

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Refresher Course on GST Organised By: GST& Indirect Taxes Committee Hosted By- Tinsukia Branch of ICAI

Topic: GST Annual Return [GSTR-9]

Date: 10th Oct, 2020 By CA Tarun Arora

GST & Indirect Taxes Committee, ICAI

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Who is required to file Annual Return and Audit?

Sec 44 of the CGST Act read with Rule 80

All Registered persons except-

- Input Service Distributor
- Tax deductor
- Tax collector 52(5)
- Casual taxable person
- Non-resident taxable person

Plus -

 Person supplying OIDAR service from Place outside India [Notification No 30/2019 Central Tax Non Rate]



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Notification OPTIONAL FILING OF ANNUAL RETURN 47/2019 CGST [NR] In exercise of the powers conferred by section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017) (hereinafter referred to as the said Act), the Central Government, on the recommendations of the Council, hereby notifies those registered persons whose aggregate turnover in a Aggregate turnover financial year does not exceed two crore rupees and [PAN Turnover] who have not furnished the annual return under sub-section Annual return should not have (1) of section 44 of the said Act read with sub-rule (1) of rule 80_ be furnished of the Central Goods and Services Tax Rules, 2017 (hereinafter referred to as the said rules) before the due date, as the class of registered persons who shall, in respect of Applicable for 17-18 and 18-19 financial years 2017-18 and 2018-19, follow the special procedure such that the said persons shall have the option to furnish the annual return under sub-Option to furnish section (1) of 044 of the said Act read with sub-rule (1) of rule 80 of the said rules: GST & Indirect Taxes Committee,

What is the status if Annual Return by specified registered person is not filed or is filed after the due date? OPTIONAL FILING OF ANNUAL RETURN Notification 47/2019 CGST [NR]

Notification OPTIONAL FILING OF ANNUAL RETURN 47/2019 CGST [NR] **Extract from Notification** Provided that the said return shall be deemed to be furnished on the due date if it has not been furnished before the due date. After the due date of furnishing the Accordingly, it is clarified that if any registered tax payer, annual return for the year 2017-18 and during course of reconciliation of his accounts, notices 2018-19, the common portal shall not any short payment of tax or ineligible availment of input permit furnishing of FORM GSTR-9 for tax credit, he may pay the same through FORM GST DRCthe said period. 03. [Circular 124/43/2019] [Circular 124/43/2019] GST & Indirect Taxes Committee, ICAI

What are the consequences of delay in filing of annual return? Sec 47 of the CGST Act



Ans. Late fees shall be payable

@ Rs 200 per day (Rs 100 CGST and Rs 100 SGST)

subject to maximum of

0.50% of turnover in a state (.25% each in CSGT and SGST)

[Sec 47]

GST & Indirect Taxes Committee, ICAI

Overview of Form GSTR-9

Two basic principles of Annual Return i.e. Form GSTR-9

Additional liability can be declared through GSTR-9

Unclaimed ITC cannot be claimed through GSTR-9

Basis to feed data in GSTR-9

GSTR - 3B



GSTR - 1

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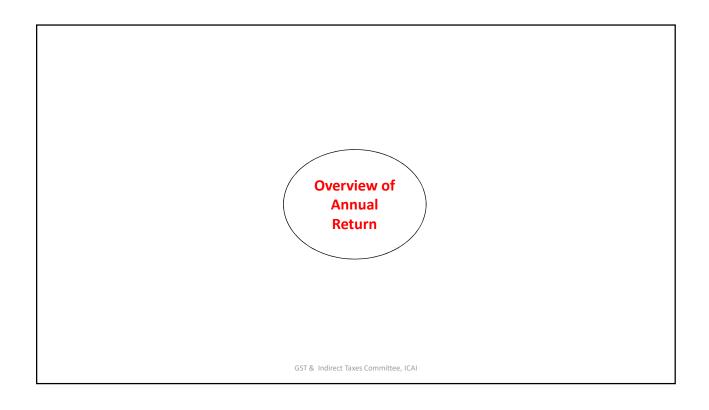
Basis to feed data in GSTR-9

