return.

71. Credit is appearing in GSTR-2A but physical invoice is not available. Whether credits of the same may be availed in the Annual Return?

Ans. The form provides for reporting of actual input tax credit availed in Form GSTR-3B for the FY 2017-18 under Sl.No.6 under Part III. Invoice is the compulsory document to avail ITC. In case any additional credits are noted by the assessee (based on review of Form GSTR-2A) and the same is found to be correct with actual invoice available, the same must have been availed in the GSTR-3B returns within the eligible due date. Further, such credits should be disclosed as additional information under Sl.No.8(C) of Part III as a mere disclosure requirement. However, additional credit may not be available in absence of physical invoice.

72. **Whether there is a need to give HSN wise details of input tax credits availed (for inputs, services and capital goods). How to compile the same when separate records not maintained for their identification?**

Ans. Sl.No.18 under Part VI requires disclosure of HSN wise details of inward supplies. It will be optional for taxpayers having annual turnover upto INR 1.50 Cr. It will be mandatory to report HSN code at two digits level for taxpayers having annual turnover in the preceding year above INR 1.50 Cr but upto INR 5.00 Cr and at four digits' level for taxpayers having annual turnover above INR 5.00 Cr. However, relaxation is further given stating that this summary details are required to be declared only for those inward supplies which in value independently account for 10 % or more of the total value of inward supplies.

73. **What is ITC reclaimed under table 6 H of Annual Return? Need clarity and explanation.**

ITC availed, reversed due to non-payment of value and tax within 180 days to the supplier and reclaimed after payment is required to be disclosed.

Example:

- Total ITC availed during the period is Rs.1,00,000/-
- Less: The ITC reversed due to non-payment of value including tax to the supplier is Rs.20,000/-
- Add: The ITC reclaimed after payment made to the supplier is Rs.8,000/-
- In this ex: the ITC to be disclosed in
    - Table 6B is Rs.92,000/-
    - Table 6H is Rs.8,000/-
    - Table 7A is Rs.12,000/- [20,000-8,000]

74. **Credit has been reversed on account of non-payment of consideration to vendor. Such reversal has been made both in the FY 2017-18 and after the end of year for invoices pertaining to last FY. What is disclosure requirement under Annual Return?**

The form provides for reporting of actual reversals made for the FY 2017-18 in the Table 7A of Annual Return. However, reversals made during FY 2018-19 w.r.t. FY 2017-18 would require to be reported as part of the Annual return for

FY 2018-19. Similarly, credits which have been reclaimed filed for FY 2017-18 shall be reported under Sl. No. 6(H) under Part III.

75. Goods sold in March 18 which expired in the month of September 2018. Credit Note issued to the customer for sales return of expired goods. What should be treatment in GSTR- 9?

The expiry of goods is post facto event which has arisen after end of FY. Issuance of credit note for such return of goods is not required to be disclosed in the Annual Return of FY 2017-18. Further, ITC reversal on such expired goods under section 17(5) has to be performed in the GSTR-3B of the month of September which shall form part of the Annual Return for FY 2018-19.

76. What is the disclosure requirement of the blocked credit {section 17 (5)} in the Annual return?

As per the format of the Annual Return, the amount of input tax credit reversed under Section 17(5) of the CGST Act,2017 would be reduced from the gross input tax credit availed. In case the assessee has availed and also reversed the blocked credit in GSTR 3B filed for the FY 2017-18, then the same needs to be disclosed in Table 6 (availment) and Table 7 (reversals). However, in case assesse has availed the blocked credit in the returns filed for FY 17-18 and reversed in the returns filed for FY 18-19, then the details of credit availed needs to be disclosed in Table 6 and the details of credit reversed needs to be disclosed for information purpose in Table 12 of the Annual returns. It is to be noted that the heading in table 9 has been amended to reverse and provide the details of reversed and ineligible ITC for the FY. Therefore, in case of those blocked credits that have been availed and not reversed even up to the date of filing of the annual returns then the same needs to be now reversed as a mechanism of self-assessment in Table 7 of the Annual returns. In case, the same is not reversed here, then auditor must recommend for reversal in Table 14 of the reconciliation statement.

77. Where to disclose input credit availed on GST paid under reverse charge for GTA, who was unregistered for part of the previous financial year?

Separate disclosure is required to be made under Sl.No.6(C) and 6(D) under Part III for supplies received from registered and unregistered persons, respectively. Hence, reporting shall be made under Sl.No.6(c) for the period the supplier was unregistered (i.e. for invoices issued without his GSTIN) and for the balance period to be reported under Sl.No. 6(D).

78. Whether it is mandatory for bifurcation of input tax credit between inputs, input service and capital goods?

Yes, Sl.No.6 under Part III requires bifurcation of input tax credit availed under inputs, input service and capital goods.

79. Is there an impact of inappropriate classification of credit under Inputs vs. Capital Goods?

Inappropriate disclosure of credits under Inputs or Capital Goods could have an impact on the requirement for reversal of input tax credit under Rule 42 / 43, in case the total turnover includes exempted turnover and the credit of Capital Goods is not considered while computing the Refund of Net ITC used for Zero Rated supplies.

