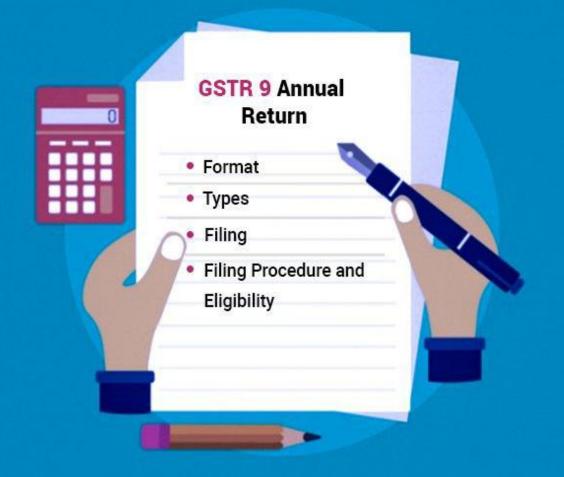
Overview on GST Annual Return



Overview on GST Annual Return

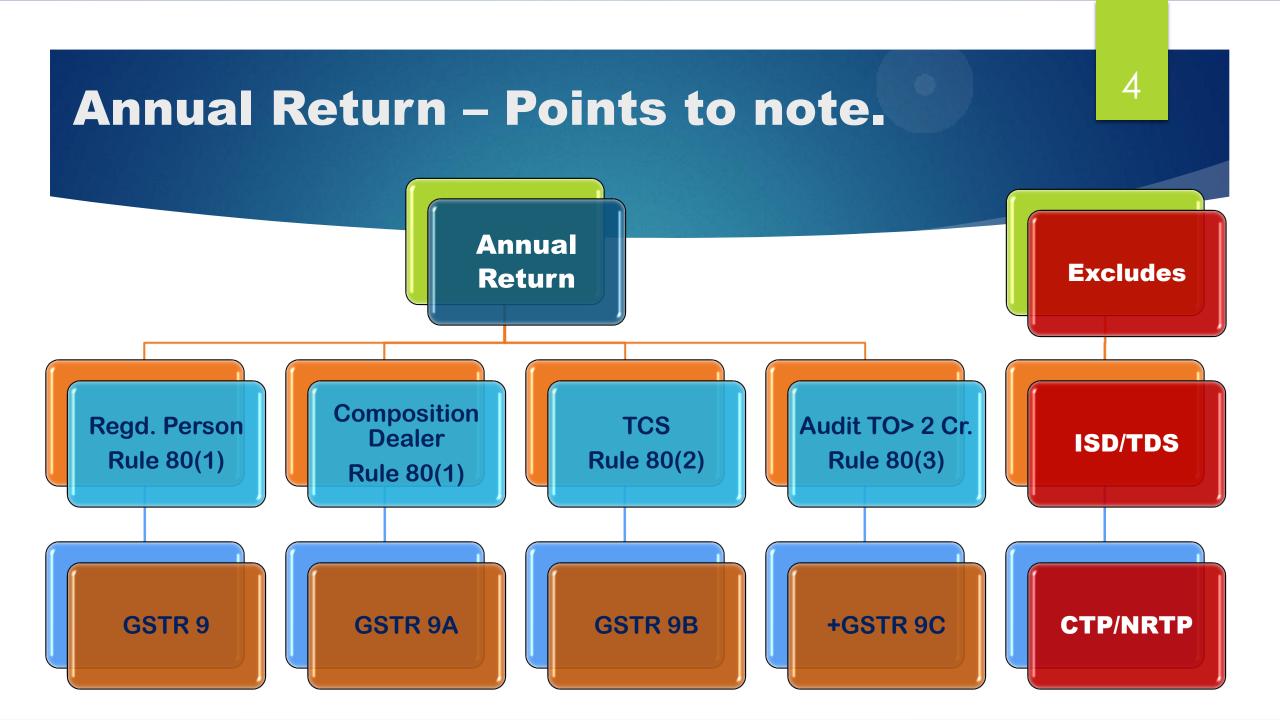
GSTR 9

GSTR 9 ANNUAL RETURN FORMAT, TYPES, FILING PROCEDURE AND ELIGIBILITY



Key Features of Annual Return – GSTR 9

- Sec. 44 Annual Return to be filed by the Registered Person under GST, electronically, on or before 31st December following the end of financial year.
- It consists of details regarding the supplies made and received during the year under different tax heads i.e. CGST, SGST and IGST.
- It consolidates the information furnished in the Monthly returns (GSTR – 1 & GSTR – 3B) during the year.



Non fillers of GSTR 9

- Casual Taxable Person
- Input Service Distributor
- Non- Resident Taxable Person
- Person deducting Tax at Source under section 51

Types of Annual Returns

► GSTR 9 - Filed by the Regular Taxpayers (filing GSTR 1 & GSTR 3B).

- ► GSTR 9A Filed by the RP under Composition Scheme (filing GSTR-4)
- ► GSTR 9B Filed by the E-Commerce Operators, (filing GSTR 8) (Yet to be Notified).

Audit Report:

FY. All such RP are required to get their Accounts Audited and file a Copy of Audited Annual Accounts and Reconciliation Statement of tax already paid and tax payable as per audited accounts, duly certified, in Form GSTR-9C.