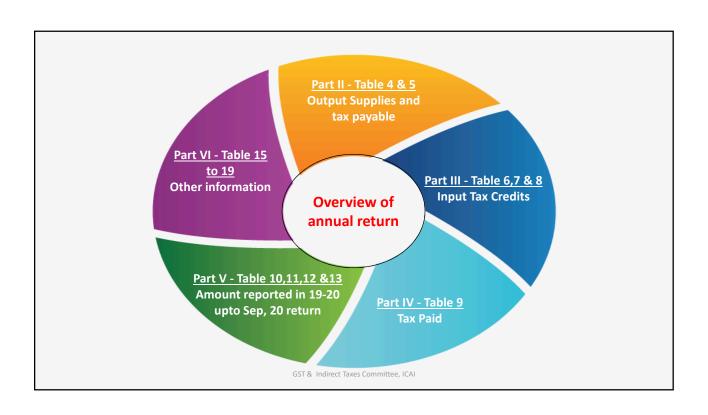
GSTR-9 Instruction

- 4. Part II consists of the details of all outward supplies & advances received during the financial year for which the annual return is filed. [For FY 2017-18,]⁴⁴ It may be noted that all the supplies for which payment has been made through FORM GSTR-3B between July 2017 to March 2018 shall be declared in this part. [It may be noted that additional liability for the FY 2017-18 [or FY 2018-19]⁴⁵ not declared in FORM GSTR-1 and FORM GSTR-3B may be declared in this return. However, taxpayers cannot claim input tax credit [unclaimed during FY 2017-18]⁴⁶ through this return.]⁴⁷ The instructions to fill Part II are as follows:
- [For FY 2017-18,]⁷⁰ Part V consists of particulars of transactions for the previous financial year but paid in the FORM GSTR-3B [between April 2018 to March 2019]⁷¹.
 [For FY 2018-19, Part V consists of particulars of transactions for the previous financial year but paid in the FORM GSTR-3B [between April 2019 to September 2019]. ⁷²

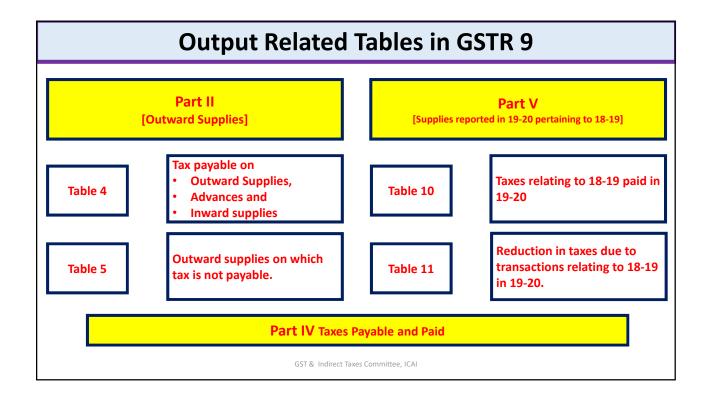
Press release 3rd Jun, 2019

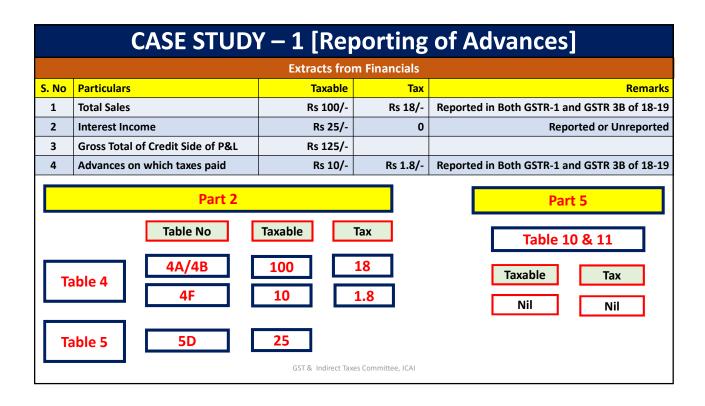
d) It may be noted that irrespective of when the supply was declared in FORM GSTR-1, the principle of declaring a supply in Pt. II or Pt. V is essentially driven by when was tax paid through FORM GSTR-3B in respect of such supplies. If the tax on such supply was paid through FORM GSTR-3B between July 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-3 drifferet Taxes Committee, ICAI