80. How to disclose input tax credit in the Annual Return where the assessee has disclosed input tax credit net of reversals in Form GSTR-3B (details of reversals not disclosed separately)

The Assessee shall disclose the gross input tax credit availed under Sl.No.6 under Part III and separately disclose the amount of credit reversed under Sl.No.7 under Part III. This would ensure completeness of reporting of gross credits and reversals made during FY 2017-18. Also, the amount of ITC available for utilisation (as computed under Sl. No. 7(J)) would be net of reversals and also in line with the total credit availed in Form GSTR-3B. However, it is provided in the instructions that 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 and therefore in such cases, assesse can take a view of disclosing such details on a net basis.

81. Whether IGST credit availed on import of goods would also be compared with Form GSTR-2A, in the absence of data integration with ICEGATE?

Sl.No.8 under Part III which requires disclosure of certain additional details, compares the credit reported under Sl. No. 6(B) and does not include IGST credit availed on import of goods. Such credit has to be separately reported and compared based on the actual import of goods by the registered person.

82. Person under composition scheme has availed credit at the time of migration from composition scheme to normal scheme. Whether such credit has to be separately disclosed in the Annual return?

Yes, Table 16B of the GSTR-9A provides disclosure for availment of credit at the time of opting out of the Composition Scheme. Hence, the disclosure of such credit should be made in this table.

83. How to disclose reversal of Transition credit made in Form GSTR-3B filed in FY 2018-19?

Ans. The form provides for reporting of actual reversals made in Form GSTR-3B for the FY 2017-18. Reversals made during FY 2018-19 w.r.t. FY 2017-18 would be required to be reported as part of the Annual return for FY 2018-19.

84. Whether any un-availed input tax credit pertaining to FY 2017-18 would lapse once the annual return is filed?

Yes, as per Section 16 of the CGST Act, 2017 any un-availed input tax credit pertaining to FY 2017-18 would lapse either on the due date of filing GST return for the month of September 2018 (extended to March 2019) or the date of filing annual return, whichever is earlier.

85. Incorrect reporting of ISD credits under the category of 'All other ITC' in Form GSTR-3B. Where should it be reported in the Annual return?

Sl.No.6 under Part III of the Annual return provides for auto-population of Gross input tax credit availed in Form GSTR-3B, without providing the specific head under which the credits have been availed. The Assessee shall provide the correct break-up of input tax credit, irrespective of the incorrect disclosure in Form GSTR-3B. The form only provides for validation of gross credit as per Form GSTR-3B filed and the credit break-up provided in the Annual Return.

86. Input tax credit has been shown in the books of account but not shown in the GSTR-3B. Whether adjustment is required to be made in the Annual Return?

It is to be noted that availing of credits under GST is by way of filing of the monthly GSTR 3B returns and no additional credits can be availed in the annual returns even though the same has been properly availed in the books of account. Credits availed in books of accounts and not reported in Form GSTR-3B shall not be reported in the Annual Return. Such credit would be reported in the GSTR-9C and difference has to be explained by the auditor.

87. Where the assessee has paid GST under RCM for the month of March 2018 and availed credit in April 2018, whether the same needs to be disclosed in Annual Return?

It is to be noted that only those credits which have been availed in the returns filed for the FY 17-18 should be considered as part of input tax credit in the Table 6C and 6D. However, as the RCM credit has been availed after completion of FY, it may have to be disclosed in the Table 13 of Part V.

88. Whether incorrect supplies reported by vendors and appearing in Form GSTR-2A needs to be excluded for Annual Return?

Sl. No. 8 under Part III requires disclosure of certain additional details, which compares the credit reported under Sl. No. 6(B). The values reported in Form GSTR-2A which are incorrect and not pertaining to the assessee, can be reduced under Sl. No. 8(F) since the same is not a credit which can be availed by the assessee.

89. Credit appearing in the GSTR-2A exceeds the credit availed in the GTR-3B. Whether the difference between two has to be explained in the GSTR-9?

The difference between the GSTR-2A and ITC as per GSTR-3B is derived in the Table 8D. The difference between two has to be explained in table 8E and Table 8F as ITC available but not availed and ITC available but ineligible. Hence, the difference between GSTR-2A and ITC as per GSTR-3B needs to be analysed in these two headings and to be reported in the Annual Return.

There could be possibility of Table 8D having negative, positive or zero figure. Irrespective of the value in this table, the registered person is required to disclose the segregation of ITC in the Table 8E and 8F.

90. What is the reason for declaring the taxes paid on import of goods and bifurcation of it between credits availed as well as not availed thereon?

The reason for seeking details of taxes paid on imports and its subsequent bifurcation between credits availed and not, appears to be for the purpose of identifying the instances where the transactions may be carried out in unaccounted manner post importation of goods. i.e. a person imported certain goods from China and sold it in the cash market and did not account in the books. As the sale has not been reported in the books, the person may not avail the ITC on the goods imported. Once the data as to credit not availed is accumulated, it could give government some indications as to there could be possibility of transactions remaining unaccounted.

91. Many taxpayers have not been able to file their TRAN 1 credit due to technical portal issues. However, these credits have been accounted by the taxpayers in their books of accounts for the year 17-18. Can these credits be disclosed in the annual returns?

As explained above, any credits including transitional credits has to be availed by way of filing of respective transitional form. Additional credits that have not been transferred to the electronic ledger cannot be directly availed in the annual returns.

92. Table 8A incorporate details of credits as per GSTR-2A. But there is difference in the auto populated number as per Table 8A and credits as per GSTR-2A. How to identify such differences and reconcile them in the GSTR-9?