Source of Information:

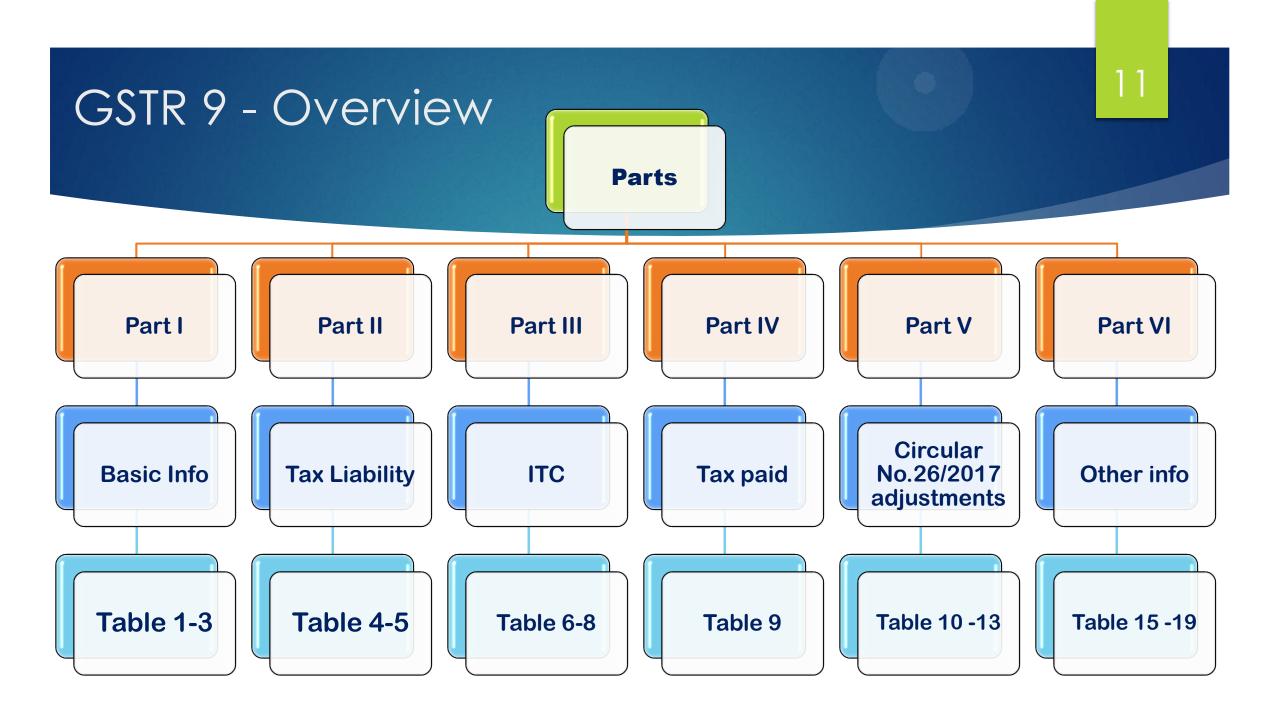
- ► Circular No. 26/2017 Clarifies how to correct information in the Returns based on Books.
- ▶ If the Returns are corrected, information furnished in <u>GSTR-3B</u> along with <u>GSTR-1</u> may be considered for filling details in the Tables.
- ▶ This is GSTIN based reporting and not PAN (entity) based.
- Invoice value Vs. Taxable Value (Net of abatement).
- Declared 'for' 2017-18 'in' returns filed. (belated).

GSTR – 9 - Late Fee / Penalty

▶ Sec.47(2) – Registered person failing to file the GSTR 9 (u/s.44) within the due date, shall be liable to pay late fee of Rs.100/-per day and to a maximum of an amount calculated at a quarter percent of the Turnover in the ST/UT. (Total Rs.200; or 0.5% of T/O).

GSTR – 9 - Late Fee / Penalty

Annual Return under the Act. However, Section 125 of the Act, provides that a person contravening any of the provisions of this Act or the Rules, for which no penalty is separately provided for in this Act, shall be liable to a penalty which may extend to Rs. 25,000/-



Components of GSTR-9

- ► Part - Basic details of the RP (Auto-populated).
- ► Part-II Details of Outward and Inward supplies declared during the FY.

(Consolidating summary from all GST returns filed in previous FY).

- ► Part-III Details of ITC declared in returns filed during the FY (Summarized values from all the GST returns filed in previous FY).
- Part-IV Details of tax paid as declared in returns filed during the FY.

Components of GSTR-9

► Part-V — Particulars of transactions for the previous Financial Year (year of GSTR 9 ie. 2017-18) declared in Returns of Apr - Sep of current FY; or up to the date of filing of Annual Return of previous FY, whichever is earlier.