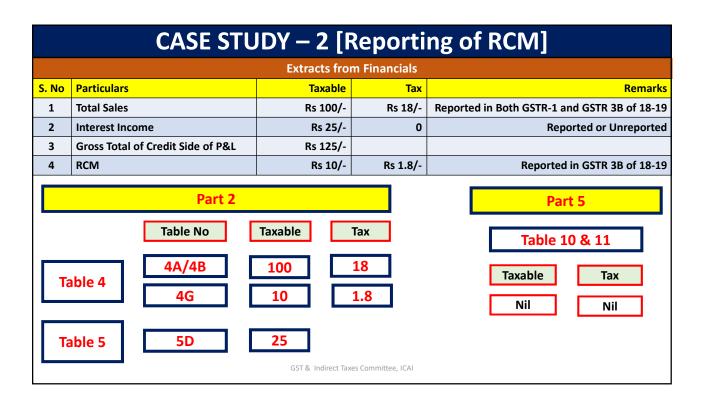


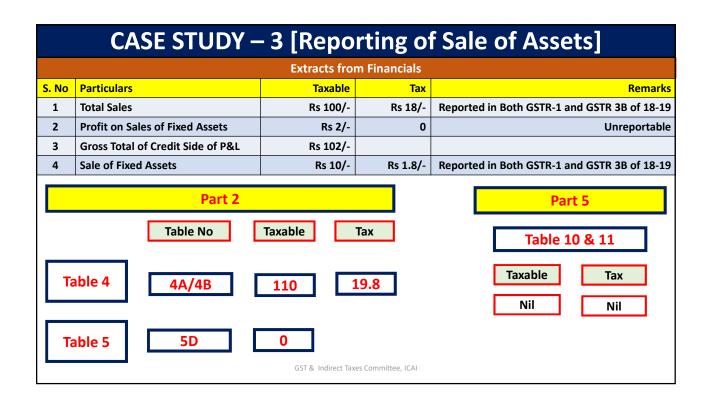






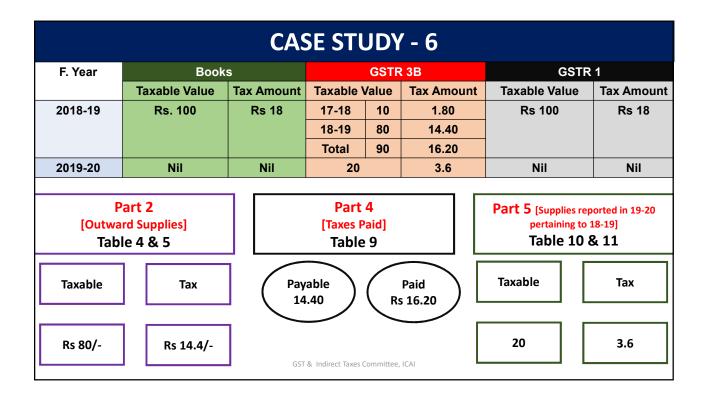




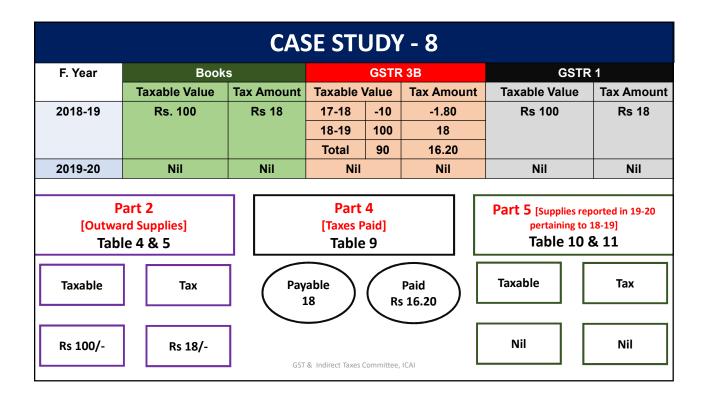


	CASE STUDY - 4									
F. Year	Book	s	GSTR	3B	GSTR	1				
	Taxable Value	Tax Amount	Taxable Value	Tax Amount	Taxable Value	Tax Amount				
2018-19	Rs. 100	Rs 18	Rs. 90	Rs 16.20	Rs 100	Rs 18				
2019-20	Nil	Nil	Rs 10	Rs 1.80	Nil	Nil				
[Outwa	rd Supplies] le 4 & 5		1 1	Paid 16.20	Part 5 [Supplies reported in 19- 18-19] Table 10 8 Taxable	-20 pertaining to				
Rs 90/-	Rs 16.20/-	GST	Rs 10/- Rs 1							