GSTR-2A is a detailed statement of all inward supplies received by the registered persons auto populated based on the details furnished by the counter party. The difference between the detailed GSTR-2A downloaded from common portal and auto filled number in Table 8A could be on account of below:

- Vendor making supply of goods or services falling under RCM
- Credit claimed based on invoice issued by ISD
- GSTR-1 form saved by the supplier but not filed on the common portal
- Supplies where vendor has reported the state code different from the State code of the recipient etc…

Above nature of entries appear in the detailed GSTR-2A but not in the auto populated Table 8A of GSSTR-9. Hence, the registered person is required to cross verify the information contained in Table 8A *viz a viz* GSTR-2A and finally reconcile the ITC based on information auto-populating 8A which is non editable.

93. There is no column in Table 8 for ITC availed in 2018-19 in respect of goods imported in 2017-18. Whether such credit would lapse? How should reporting be made in GSTR-9?

In case of domestic inward supply, Table 8C appropriately captures such inward supply which were received in 2017-18 but ITC availed in 2018-19 for the purpose of reconciliation. There should have been similar column for import of goods also which is missing. Further, Table 8H is auto populated based on Table 6E i.e. details of ITC taken on goods imported. It has been clarified vide recent press release that the value of ITC availed in 2018-19 may be included in Table 6E also. This would result in reporting the ITC in 8H also and there would no lapse of credit.

In view of the author, the suggestion made by the press release is apparently erroneous and it seems that the disclosure in the form is compromised. The disclosure as suggested in the press release would have following ramifications:

- Auto populated ITC in Table 6A for FY 2017-18 not to include ITC on imported goods availed in 2018-19
- Table 6E to include ITC availed in 2018-19 (based on press release) creating difference in Table 6J
- Table 7J being overstated for the ITC available for utilization for FY 2017-18
- Table 12 of GSTR-9C to have difference between ITC available in the books of account *viz a viz* ITC available for utilization as per Table 7J of GSTR-9

This difference would require to be explained by the auditor in the GSTR-9C.

94. In case of return of goods by the supplier, the customer is issuing tax invoice. How should same be considered in the GSTR-9 of both the parties?

Customer returning the goods would consider it as normal B2B supplies and would report in Table 4 Part II of GSTR-9.

Original supplier receiving such goods under sale return would consider it as inward supply similar to any other supplies availed from other vendors and disclose in the Table 6 of GSTR-9 as ITC availed.

95. Credit Notes were issued by the supplier and the same was taken as ITC instead of deducting from the liability in GSTR-3B. How should it be disclosed in GSTR-9?

It could be a technical default to take the ITC based on the credit note issued by oneself instead of reduction from liability in the GSTR-3B. So long as the supplier is in position to establish the compliance of substantial conditions i.e. issuance of credit note under the circumstances covered in section 34 and reduction of ITC by the recipient of supply, there should not be any implication on account of merely wrong disclosure in the GSTR-3B especially when there is no revenue loss to the Government. The registered person may show correct output tax liability in Part II Table 4 (after deducting CN) and correct ITC (without including CN) in Table 6. The difference arising between the tax payable and tax paid in Table 9 could be explained as extra tax paid claimed as ITC in GSTR-3B with proper note in GSTR-9C.

Alternatively, the credit availed and liability declared as per GSTR-3B may be considered in GSTR-9 and appropriate disclosure of the CN may be explained in the GSTR-9C.

96. Whether input tax credits has to be identified and reported at the expense level in the Annual Return?

Annual return does not provide for categorization of input tax credit under various expense heads. ITC requires to be bifurcated as Inputs, Input Services & Capital goods. The requirement to report credit availed against various expense heads are to be reported in Form GSTR-9C

97. In case assesse has paid any amount of taxes under RCM, how to disclose the same in Annual Returns?

Details of any taxes paid under RCM for FY 17-18 in the returns filed for the said period must be disclosed in table 4G of the form Annual returns.

98. In case assesse has missed paying taxes on any inward supplies under RCM in the returns filed for FY 17-18 but the same was duly identified and accordingly tax on the same was later paid in the returns filed in the FY 18-19. Whether the same needs to be disclosed in the Annual Returns?

The current format of the form Annual returns even after amendment has not provided for any field where these details can be disclosed. However, considering the overall objective of disclosure requirement in the annual returns along with the system of reconciling the RCM expenses in the reconciliation statement, one may disclose the details of taxes paid under RCM in table 10 & details of credit availed thereon in the Table 12 of the Annual return. However, it should be noted that the value of such supplies should not be included in the Table 10 as this would be included in the computation of turnover to be compared with the turnover declared in the Table 5 of GSTR-9C. In the absence of any other column, the value of such supplies may be declared in the Table 5G with corresponding tax disclosed in Table 10.

99. In case assesse has missed paying taxes on any inward supplies under RCM in the returns filed for FY 17-18 and the same is also not paid as on the date of filing of the annual returns, then whether the same needs to be disclosed in the Annual Returns?

There is no specific column for the disclosure of taxes not paid under RCM. Considering the fact that the tax thereon has not been paid in the subsequent FY also, it may not be disclosed in the Part V table 10 also. In the absence of the same, it may have to be disclosed in the Table 4G Part II. This would result in tax payable and tax paid which may be discharged through DRC-03 and reported in the GSTR-9C.

100. Whether registered person could claim ITC of tax paid under RCM as mentioned above?

There is a possible view that time limit for availment of credit as provided in section 16 (4) is for the tax invoice and debit note where such time limit has to be computed from the date of such document. In case of RCM liability, credit is taken based on the self-invoice generated by the registered person. Considering that the self-invoice is generated at the time of payment of tax and tax liability is discharged along with interest, the time limit should be computed from the date of such document and ITC of the same should be allowed. However, such ITC may not be claimed in the GSTR-9 but may have to be claimed in GSTR-3B. It is expected from the government to clarify the matter to avoid future litigations.