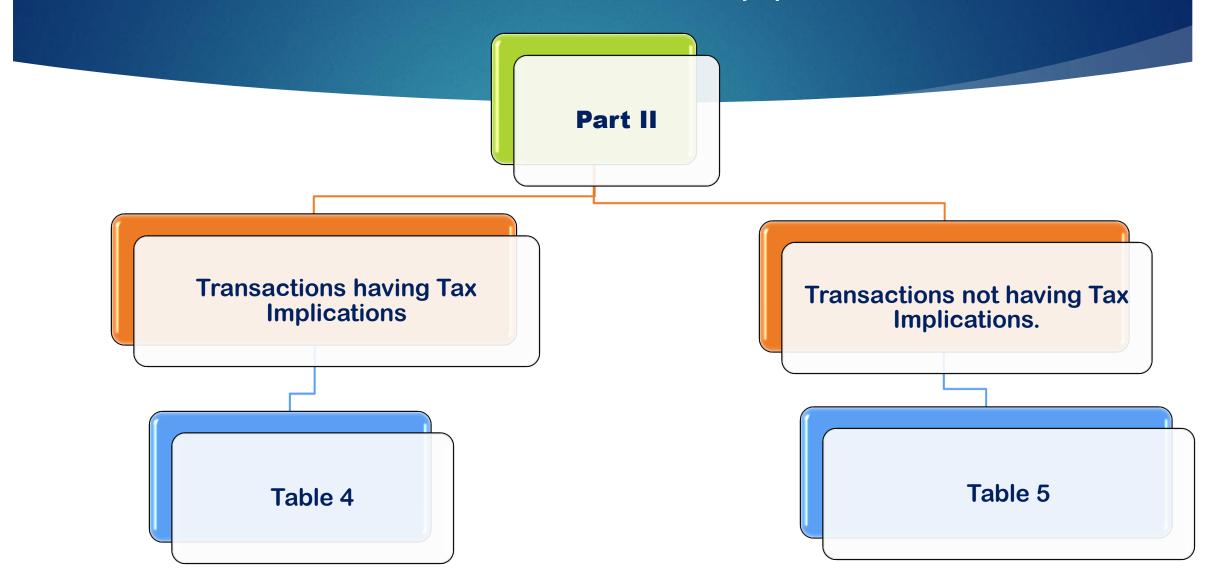
Summary of amendment or omission entries pertaining to previous FY, but reported in current FY, shall be segregated and declared here.

Components of GSTR-9

Part-VI - Other Information comprising details of:

- GST Demands and Refunds.
- HSN wise summary of the quantity of Goods supplied and received with its corresponding Tax details against each HSN code.
- Late fees payable and paid details; and
- Segregation of Inward Supplies received from different categories of Taxpayers like composition dealers, Deemed Supply and Goods supplied on Approval basis.

Part II: Outward and Inward supplies



Part II: Outward & Inward Supplies.



PART III – INPUT TAX CREDIT

INPUT TAX CREDIT STATUTORY PROVISIONS

Sec. 16	Eligibility and conditions for taking input tax credit
(1)	Every <u>registered person</u> shall, be entitled to take credit of <u>input tax on</u> <u>supplies</u> which are used or <u>intended to be used</u> in the course or <u>furtherance of his business.</u>
(2)	No registered person shall be entitled to the credit of any input tax unless,— (a) He is in possession of a tax invoice; (b) He has received the supplies; (c) Tax in respect of such supply actually paid to the Government; (d) Furnished the return under section 39:

Proviso - Goods against <u>an invoice</u> received in lots, take credit upon receipt of the last lot or instalment.

Proviso- Payment to the supplier within a period of <u>180 days</u>, otherwise credit availed by the recipient shall be added to his output tax liability, [Rule 37] (Refer Exceptions)

(This proviso shall not apply to supplies on which tax is payable under RCM).

Proviso - Entitled to avail the credit on payment made subsequently.

Where depreciation on the tax component of capital goods is availed, the input tax credit on the said tax component shall not be allowed.

Not entitled to take input tax credit in respect of any invoice after the due date of furnishing of the return under <u>section 39</u> for the month of <u>September</u> following the end of financial year or furnishing of the relevant <u>annual return</u>, whichever is earlier.