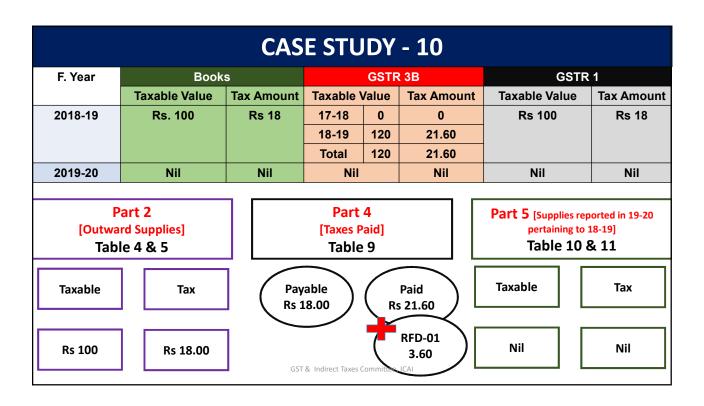
	CASE STUDY - 5										
F. Year	Book	S		GSTF	3B	GST	₹ 1				
	Taxable Value	Tax Amount	Taxable Value Tax Amount		Taxable Value	Tax Amount					
2018-19	Rs. 100	Rs 18	17-18	10	1.8	Rs 100	Rs 18				
			18-19	100	18						
			Total	110	19.8						
2019-20	Nil	Nil	Nil		Nil	Nil	Nil				
[Outwa	art 2 rd Supplies] le 4 & 5		Part [Taxes F Table	Paid]		Part 5 [Supplies repertaining to Table 10	18-19]				
Taxable	Тах		able B/-	(R	Paid 5 19.80 3-19 =18]	Taxable	Тах				
Rs 100/-	Rs 18/-	GST	& Indirect Taxes	Committee,	Nil	Nil					



		CAS	SE STU	JDY	/ - 7				
F. Year	Book	s		GSTF	R 3B	GST	₹ 1		
	Taxable Value	Tax Amount	Taxable \	V alue	Tax Amount	Taxable Value	Tax Amount		
2018-19	Rs. 100	Rs 18	17-18	10	1.80	Rs 100	Rs 18		
			18-19	80	14.40				
			Total	90	16.20				
2019-20	Nil	Nil	Nil		Nil	Nil	Nil		
[Outwa	art 2 rd Supplies] le 4 & 5		Part [Taxes F Table	aid]		Part 5 [Supplies repertaining to Table 10	18-19]		
Taxable	Тах	1	rable	R	Taxable	Тах			
Rs 100/-	Rs 18/-	GST	DRC-03 3.60 Nil Nil OST & Indirect Taxes Committee, CAI						



		CAS	SE STU	JDY	′ - 9				
F. Year	Book	s		GSTF	R 3B	GSTF	R 1		
	Taxable Value	Tax Amount	Taxable \	Value	Tax Amount	Taxable Value	Tax Amount		
2018-19	Rs. 100	Rs 18	17-18	0	0	Rs 100	Rs 18		
			18-19	120	21.60				
			Total	120	21.60				
2019-20	Nil	Nil	-20.0	0	-3.60	Nil	Nil		
[Outwa	art 2 rd Supplies] le 4 & 5		Part (Taxes F Table	Paid]		Part 5 [Supplies re pertaining to Table 10	18-19]		
Taxable	Тах		able 21.60		Paid s 21.60	Taxable	Тах		
Rs 120	Rs 21.60	GST	GST & Indirect Taxes Committee, ICAI						



Year		Во	oks			GST	R 3B			GST	TR 1	
	Taxable		С	S	Taxable	- 1	С	S	Taxable	- I	С	S
18-19	300	10	10	10	300	10	10	10	300	0	15	15
Part 5 [Supplies reported in 18-19 pertaining to 17-18] Table 10 & 11 Tax Nil												
	[Supp				to 17-18]			Tax		Nil		
	[Supp				to 17-18]	GSTR				Nil		
					IGST	GSTR		Tax CGST			SGST	
	1	Та	ble 10			GSTR					SGST 10	
	Part	Та Гах Туре	able 10		IGST	GSTR		CGST				

CASE STUDY - 12												
Year		Во	oks			GST	R 3B			GST	TR 1	
18-19	Taxable	I	С	S	Taxable	- I	С	S	Taxable	I	С	S
19-19	300	10	10	10	300	0	15	15	300	10	10	10
19-20	NA	0	0	0	NA	10	-5	-5	NA	0	0	0
						Summary						
	S. No	Тах	Туре		IGST		ce	iST		so	ST	
	1	Part 5 [T	able 10/11	L]	10		-	5		-	5	
												I
	GST & Indirect Taxes Committee, ICAI											

	CASE STUDY - 12											
Year	GSTR 3B GSTR 1											
18-19	Taxable	- 1	С	S	Taxable	- I	С	S	Taxable	I	С	S
19-19	300	10	10	10	300	0	15	15	300	10	10	10
19-20	19-20 NA 0 0 0 NA 10 -5 -5 NA 0 0 0											