101. At the time of filing of refund application, ITC balance in the electronics credit ledger is required to be reversed. Whether any disclosure to that effect is required in GSTR-9?

There is no column in GSTR-9 for disclosure of ITC reversed at the time of filing of refund application.

102. ITC reversed after end of year disclosed in the Table 12 of the GSTR-9. Does it have any impact on interest liability?

Reversal of ITC after end of year indicates that such ITC was availed wrongly earlier. Once the ITC has been availed wrongly and utilized also, there is interest liability on reversal of ITC which has to be disclosed in the Table 14. However, if the credit has merely been availed but not utilized, registered person could consider contesting the interest liability based on the Karnataka High Court judgment in case of *Bill Forge Pvt Ltd* under erstwhile Cenvat Credit Rules.

103. Credit has been availed but corresponding entry is not appearing in the GSTR-2A. whether such credit is required to be reversed?

There is no substantive condition in the law that the credit has to be reversed in the absence of its non-appearance in GSTR-2A. Once the registered person has satisfied the conditions of section 16 (2), credit is allowed notwithstanding that the particular entry is not appearing in GSTR-2A.

However, above proposition should be distinguished viz a viz credit availed after September 2018 in respect of invoice pertaining to 2017-18 where specific condition was introduced that the credit in the extended period could be claimed only if the reporting has been made by the corresponding supplier. Hence, it is mandatory to satisfy the condition of appearance of ITC in GSTR-2A if the credit has been availed in the extended period of October 2018 to March 2019.

104. Credit is not appearing in GSTR-2A. At the same point of time, it is noticed that vendor has not filed GSTR-3B also. What should I do for credit in such cases?

The condition of section 16 is that the credit could be claimed only if the taxes have been paid to the Government. Where the supplier has not filed GSTR-1 and GSTR-3B, the tax has not been paid to the Government and hence this could result in the violation of condition of section 16. However, non-payment of tax by the supplier should not result in denial of credit to the recipient as Government should seek recovery of tax from the supplier instead of from the buyer.

Detailed representation made by ICAI to the Government could be referred to at below link:

(http://idtc-icai.s3.amazonaws.com/download/pdf18/Representation-for-clarifying-that-Input-Tax-Credit-shouldnot-denied-buyer-mistake-seller.pdf)

105. In case assesse has short paid any taxes under RCM, then whether the additional liability of the taxes partially short paid can be disclosed in the annual returns?

In case tax on any inward supplies liable under RCM is short paid, then assesse can disclose the balance additional liability in table 4G of the Annual return and accordingly payment towards the same can be now made at the time of filing of annual returns. However, in case the assesse does not agree to such additional liability due to any classification inconsistency/ dispute, then the auditor may either disclose the details of the same in table 8 of Form GSTR 9C or report the same as a qualification remark in the certification.

Other miscellaneous FAQs

106. Table 15 of Annual Return requires the particulars of refund. Whether the refunds applied, sanctioned etc. as on March 2018 is to be disclosed or as on Sep 2018?

Table 15 of Annual return shall contain the value of refunds claimed, sanctioned, rejected and pending pertaining to the financial year of 2017-2018 only. Therefore, the refunds that have been applied for the subsequent financial year are not required to be disclosed in Annual Return to be filed for the period 2017-18.

107. Whether to disclose the details of DIPP Area based refund in annual return under table 15?

DIPP Area based refunds are granted under the separate scheme of the Government and the same is not emanating out of any provisions of GST Act, Rules and the Notifications issued therein, hence the same need not be shown under table 15 of form GSTR 9A.

108. Whether demand for e-way bill in respect of movement of goods in the previous financial year i.e. 2017-18, but the demand raised after end of Financial year, whether the same needs to be disclosed in point no. 15E of form GSTR 9?

No, as the same demand is issued by the adjudicating authority in the financial year of 2018-19, it is not required to be disclosed in the Annual Return of 2017-18.

109. HSN- how many digits are to be given in summary?

Part VI requires disclosure of HSN wise details of inward and outward supplies. It will be optional for taxpayers having annual turnover upto INR 1.50 Cr. It will be mandatory to report HSN code at two digits level for taxpayers having annual turnover in the preceding year above INR 1.50 Cr but upto INR 5.00 Cr and at four digits' level for taxpayers having annual turnover above INR 5.00 Cr.

Presently the GST portal is allowing only 8-digit HSN for goods and 6-digit HSN for services, although this is not in line with the requirement of law. Dropdown list is appearing while entering HSN in Table 17 & 18, which could help ease the process.

110. Invoice issued with wrong GSTIN what to do now if recipient is asking to revise?

Amendment of GSTIN of the recipient shall be done in Form GSTR-1 and has no impact on values to be reported in the Annual Return.

111. Whether the value of exempt supply also required to be considered while concluding the value of HSN summary?

Table 17 & 18 of the Annual Return provides for reporting of HSN wise summary of outward & inward supplies. It does not provide that the reporting has to done only for taxable supplies. Thus, the HSN wise summary shall also be provided for exempt supplies

112. Whether the value of exempt supply also required to be considered while concluding the total value of HSN inward supplies?

Yes, although, non -GST inward supplies and schedule III items need not be considered.