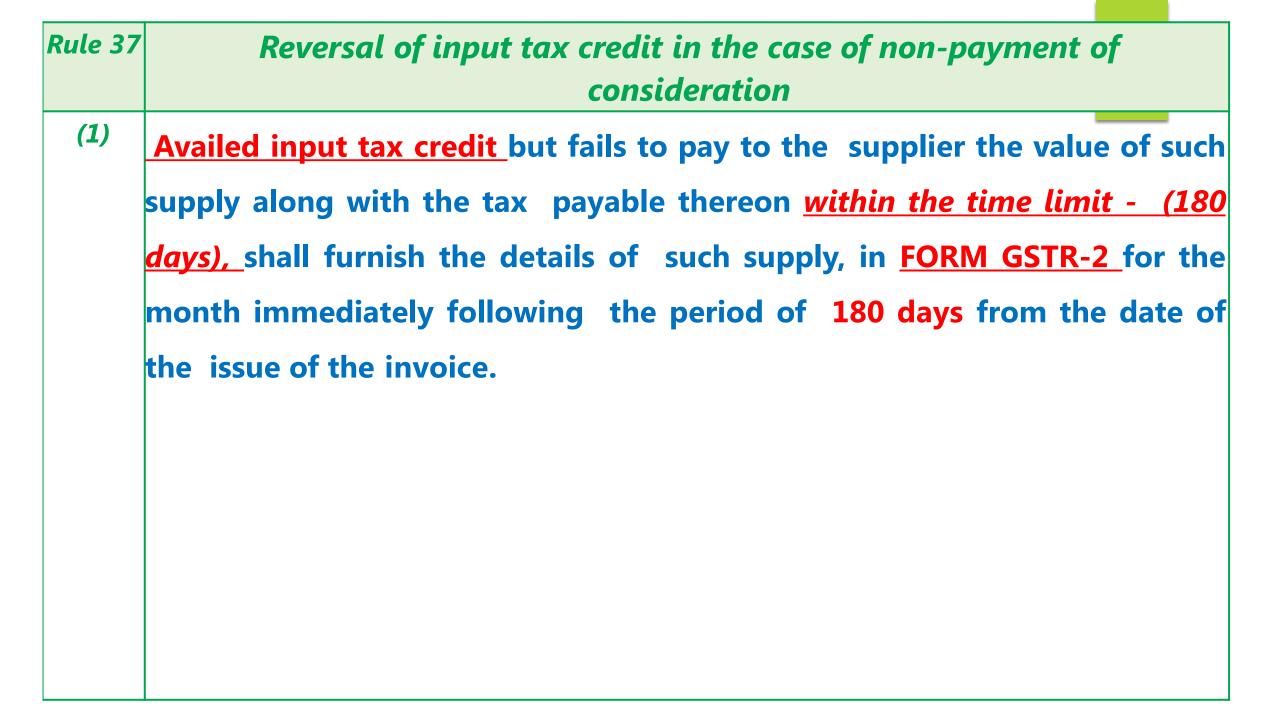
	CGST Rules – Relevant				
Rule 36	Documentary requirements and conditions for claiming input tax credit				
(1)	Eligible Documents:-				
	(a)	an invoice issued in accordance with the provisions of Section 31;			
	(b)	an invoice issued in accordance with the provisions of clause (f) of sub-section (3) of section 31, [(invoice for 9(3) & 9(4)]			
	(c)	a debit note issued in accordance with the provisions of section 34;			
	(d)	a bill of entry under the Customs Act, 1962 on imports;			
	(e)	an input service distributor invoice in accordance with the provisions of sub-rule (1) of Rule 54.			

CHAPTER VI TAX INVOICE, CREDIT AND DEBIT NOTES

Rule 46 - Tax invoice shall contain the following particulars:

(a)	Name, address and GSTIN of the supplier;				
(b)	A consecutive serial number not exceeding 16 characters, in one or multiple series, containing alphabets/numerals/special characters hyphen or dash and slash, and any combination thereof, unique for a FY;				
(C)	Date of its issue;				
(d)	If recipient is registered - Name, address a	nd GSTIN or UIN of recipient			
(e)	If recipient is unregistered and value of supply is:	Particulars of invoice			
	Rs. 50,000 or more	Name and address of the recipient and the address of delivery, along with the name of State and its code.			
	less than Rs. 50,000	unregistered recipient may still request the aforesaid details to be recorded in the tax invoice.			
(f)					

(g)	HSN code for goods or services;			
(h)	Description of goods or services;			
(i)	Quantity in case of goods and unit or Unique Quantity Code thereof;			
(j)	Total value of supply of goods or services or both;			
(k)	Taxable value of supply of goods or services or both taking into account discount or abatement, if any;			
(1)	Rate of tax (central tax, State tax, integrated tax, Union territory tax or cess);			
(m)	Amount of tax charged in respect of taxable goods or services (central tax, State tax, integrated tax, Union territory tax or cess);			
(n)	Place of supply along with the name of State, in case of a supply in the course of inter-State trade or commerce;			
(0)	Address of delivery where the same is different from the place of supply;			
(p)	Whether the tax is payable on reverse charge basis; and			
(q)	Signature or digital signature of the supplier or his authorized representative			



Sec. 17	APPORTIONMENT OF CREDIT & BLOCKED CREDITS [SECTION 17]
(1)	Where the supplies are used for business and partly for other purposes - credit shall be restricted to that attributable for business.
(2)	Where supplies are used for effecting taxable supplies and partly for exempt supplies, the amount of credit shall be restricted to taxable supplies including zero-rated supplies.

4. APPORTIONMENT OF CREDIT & BLOCKED CREDITS [SECTION 17]

Sec. 17	APPORTIONMENT OF CREDIT & BLOCKED CREDITS [SECTION 17]
(3)	The value of exempt supply shall be such as may be prescribed, (Rule 42) and shall
	include supplies under RCM, Securities, Land, & completed Building.
(4)	A Banking Company has the option to either comply with the provisions of subsection (2), or avail of, every month, an amount equal to 50% of the eligible input tax credit and the rest shall lapse:



	_				
(5)		(iii)	Rent	t-a-cab, Life insurance and Health insurance except where —	
			(A)	the Government notifies the services which are obligatory for an employer to provide to its employees under any law for the time being in force; or	
			(B)	such inward supply of goods or services or both of a particular category is used by a registered person for making an outward taxable supply of the same category of goods or services or both or as part of a taxable composite or mixed supply; and	
		(iv)		el benefits extended to employees on vacation such as leave or home travel ession;	
	(c)	tha	Works contract services when received for construction of an immovable property (other than plant and machinery) except where it is an input service for further supply of works contract service;		
	(d)	pro	perty	r services or both received by a taxable person for construction of an immovable (other than plant or machinery) on his own account including when such goods or or both are used in the course or furtherance of business.	
		cons	structi	on.—For the purposes of clauses (c) and (d), the expression "construction" includes re- on, renovation, additions or alterations or repairs, <u>to the extent of capitalisation</u> , to the said e property.	