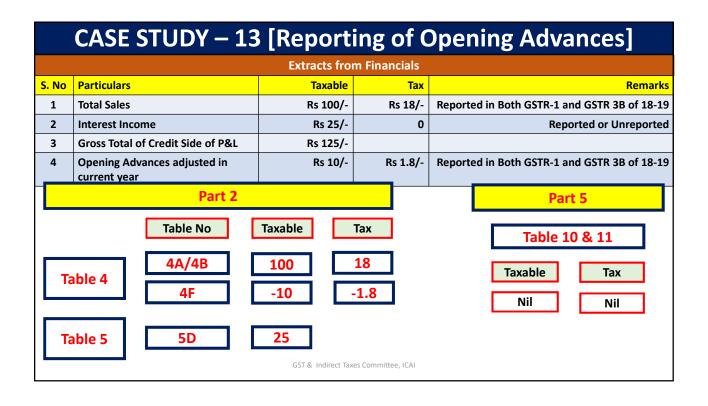
		Sum	mary							
S. No	Тах Туре	IGST	CGST	SGST						
1	Part 5 [Table 10/11]	10	-5	-5						
2	Part 2 [Table 4]	0	15	15						

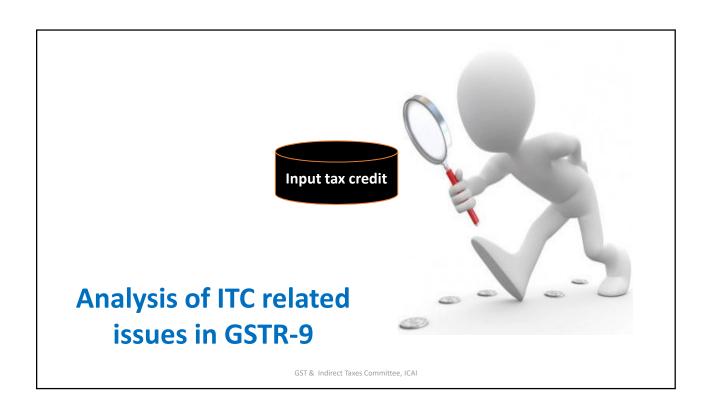
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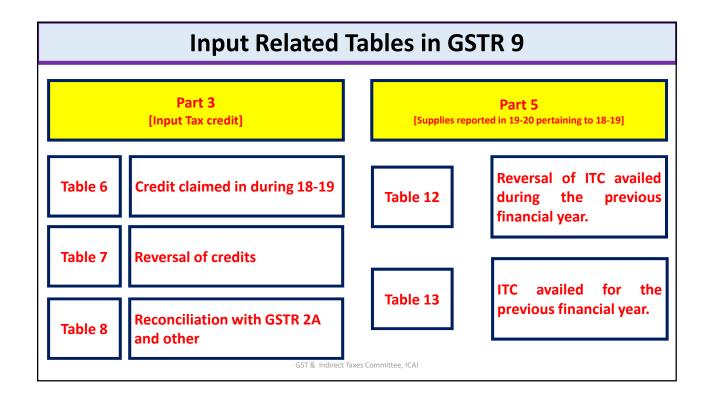
	CASE STUDY - 12											
Year		Во	oks			GST	R 3B			GST	TR 1	
18-19	Taxable	- I	С	S	Taxable	- I	С	S	Taxable	I	С	S
19-19	300	10	10	10	300	0	15	15	300	10	10	10
19-20	19-20 NA 0 0 0 NA 10 -5 -5 NA 0 0 0											

	Summary									
S. No	Тах Туре	IGST	CGST	SGST						
1	Part 5 [Table 10/11]	10	-5	-5						
2	Part 2 [Table 4]	0	15	15						
3	Effective Total	10	10	10						

CASE STUDY - 12												
Year		Во	oks			GST	R 3B			GST	TR 1	
18-19	Taxable	- 1	С	S	Taxable	I	С	S	Taxable	I	С	S
10-19	300	10	10	10	300	0	15	15	300	10	10	10
19-20	NA	0	0	0	NA	10	-5	-5	NA	0	0	0
	S. No 1 2 3	Part 5 [T	Type able 10/11 [Table 4] Total	.]	IGST 10 0 10	Summar	- 1	5 .5 .0		-	5 .5 .0	
	3 Effective Total 10 10 10 10 10 10 4 Part 4 [Table 9] to be matched with Part 2											
GST & Indirect Taxes Committee, ICAI												