Note: Only goods/services more than 10% of total inward supplies to be disclosed in Table 18. Relaxation given for 1st year reporting of GSTR 9.

113. Whether HSN summary to be given for the debit note and credit note also?

Table 17 of the Annual Return provides for reporting of HSN wise summary of outward supplies. The reporting in the HSN table on account of debit note/credit note should be determined if such document has been issued consequent to movement of goods, not price adjustment.

e.g. Supply of goods made in January 2018 @ Rs. 100 per piece. Credit note has been issued in March 2018 for reduction in price by Rs. 5. As there is no movement/supply involved, the reporting of HSN may not be required. On the other hand, if the credit note is issued on account of return of goods by the customer, the HSN should be disclosed in the HSN summary as the goods received back from customer represents actual inward movement of goods and thus affecting stock records of the company.

114. HSN were shown incorrectly on the outward supply made during the year though there was no impact on rate of tax. Which HSN should be shown in the Annual Return?

There could be possibility that HSN number was selected wrongly which is noticed after the end of FY. Though the HSN summary in GSTR-1 might have been given wrong, same mistake should not be continued in the Annual Return. Correct HSN should be shown in Annual Return.

115. What is reporting requirement of the goods sent on approval basis?

Goods sent on approval basis are required to be returned within 6 months from the date of original removal. If not, it is treated as deemed supply. The registered person is required to disclose the goods sent on approval in respect of which 6 month time limit has not expired as on 31st March in the Table 16C of GSTR-9.

116. What is difference between Annual Return and Final Return?

Annual return filed under Section 44 of the CGST Act,2017 is a summary of all returns filed by the registered person for the preceding financial year. Final Return as provided under Section 45 of the CGST Act,2017 provides that any registered person whose registration has been cancelled shall furnish a final return within three months of the date of cancellation or date of order of cancellation

117. Submission of Annual return is responsibility of registered person or auditor?

Annual Return is a merely summary of monthly returns filed with certain additional information and it is the responsibility of the registered person to file such return. Auditor is required to reconcile the details furnished in the Annual Return with the details as per audited annual financial statement.

118. Whether there is requirement to show anything related to E-way Bills in the Annual Return?

There is no specific reporting requirement of E-way Bill details in the Annual Return and hence nothing needs to be reported in this regard. This could be on account of the reason that e-way bill system was not in vogue in FY 2017-18. However, there could be possibility in the amendment in the format of Annual Return for FY 2018-19 wherein it is expected that e-way bill related information could also be demanded.

119. Whether there is any disclosure requirement pertaining to the anti-profiteering in the GSTR-9?

Verification part of the GSTR-9 requires the registered person to verify that in case of reduction in output tax liability, the benefit thereof has been/will be passed on to the recipient of supply. Hence, there is no disclosure in terms of quantification of benefit passed on but it forms integral part of the verification.

120. Person paying tax under composition scheme has reported certain supply related to last year in the periodical return of current year. Whether it has to be disclosed in the Annual Return?

Table 10 to 13 of the GSTR-9A requires disclosure of the transactions pertaining to the last year which have been reported by the registered person during April to September of next financial year. Hence, the disclosure has to be made for such transactions in these tables.

Chapter 5:

FAQs on GSTR-9

(Issued by GSTN)

Opt in and opt out of composition & Form GSTR-9

1. **I am a regular/ normal taxpayer for part period and composition taxpayer for part period during the financial year. Do I need to file Form GSTR-9 or Form GSTR-9A?**

   You are required to file both Form GSTR-9 and Form GSTR-9A for the respective period.

   The period during which the taxpayer remained as composition taxpayer, Form GSTR-9A is required to be filed. And, for period for which the taxpayer is registered as normal taxpayer, Form GSTR-9 is required to be filed.

   For example: If the taxpayer had opted for Composition scheme from 1st July 2017 to 31st Dec 2017, then Form GSTR-9A is required to be filed for such period. And, if the taxpayer had opted out of composition scheme and registered as a normal taxpayer during period say 1st Jan 2018 to 31st Mar 2018, then for such period Form GSTR-9 is required to be filed.

   Both Form GSTR-9 and Form GSTR-9A for the respective period are required to be filed for FY 2017-18, in such cases.

2. **I got my registration cancelled in the financial year. Can I file Form GSTR-9?**

   Yes, the annual return needs to be filed even if the taxpayer has got his registration cancelled during the said financial year.

3. **I have opted for composition scheme in the financial year. Do I need to file Form GSTR-9?**

   Taxpayers who have opted for the composition scheme need to file Form GSTR-9 for the period during which they were registered as a normal taxpayer.

4. **I opted out of composition scheme in the financial year. Do I need to file Form GSTR-9?**

Taxpayer who have opted out from the composition scheme during the relevant financial year is required to file Form GSTR-9 for the period they paid the tax at normal rates.

Pre-conditions of Filing Form GSTR-9

5. What are the pre-conditions for filing Form GSTR-9?

Pre-conditions for filing of Form GSTR-9 are:

- Taxpayer must have active GSTIN during the relevant financial year as a normal/regular taxpayer even for a single day.
- Taxpayer has filed all applicable returns i.e. Form GSTR-1 and Form GSTR-3B of the relevant financial year before filing the Annual Return.