(5)	(e)	Goods or services or both on which tax has been paid u/s 10;
	(f)	Goods or services or both received by a Non-Resident Taxable Person (NRTP) except on goods imported by him;
	(g)	Goods or services or both used for personal consumption;
	(h)	Goods lost, stolen, destroyed, written off or disposed off by way of gift or free samples; and
	(i)	Any tax paid in accordance with the provisions of sections 74, 129 and 130.

(6)		e Government may prescribe (Rule 42 / 43) the manner (Procedure) in which e credit referred to in sub-sections (1) and (2) may be attributed.
		Explanation. — For the purposes of this Chapter and Chapter VI, the expression "Plant and Machinery" means Apparatus, Equipment, and Machinery fixed to earth by foundation or structural support, that are used for making outward supply of goods or services or both and includes such foundation and structural supports, but excludes—
	(i)	land, building or any other civil structures;
	(ii)	telecommunication towers; and
	(iii)	pipelines laid outside the factory premises.

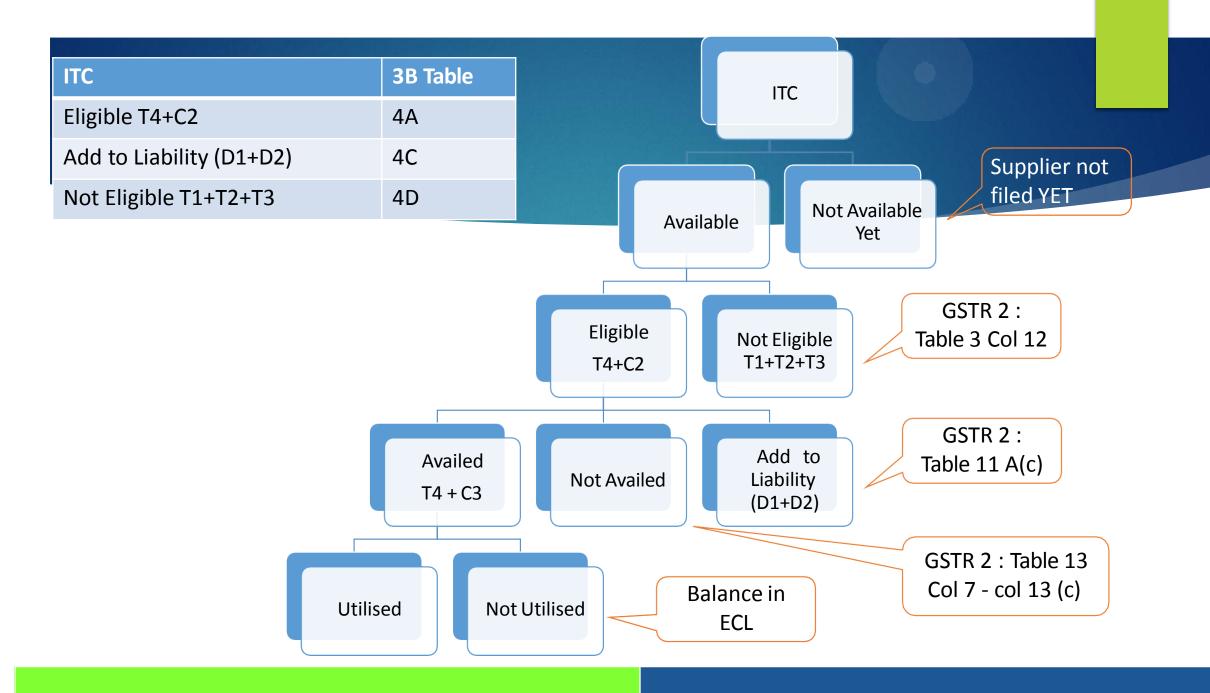
Rule 38

Claim of credit by a banking company or a financial institution:

A banking company or a financial institution, including a non-banking financial company, engaged in the supply of services by way of accepting deposits or extending loans or advances, that chooses not to comply with the provisions of Section 17(2), in accordance with the option permitted under section 17 (4) of that section, shall follow the following procedure:

The said company shall not avail credit of the -(a) Tax paid on inputs and input services used for non-business purposes; and (ii) | Credit attributable to the supplies specified in Sec.17(5) in - FORM GSTR-2; (b) The said company or institution shall avail the credit of tax paid on inputs and input services referred to in the second proviso to Section 17(4) - (ie. same PAN holders) - and not covered under clause (a); (c) 50% of the remaining amount of input tax shall be the input tax credit admissible to the company or the institution and shall be furnished in **FORM GSTR-2**; The amount referred to in clauses (b) and (c) shall, subject to the provisions of sections 41, 42 (d) and 43, be credited to the electronic credit ledger of the said company or the institution.