Extract of Press release 9th Oct, 2020

- 2. Certain representations have been received stating that the auto populated GSTR 9 for the year 2018-19 (Tables 4, 5, 6 and 7) also includes the data for FY 2017-18. However, this information for FY 2017-18 has already been furnished by the taxpayers in the annual return (GSTR9) filed for FY 2017-18 and there is no mechanism to show the split of two years (2017-18 & 2018-19) in FORM GSTR-9 for 2018-19.
- 3. In this regard, it is clarified that the taxpayers are required to <u>report only the values</u> <u>pertaining to Financial Year 2018-19</u> and the values pertaining to Financial Year 2017-18 which may have already been reported or adjusted are to be ignored. No adverse view would be taken in cases where there are variations in returns for taxpayers who have already filed their **GSTR-9** of Financial Year 2018-19 by including the details of supplies and ITC pertaining to Financial Year 2017-18 in the Annual return for FY 2018-19.

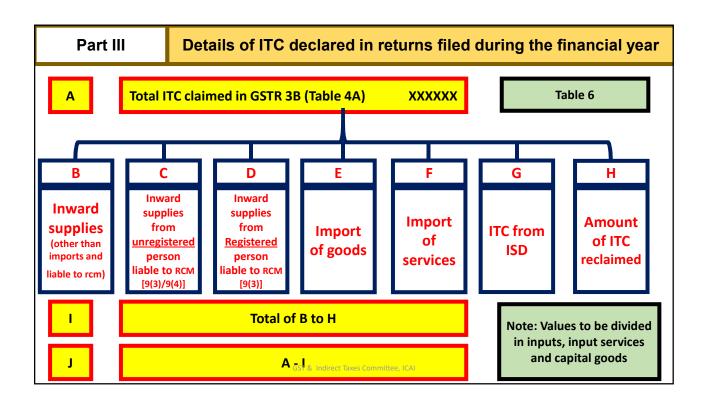
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Part 4 - Table 12 **Reconciliation of Input Tax Credit (ITC) GSTR-9C** ITC availed as per audited Annual Financial Statement for the State/ UT (For multi-GSTIN units under same PAN this should be derived from books of accounts) В ITC booked in earlier Financial Years claimed in current Financial Year ITC booked in current Financial Year to be claimed in subsequent Financial C Years ITC availed as per audited financial statements or books of account [A+B-C] ITC claimed in Annual Return (GSTR 9) [Table 7J of GSTR 9: Net ITC available after reversals] **Un-reconciled ITC** [D-E] GST & Indirect Taxes Committee, ICAI

	Year	Books	GSTR 3B							
CASE STUDY - 1	2018-19	100	17-18 = 10 18-19 100							
	2019-20	-	-							
	G	STR-9								
Table 6 and 7 (Part III) Rs 100/-										
	GSTR-9	C Table 12								
•	audited Annual Financial Statemould be derived from books of acco	ent for the State/ UT (For multi-Gunts)	SSTIN units 100							
12 B. ITC booked in earlier	r Financial Years claimed in currer	t Financial Year	10							
12 C. ITC booked in curren	t Financial Year to be claimed in s	subsequent Financial Years	0							
12 D. ITC availed as per au	dited financial statements or boo	oks of account [12D = 12A + 12B	- 12C] 110							
12 E. ITC claimed in Annua	12 E. ITC claimed in Annual Return (GSTR9) [Table 7J of Annual Return] 100									
12 F. Unreconciled ITC [12	12 F. Unreconciled ITC [12 D – 12F] GST & Indirect Taxes Committee, ICAI									

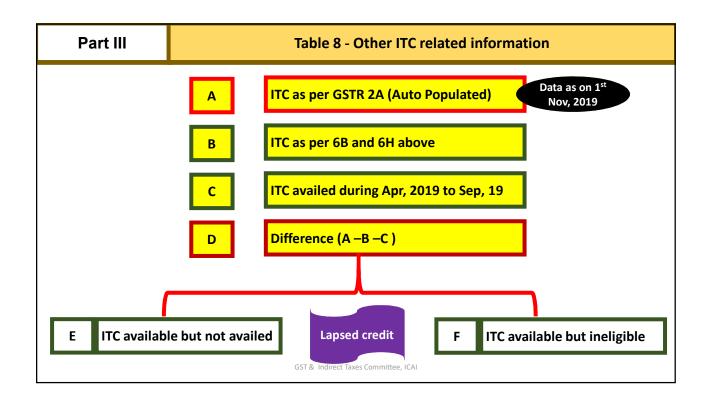
	Year	Books	GSTR 3B					
CASE STUDY - 1	2018-19	100	17-18 = 10 18-19 100					
	2019-20	-	-					
GSTR-9								
Table 6 and 7 (Part III) Rs 100 +10								
	GSTR-9	C Table 12						
12 A. ITC availed as per audited Annual Financial Statement for the State/ UT (For multi-GSTIN units under same PAN this should be derived from books of accounts)								
12 B. ITC booked in earlier Financial Years claimed in current Financial Year 10								
12 C. ITC booked in current Financial Year to be claimed in subsequent Financial Years 0								
12 D. ITC availed as per audited financial statements or books of account [12D = 12A + 12B - 12C]								
12 E. ITC claimed in Annual Return (GSTR9) [Table 7J of Annual Return] 110								
12 F. Unreconciled ITC [12 D – 12F] GST & Indirect Taxes Committee, ICAI								