Filing Nil Form GSTR-9

6. Can I file nil Form GSTR-9?

Nil Form GSTR-9 can be filed for the Financial year, if you have: -

- NOT made any outward supply (commonly known as sale); AND
- NOT received any goods/services (commonly known as purchase); AND
- NO other liability to report; AND
- NOT claimed any credit; AND
- NOT claimed any refund; AND
- NOT received any order creating demand; AND
- There is no late fee to be paid etc.

Filing Form GSTR-9

7. From where can I as a taxpayer file Form GSTR-9?

Navigate to Services > Returns > Annual Return to file Form GSTR-9.

8. Is there any Offline Tool for filing Form GSTR-9?

Form GSTR-9 can be filed based on online. It can be filed through offline tool also.

9. I have not filed all my applicable return(s)/ statement(s) during the financial year. Still, can I file Annual return without filing of those applicable return(s)/ statement(s)?

No. You cannot file return in Form GSTR-9 without filing Form GSTR-1 and Form GSTR-3B for all applicable periods during the relevant financial year.

Entering Details in Tables of Form GSTR-9

10. Do I need to provide/ update details in all the tables in Form GSTR-9 before filing?

You are required to provide/ update details only in those tables which are relevant to your business.

11. Which tables in Form GSTR-9 has auto-populated data from filed Form GSTR-1 and Form GSTR-3B?

Below tables in Form GSTR-9 has auto-populated data, from already filed Form GSTR-1 and Form GSTR-3B of the relevant financial year:

4. Details of advances, inward and outward supplies made during the financial year on which tax is payable

5. Details of Outward supplies made during the financial year on which tax is not payable

6A Total amount of input tax credit availed through FORM GSTR-3B (sum total of Table 4A of FORM GSTR-3B)

6G- Input Tax credit received from ISD

6K- Transition Credit through TRAN-I (including revisions if any)

6L- Transition Credit through TRAN-II

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

12. Which table in Form GSTR-9 has auto-populated data from Form GSTR-2A?

Below table in Form GSTR-9 has auto-populated data, from Form GSTR-2A of the relevant financial year:

Table no. 8A: ITC as per GSTR-2A (Table 3 & 5 thereof)

13. Can I edit auto-populated data from filed Form GSTR-1 and GSTR-3B in Form GSTR-9?

Yes, you can edit auto-populated data from filed Form GSTR-1 and GSTR-3B in Form GSTR-9, except data in below mentioned tables:

Table no. 6A: Total amount of input tax credit availed through FORM GSTR-3B (sum total of Table 4A of FORM GSTR-3B)

Table no. 8A: ITC as per GSTR-2A (Table 3 & 5 thereof)

Table no. 9: Details of tax paid as declared in returns filed for the financial year (Except tax payable column)

Form GSTR-9 & Consolidating Summary

14. Can I download system computed values of Form GSTR-9?

Yes, taxpayer can download the system computed values for Form GSTR-9 in PDF format. This will help the taxpayer to use it for reference while filling Form GSTR-9.

15. Will consolidated summary of Form GSTR-1 be made available for the returns filed during the financial year?

Yes. Consolidated summary of all filed Form GSTR-1 statement for the relevant financial year is available for download in PDF format.

Navigate to Services > Returns > Annual Return > Form GSTR-9 (PREPARE ONLINE) > DOWNLOAD GSTR-1 SUMMARY (PDF) option.

16. Will consolidated summary of Form GSTR-3B be made available for the returns filed during the financial year?

Yes. Consolidated summary of all returns filed in Form GSTR-3B for the relevant financial year is available for download in PDF format.

Navigate to Services > Returns > Annual Return > Form GSTR-9 (PREPARE ONLINE) > DOWNLOAD GSTR-3B SUMMARY (PDF) option.

Filing & Paying Late Fee

17. Can I change the details after clicking on 'Proceed to File" button?

Yes. You can change/edit the details before filing of Form GSTR-9 return. However, the auto-populated data will not be editable in the following fields.

• Table no. 6A: Total amount of input tax credit availed through Form GSTR-3B (sum total of Table 4A of Form GSTR-3B)

• Table no. 8A: ITC as per Form GSTR-2A (Table 3 & 5 thereof).

• Table no. 9 (Except tax payable column)

18. What happens after COMPUTE LIABILITIES button is clicked?

After COMPUTE LIABILITIES button is clicked, details provided in various tables are processed on the GST Portal at the back end and Late fee liabilities, if any, are computed. Late fee is calculated, if there is delay in filing of annual return beyond due date.

19. Is there any late fee for late filing of Form GSTR-9?

Yes, there is a late fee for filing of Form GSTR-9 beyond the due date.

20. When "Late fee payable and paid" tile in Form GSTR-9 gets enabled?

Once the status of Form GSTR-9 is Ready to File and liabilities are calculated, 19. Late fee payable and paid tile gets enabled for filing of Form GSTR-9 by the taxpayer.

21. Can I file Form GSTR-9 return without paying late fee (if applicable)?

No. You can't file Form GSTR-9 without payment of late fee for Form GSTR-9, if same is filed after the due date.

22. Is there any option to make payment other than late fee (if applicable) in Form GSTR-9?

After filing of your return in Form GSTR-9, you will get a link to navigate to Form GST DRC-03 to pay tax, if any. Any additional payment can be made using Form GST DRC-3 functionality only through utilisation from Electronic Cash Ledger.

Additional Liability & its Payment

23. In Form GSTR-9, can additional liability not reported earlier in Form GSTR-3B be declared?

Yes, additional liability not reported earlier at the time of filing Form GSTR-3B can be declared in Form GSTR-9. The additional liability so declared in Form GSTR-3B are required to be paid through Form GST DRC-03.