Rule Manner of determination of input tax credit in respect of 42 inputs or input services and reversal thereof: *(1)* The input tax credit in respect of inputs or input services, which attract the provisions of Sec. 17(1) or (2), being partly used for the purposes of business and partly for other purposes, or partly used for effecting taxable supplies including zero rated supplies and partly for effecting supplies, shall be attributed to the purposes of business or for effecting taxable supplies in the prescribed manner:



Rule **43**

Manner of determination of input tax credit in respect of <u>capital</u> <u>goods</u> and reversal thereof in *certain cases*:

- (1) Input tax credit in respect of capital goods, which attract the provisions of *sub-sections* (1) and (2) of section 17, shall be attributed to the purposes of business or for effecting taxable supplies in the prescribed manner.
 - The amount of input tax in respect of capital goods used or intended to be used exclusively for non-business purposes or for effecting exempt supplies shall be indicated in FORM GSTR-2 and shall not be credited to the electronic credit ledger.
 - The amount of input tax in respect of capital goods used or intended to be used exclusively for effecting supplies other than exempted supplies, including zero-rated supplies shall be indicated in FORM GSTR-2 and shall be credited to the electronic credit ledger;



(a)

(b)

Sec. 18

(1)

Availability of credit in special circumstances

A person who has *applied for registration* under this Act *within 30 days* from the date on which he becomes liable to registration and has been granted such registration shall be entitled to take credit of input tax in respect of inputs held in stock and inputs contained in semi-finished or finished goods held in stock.

A person who takes *registration under sub-section (3) of section 25* shall be entitled to take credit of input tax in respect of inputs held in stock and inputs contained in semi-finished or finished goods held in stock on the day immediately preceding the date of grant of registration;



Sec. 18

(1)

Availability of credit in special circumstances

Where any registered person ceases to pay tax under section 10, he shall be entitled to take credit of input tax in respect of inputs held in stock, inputs contained in semi-finished or finished goods held in stock and on capital goods.

Provided that the credit on capital goods shall be reduced by such percentage points as may be prescribed.



Sec.
18

(1)

Availability of credit in special circumstances

Where an exempt supply of goods or services or both by a registered person becomes a taxable supply, such person shall be entitled to take credit of input tax in respect of inputs held in stock and inputs contained in semi-finished or finished goods held in stock relatable to such exempt supply and on capital goods exclusively used for such exempt supply.

File ITC-01 within 30 days [For Se. 18(1) (a), (b), (c), (d)]



Sec. 18	Availability of credit in special circumstances
(2)	Not entitled to take input tax credit under sub-section (1), after the expiry of one year from the date of issue of tax invoice relating to such supply.
(3)	Where there is a change in the constitution and assets and <i>liabilities are transfered</i> , the ITC also be allowed to be transferred in the manner prescribed. File ITC-02 [For Se. 18(3)]



Sec. 18

(4)

5. CREDIT IN SPECIAL CIRCUMSTANCES [SECTION 18]

Availability of credit in special circumstances

Where any registered person opts to pay tax under section 10 or, where the goods or services or both supplied by him become wholly exempt, he shall pay an amount equivalent to the credit of input tax in respect of stock and on capital goods, (<u>reduced by such percentage points as may be prescribed</u>).

Provided that after payment of such amount, the balance of input tax credit, if any, lying in his electronic credit ledger shall lapse.



Sec. 18

(5)

(6)

5. CREDIT IN SPECIAL CIRCUMSTANCES [SECTION 18]

Availability of credit in special circumstances

The amount of credit under sub-section (1) and the amount payable under subsection (4) shall be calculated in such manner as may be prescribed.

In case of *supply of capital goods* or plant and machinery, on which input tax credit has been taken, the registered person shall pay an amount equal to the input tax credit taken on the said capital goods or plant and machinery *reduced* by such percentage points as may be prescribed or the tax on the transaction value of such capital goods or plant and machinery determined under section 15, whichever is higher:

Rule 40	Manner of claiming credit in special circumstances.	
(1)	The input tax credit claimed in accordance with the provisions of (1) of section 18, shall be subject to the conditions prescribed.	sub-section