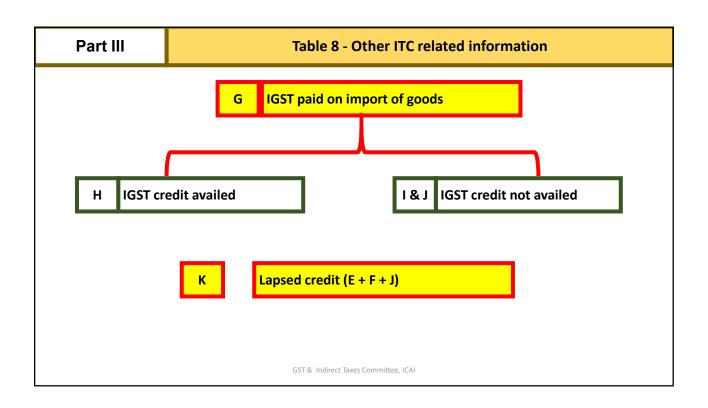
Eligible ITC				Help (
Details	Integrated Tax (₹)	Central Tax (₹)	State/UT Tax (₹)	CESS (₹)
A) ITC Available (whether in full or part)				
1) Import of goods	₹0.00			₹0.00
2) Import of services	₹0.00			₹0.00
3) Inward supplies liable to reverse charge (other than 1 $\&$ 2 bove)	₹0.00	₹0.00	₹0.00	₹0.00
4) Inward supplies from ISD	₹0.00	₹0.00	₹0.00	₹0.0
5) All other ITC	₹0.00	₹0.00	₹0.00	₹0.0
B) ITC Reversed				
1) As per Rule 42 & 43 of CGST/SGST rules	₹0.00	₹0.00	₹0.00	₹0.0
2) Others	₹0.00	₹0.00	₹0.00	₹0.0
C) Net ITC Available (A) - (B)	₹0.00	₹0.00	₹0.00	₹0.0
D) Ineligible ITC				
1) As per section 17(5)	₹0.00	₹0.00	₹0.00	₹0.0
2) Others GST 8	ndirect Taxes C ₹0√00 tee, I	¢AI ₹0.00	₹0.00	₹0.00