24. Can I claim or report any unclaimed ITC through Annual Return?

No. You cannot claim ITC through Form GSTR-9.

25. What do I need to do if available cash balance in Electronic Cash Ledger is less than the amount required to offset the liabilities?

Available cash balance as on date in Electronic Cash Ledger is shown to the taxpayer in "Cash Ledger Balance" table. If available cash balance in Electronic Cash Ledger is less than the amount required to offset the liabilities, then additional cash required to be paid by taxpayer is shown in the "Additional Cash Required" column. You may create challan for the additional cash directly by clicking on the CREATE CHALLAN button.

26. When "FILE GSTR-9" button gets enabled?

File button gets enabled only if you have-

No 'Additional cash (which) is required' to pay for late fees, if any.

Clicked on 'Preview Draft GSTR-9 PDF' button to review the details entered.

Clicked on declaration check box and have selected authorized signatory details from the drop-down list.

27. Do I need to click "Preview Draft GSTR-9 Excel" button to enabled "FILE GSTR-9" button?

It is not mandatory to click on "Preview Draft GSTR-9 Excel" button to enable "FILE GSTR-9" button for filing of return.

Previewing & Signing Form GSTR-9

28. What are the modes of signing Form GSTR-9?

You can file Form GSTR-9 using DSC or EVC.

(a) Digital Signature Certificate (DSC)

Digital Signature Certificates (DSC) are the digital equivalent (that is electronic format) of physical or paper certificates. A digital certificate can be presented electronically to prove one's identity, to access information or services on the Internet or to sign certain documents digitally. In India, DSC are issued by authorized Certifying Authorities.

The GST Portal accepts only PAN based Class II and III DSC.

To obtain a DSC, please contact any one of the authorised DSC-issuing Certifying Authorities: http://www.cca.gov.in/cca/?q=licensed_ca.html

(b) Electronic Verification Code (EVC)

The Electronic Verification Code (EVC) authenticates the identity of the user at the GST Portal by generating an OTP. The OTP is sent to the mobile phone number of the registered mobile phone of Authorized Signatory filled in part A of the Registration Application.

29. I am getting a warning message that records are under processing or processed with error while filing Form GSTR-9. What do I do?

In case, records (or data as submitted while filing Form GSTR-9) are processed with error or are under processing at the back end, a warning message is displayed. If records are still under processing, wait for processing to be completed at the back end. For records which are processed with error, go back to Form GSTR-9 and take action on those records for making corrections.

30. Can I preview Form GSTR-9 before filing?

Yes, you can view/download the preview of Form GSTR-9 in PDF and Excel format by clicking on 'PREVIEW DRAFT GSTR-9 (PDF)' and 'PREVIEW DRAFT GSTR-9 (EXCEL)' button before filing Form GSTR-9 on the GST Portal.

Post Filing of Form GSTR-9

31. Can I revise Form GSTR-9 return after filing?

No, you cannot revise Form GSTR-9 return after filing.

32. What happens after Form GSTR-9 is filed?

After Form GSTR-9 is filed:

ARN is generated on successful filing of the return in Form GSTR-9.

An SMS and an email is sent to the taxpayer on his registered mobile and email id.

Electronic Cash ledger and Electronic Liability Register Part-I will get updated on successful set-off of liabilities (Late fee only).

Filed form GSTR-9 will be available for view/download in PDF and Excel format.

FORM GSTR - 9[27] [28]

[See rule 80]

Annual Return

Pt. I	Basic Details					
1	Financial Year					
2	GSTIN					
3A	Legal Name					
3B	Trade Name (if any)					
Pt. II	Details of Outward and inward supplies made during the financial year					
			(Amount in ₹ in all tables)			
	Nature of Supplies	Taxable Value	Central Tax	State Tax / UT Tax	Integrated Tax	Cess
	1	2	3	4	5	6
4	**Details of advances, inward and outward supplies made during the financial year on which tax is payable**					
A	Supplies made to un-registered persons (B2C)					
B	Supplies made to registered persons (B2B)					
C	Zero rated supply (Export) on payment of tax (except supplies to SEZs)					
D	Supply to SEZs on payment of tax					
E	Deemed Exports					

[27] Inserted vide Notf no. 39/2018-CT dt. 04.09.2018
[28] Substituted vide Notf no. 74/2018-CT dt 31.12.2018

F	Advances on which tax has been paid but invoice has not been issued (not covered under (A) to (E) above)					
G	Inward supplies on which tax is to be paid on reverse charge basis					
H	Sub-total (A to G above)					
I	Credit Notes issued in respect of transactions specified in (B) to (E) above (-)					
J	Debit Notes issued in respect of transactions specified in (B) to (E) above (+)					
K	Supplies / tax declared through Amendments (+)					
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					
5	**Details of Outward supplies made during the financial year on which tax is not payable**					
A	Zero rated supply (Export) without payment of tax					
B	Supply to SEZs without payment of tax					
C	Supplies on which tax is to be paid by the recipient on reverse charge basis					
D	Exempted					
E	Nil Rated					
F	Non-GST supply (includes ‘no supply’)					
G	Sub-total (A to F above)					