GSTR 3B – Table 4 at a Glance

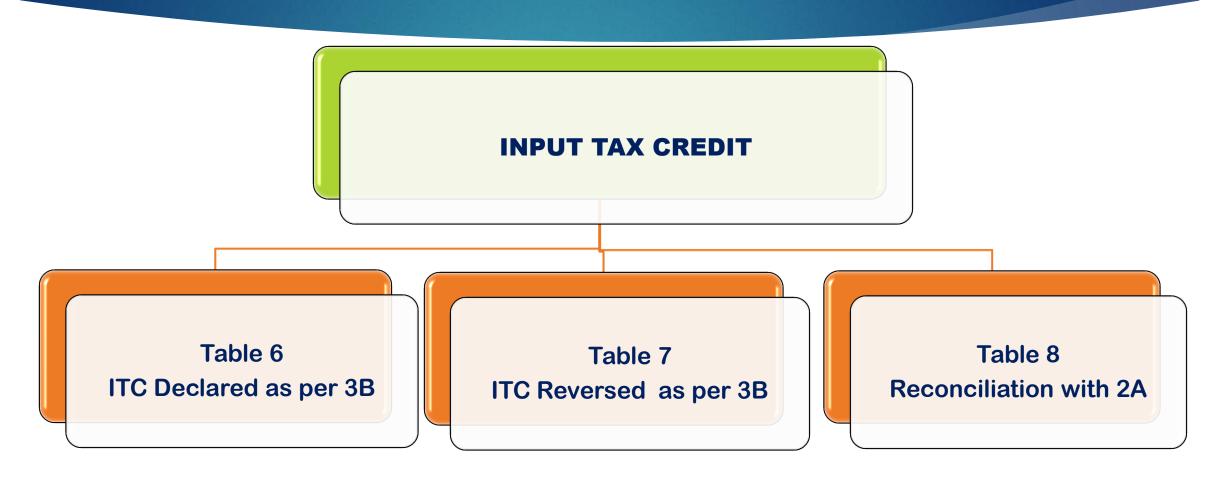
4. Eligible ITC

Details	IGST	CGST	SGST/UT Tax	Cess
1				
(A) ITC Available (whether in full or part)				
(1) Import of goods				
(2) Import of services				
(3) Inward supplies liable to reverse charge (other than 1 & 2 above)				
(4) Inward supplies from ISD				
(5) All other ITC				

GSTR 3B – Table 4 at a Glance

Details	IGST	CGST	SGST/UT Tax	Cess
1				
(B) ITC Reversed				
(1) As per Rules 42 & 43 of CGST Rules				
(2) Others				
(C) Net ITC Available (A) - (B)				
(D) Ineligible ITC				
(1) As per section 17(5)				
(2) Others				

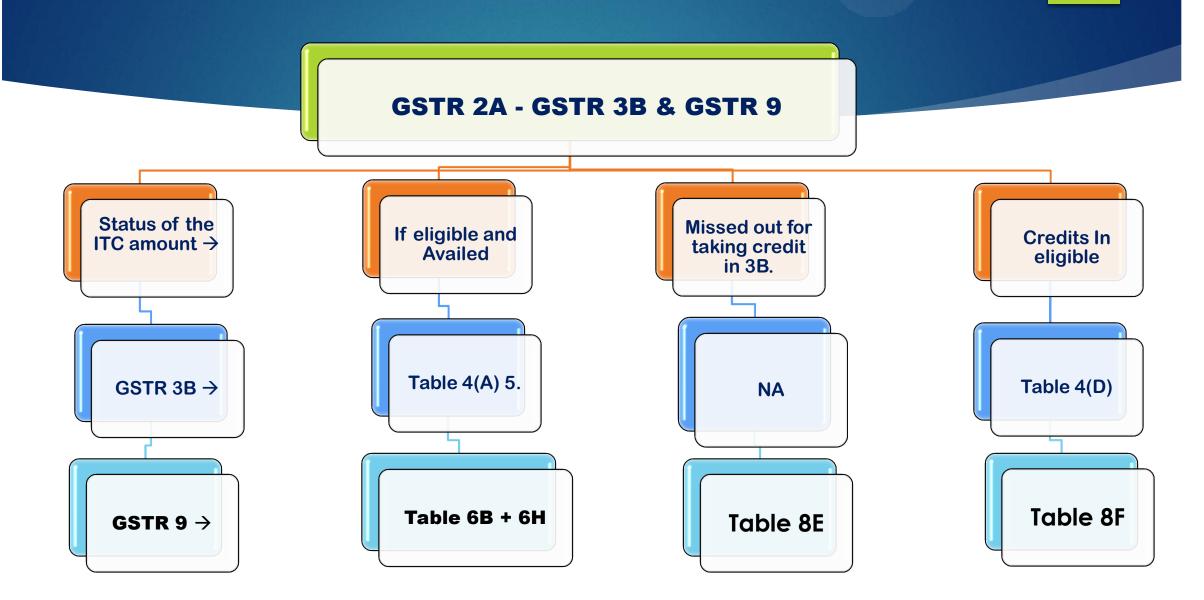
Part III: Details of ITC as declared in Returns filed during the financial year.



Points to be noted:

- * Table 4(A) Values in 4(A) only to be considered for Table 6 of GSTR-9;
- Table 4(B) Details of Reversals shall be given in Table 7 of GSTR -9.
- ❖ Table 4(D) Ineligible ITC shall not be considered in Table 6 of GSTR -9.
- Credit for 2017-18 availed in 2018-19 is that of 2018-19 year only unlike liabilities.

Table 8 – Other ITC Related Information



GSTR-9 - Part - I & II GSTR-9

		"FORM GSTR-9 (See rule 80) Annual Return				
Pt. I		Basic Details				
1	Financial Year					
2	GSTIN					
3A	Legal Name					
3B	Trade Name (if any)					
Pt. II	Details of Outward and	inward supplies dec	lared during	g the finar	icial year	
			(.	Amount is	n ₹ in all tables	()
	Nature of Supplies	Taxable Value	Central Tax	State Tax / UT Tax	Integrated Tax	Ces
	1	2	3	4	5	6
4	Details of advances, inward and out filed during the financial year	ward supplies on w	hich tax is	payable a	is declared in	return
A	Supplies made to un-registered persons (B2C)					
В	Supplies made to registered persons (B2B)					
С	Zero rated supply (Export) on payment of tax (except supplies to SEZs)					
D	Supply to SEZs on payment of tax					
E	Deemed Exports					
F	Advances on which tax has been paid but invoice has not been issued (not covered under (A) to (E) above)					

GSTR-9 - Part - II Cont..