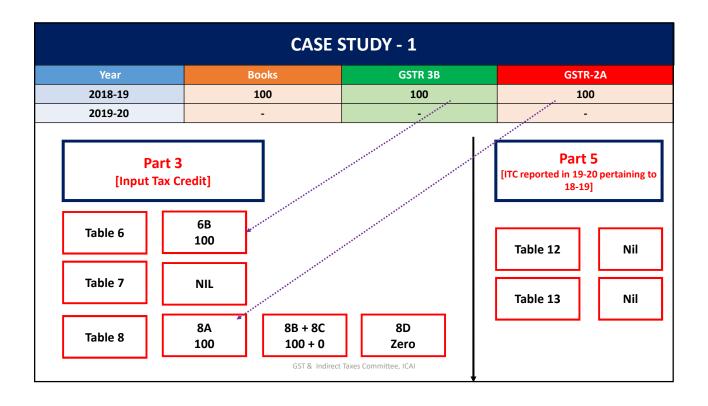


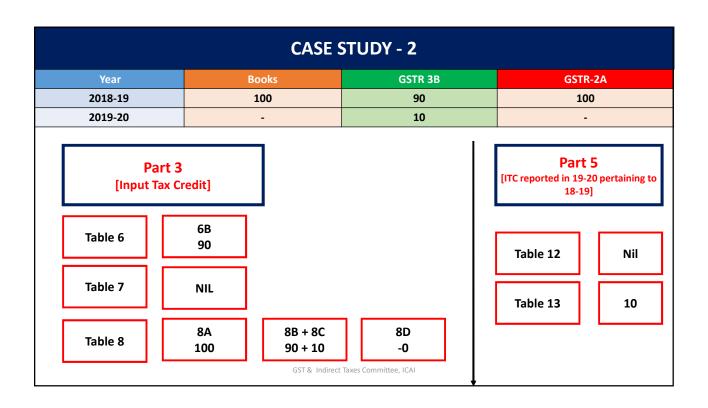
Part III	Details of ITC declared in returns filed during the financial year				
	К	Transition credit through Tran I			
	L	Transition credit through Tran II			
	М	Any other ITC availed but not specified			
	N	Sub total (K to M)			
	0	Total ITC availed (I +N)			
		GST & Indirect Taxes Committee, ICAI			

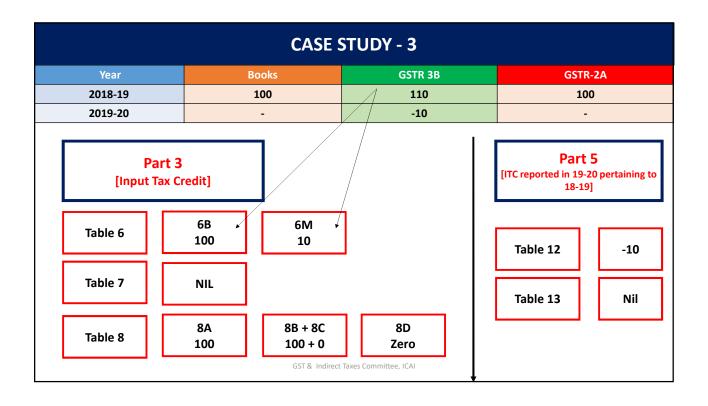
Р	art III	Table 7 Details of ITC Reversed and Ineligible ITC as declared in returns filed during for the financial year					
A	As per Rule 3	7 For non payme	nt of cons	ideration	in 180 days		
В	As per Rule 3	9					
С	As per Rule 4		ant ITC fo	w overent	aupplies		
D	As per Rule 4	Apportionm	ent ITC 10	r exempt	supplies		
Е	As per section	17(5)					
F	Reversal of T	RAN-I credit					
G	Reversal of T	RAN-II credit					
Н	Other reversal	ls (pl. specify)	,				
I	Total ITC Rev	versed (A to H above)	,				
J	Net ITC Avail	lable for Utilization (60 • 7I)ect Taxes Committee, ICAI					





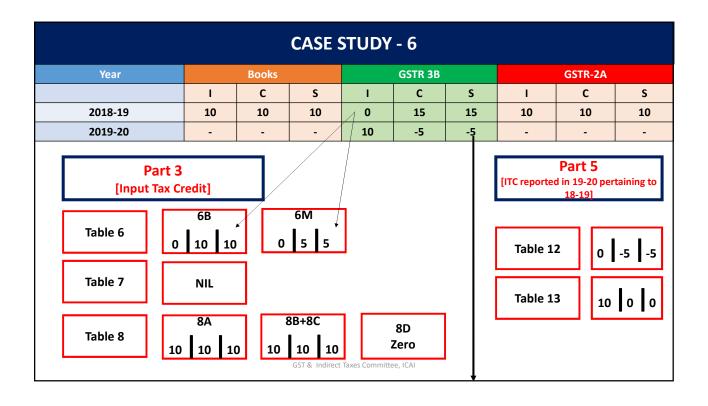






CASE STUDY - 4							
Year	В	looks	GSTR 3B		GSTR-2A		
2018-19		100		10	100		
			18-19	100			
			Total	110			
2019-20		-	-		-		
Part 3 [Inp Table 6 Table 7	ut Tax Credit] 6B 100 NIL	6M 10			Part 5 [ITC reported in 19-20 pertaining to 18-19] Table 12 0		
Table 8	8A 100	8B + 8C 100 + 0 GST & Indirect	8D Zero		Table 13 Nil		

CASE STUDY - 5						
Year		Books GSTR 3B		R 3B	GSTR-2A	
2018-19		100		-10	100	
				100		
				90		
2019-20		-	-		-	
Part 3 [Inp	ut Tax Credit]				Part 5 [ITC repo	
Table 6	6B 100	6M 0]		Table 12	0
Table 7	7H -10				Table 13	Nil
Table 8	8A 100	8B + 8C 100 + 0	8D Zero			
		GST & Indirect	Taxes Committee, ICAI			





Thank You

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