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)					
Pt. III	Details of ITC 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 during the financial year**					
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				
		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				
		Capital Goods				
		Input Services				
D	Inward supplies received from	Inputs				

	registered persons liable to reverse charge (other than B above) on which tax is paid and ITC availed	Capital Goods				
		Input Services				
E	Import of goods (including supplies from SEZs)	Inputs				
		Capital Goods				
F	Import of services (excluding inward supplies from SEZs)					
G	Input Tax credit received from ISD					
H	Amount of ITC reclaimed (other than B above) under the provisions of the Act					
I	Sub-total (B to H above)					
J	Difference (I - A above)					
K	Transition Credit through TRAN-I (including revisions if any)					
L	Transition Credit through TRAN-II					
M	Any other ITC availed but not specified above					
N	Sub-total (K to M above)					
O	Total ITC availed (I + N above)					
7	**Details of ITC Reversed and Ineligible ITC for the financial year**					
A	As per Rule 37					
B	As per Rule 39					
C	As per Rule 42					
D	As per Rule 43					
E	As per section 17(5)					
F	Reversal of TRAN-I credit					
G	Reversal of TRAN-II credit					
H	Other reversals (pl. specify)					
I	Total ITC Reversed (Sum of A to H above)					
J	Net ITC Available for Utilization (6O - 7I)					
8	**Other ITC related information**					
A	ITC as per GSTR-2A (Table 3 & 5 thereof)		<Auto	<Auto	<Auto>	<Auto

		>	>		>
B	ITC as per sum total of 6(B) and 6(H) above	<Auto >			
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				
D	Difference [A-(B+C)]				
E	ITC available but not availed				
F	ITC available but ineligible				
G	IGST paid on import of goods (including supplies from SEZ)				
H	IGST credit availed on import of goods (as per 6(E) above)	<Auto >			
I	Difference (G-H)				
J	ITC available but not availed on import of goods (Equal to I)				
K	Total ITC to be lapsed in current financial year (E + F + J)	<Auto >	<Auto >	<Auto>	<Auto >

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						

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	Centra l 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)					
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					

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		

Pt. VI	Other Information							
15	Particulars of Demands and Refunds							
	Details	Centra l Tax	State Tax / UT Tax	Integrated Tax	Cess	Intere st	Penalty	Late Fee / Other s

	1	2	3	4	5			
A	Total Refund claimed							
B	Total Refund sanction ed							
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							

16	Information on supplies received from composition taxpayers, deemed supply under section 143 and goods sent on approval basis					
	Details	Taxable Value	Centra l Tax	State Tax / UT Tax	Integrat ed 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							
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
19	Late fee payable and paid							
	Description				Payable		Paid	
	1				2		3	
A	Central Tax							
B	State Tax							

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

Instructions: –

1. Terms used:

Press Release

Clarifications on filing of Annual Return (FORM GSTR-9)

The last date for filing of Annual return in **FORM GSTR-9** is 30th June 2019. The trade and industry have raised certain queries with respect to filing of this Annual return which are being clarified as follows:

a) Information contained in **FORM GSTR-2A** as on 01.05.2019 shall be auto-populated in Table 8A of **FORM GSTR-9**.

b) Input tax credit on inward supplies shall be declared from April 2018 to March 2019 in Table 8C of **FORM GSTR-9**.

c) Particulars of the transactions for FY 2017-18 declared in returns between April 2018 to March 2019 shall be declared in Pt. V of **FORM GSTR-9**. Such particulars may contain details of amendments furnished in Table 10 and Table 11 of **FORM GSTR-1**.

d) It may be noted that irrespective of when the supply was declared in **FORM GSTR-1**, the principle of declaring a supply in Pt. II or Pt. V is essentially driven by when was tax paid through **FORM GSTR-3B** in respect of such supplies. If the tax on such supply was paid through **FORM GSTR-3B** between July 2017 to March 2018 then such supply shall be declared in Pt. II and if the tax was paid through **FORM GSTR-3B** between April 2018 to March 2019 then such supply shall be declared in Pt. V of **FORM GSTR-9**.

e) Any additional outward supply which was not declared by the registered person in **FORM GSTR-1** and **FORM GSTR-3B** shall be declared in Pt.II of the **FORM GSTR-9**. Such additional liability shall be computed in Pt.IV and the gap between the "tax payable" and "Paid through cash" column of **FORM GSTR-9** shall be paid through **FORM DRC-03**.

f) Many taxpayers have reported a mismatch between auto-populated data and the actual entry in their books of accounts or returns. One common challenge reported by taxpayer is in Table 4 of **FORM GSTR-9** where details may have been missed in **FORM GSTR-1** but tax was already paid in **FORM GSTR-3B** and therefore taxpayers see a mismatch between auto-populated data and data in **FORM GSTR-3B**. It may be noted that auto-population is a functionality provided to taxpayers for facilitation purposes, taxpayers shall report the data as per their books of account or returns filed during the financial year.

g) Many taxpayers have represented that Table 8 has no row to fill in credit of IGST paid at the time of import of goods but availed in the return of April 2018 to March 2019. Due to this, there are apprehensions that credit which was availed between April 2018 to March 2019 but not reported in the annual return may lapse. For this particular entry, taxpayers are advised to fill in their entire credit availed on import of goods from July 2017 to March 2019 in Table 6(E) of **FORM GSTR-9** itself.

h) Payments made through **FORM DRC-03** for any supplies relating to period between July 2017 to March 2018 will not be accounted for in **FORM GSTR-9** but shall be reported during reconciliation in **FORM GSTR-9C**.

2. All the taxpayers are requested to file their Annual Return (**FORM GSTR-9**) at the earliest to avoid last minute rush.

*****