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 (-)		60	
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			

GSTR-9 - Part - II Cont..

5	Details of Outward supplies on whice financial year	th tax is not payable as declared in returns filed during the
A	Zero rated supply (Export) without payment of tax	
В	Supply to SEZs without payment of tax	
С	Supplies on which tax is to be paid by the recipient on reverse charge basis	
D	Exempted	
E	Nil Rated	
F	Non-GST supply	
G	Sub-total (A to F above)	
Н	Credit Notes issued in respect of transactions specified in A to F above (-)	
1	Debit Notes issued in respect of transactions specified in A to F above (+)	
J	Supplies declared through Amendments (+)	
K	Supplies reduced through Amendments (-)	
I.	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)	

GSTR-9 – Part – III – ITC details

Pt. III	Details of ITC as declared in returns filed during the financial year								
	Description	Туре	Central Tax	State Tax /	Integrated Tax	Cess			
				UT Tax					
	1	2	3	4	5	6			
6	Details of ITC availed as	declared in return	s filed duri	ng the fin	ancial year	001			
A	Total amount of input tax credit avail GSTR-3B (sum total of Table 4A of)	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>				
	Inward supplies (other than imports	Inputs							
В	and inward supplies liable to reverse charge but includes services received from SEZs)	Capital Goods							
		Input Services							
	Inward supplies received from unregistered persons liable to reverse charge (other than B above) on which tax is paid & ITC availed	Inputs							
C		Capital Goods							
		Input Services							
	Inward supplies received from	Inputs							
D	registered persons liable to reverse charge (other than B above) on	Capital Goods							
1177	which tax is paid and ITC availed	Input Services							
E	Import of goods (including supplies	Inputs							
1.2	from SEZs)	Capital Goods							

GSTR-9 - Part - III Cont...

F	Import of services (excluding inward supplies from SEZs)				
G	Input Tax credit received from ISD				
н	Amount of ITC reclaimed (other than B above) under the provisions of the Act				
1	Sub-total (B to H above)				
J	Difference (I - A above)				
к	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)				
0	Total ITC availed (I + N above)				
7	Details of ITC Reversed and Ineligible ITC as declared	in return	s filed du	ring the final	ncial year
A	As per Rule 37			1	
В	As per Rule 39				
С	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				
н	Other reversals (pl. specify)				
I	Total ITC Reversed (A to H above)				
J	Net ITC Available for Utilization (6O - 7I)				

GSTR-9 - Part - III Cont...

8	Other ITC related information							
Α	ITC as per GSTR-2A (Table 3 & 5 thereof)	<auto></auto>	<auto></auto>	<auto></auto>	<auto></auto>			
В	ITC as per sum total of 6(B) and 6(H) above	<auto></auto>						
С	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 (out of D)							
F	ITC available but ineligible (out of D)							
G	IGST paid on import of goods (including supplies from SEZ)							
н	IGST credit availed on import of goods (as per 6(E) above)	<auto></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>	<auto></auto>	<auto></auto>			

GSTR-9 – Part – IV – Tax details

Pt. IV	Description		Tax Payable Paid through cash	led during the financial year Paid through ITC			
9				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	1 2:					

GSTR-9 - Part - V

	Description	Taxable Value	Central Tax	State Tax / UT Tax	Integrated Tax	Cess		
	1	2	3	4	5	6		
10	Supplies / tax declared through Amendments (+) (net of debit notes)							
11	Supplies / tax reduced through Amendments (-) (net of credit notes)							
12	Reversal of ITC availed during previous financial year							
13	ITC availed for the previous financial year							
14	Differential tax paid on account of declaration in 10 & 11 above							
	Description	Paya	ible	Paid				
## ## ## ## ## ## ## ## ## ## ## ## ##	1	2		3				
	Integrated Tax							
	Central Tax							
	State/UT Tax							
	Cess							
	Interest							

GSTR-9 - Part VI - other information

Pt. VI	Other Information Particulars of Demands and Refunds									
1.5										
	Details	Central Tax	State Tax / UT Tax	Integrated Tax	Cess	Interest	Penalty	Late Fee / Others		
	1	2	3	4	5					
А	Total Refund claimed									
В	Total Refund sanctioned									
С	Total Refund Rejected									
D	Total Refund Pending									
E	Total demand of taxes									
F	Total taxes paid in respect of E above									
G	Total demands pending out of E above									

GSTR-9 – Part VI – other information

16	Information on supplies received from composition taxpayers, deemed supply under section goods sent on approval basis							143 and	
	Details 1			Taxable Value	Central Tax	State Tax/ UT Tax	Integrated Tax	Cess 6	
A	Supplies received from Composition taxpayers								
В	Deemed supply under Section 143			ie.					
С	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	

GSTR-9 - Part VI - other information

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		
		2		3					
A	Central Tax								
В	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.

Place Signatory Date Signature Name of Authorised



Thank You

Visit: www. idtc.icai. org

For any clarification, please contact:

The Study Group on GST - Kerala

Email: ca.somannl@gmail.com

Mobile: 9895138780



CA. Soman N L, M.Com; FCA.