

GST ANNUAL RETURN, AUDIT AND RECONCILIATION

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□ Annual Return.....GSTR-9

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

Note:- GSTR-9 applicable to all registered person other than-

- Input Service Distributor
- TDS Deductor
- TCS Collector
- Composite Taxable Person &
- Non Resident Taxable Person

□ Reconciliation and Audit.....GSTR 9C

- E-filing of GSTR 9 along with **audited accounts & GSTR 9C**
- Sec 44(2) Every registered person who is required to get his accounts audited in accordance with the provisions of Sec. 35(5) shall furnish, electronically, the annual return under subsection (1) along with a copy of the audited annual accounts and a reconciliation statement, reconciling the value of supplies declared in the return furnished for the financial year with the audited annual financial statement, and such other particulars as may be prescribed.
- Sec 35(5) Every registered person whose **turnover during a financial year** exceeds the prescribed limit shall get his accounts audited by a chartered accountant or a cost accountant and shall submit a copy of the audited annual accounts, the reconciliation statement under Sec. 44(2) and such other documents in such form and manner as may be prescribed.
- R 80(3) Every registered person whose aggregate turnover during a financial year exceeds **2 Cr.** rupees shall get his accounts audited as specified under Sec. 35(5) and he shall furnish a copy of audited annual accounts and a reconciliation statement, duly certified, in FORM GSTR-9C

□ Meaning of Audit.....S 2(13)

“audit” means the examination of records, returns and other documents maintained or furnished by the registered person under this Act or the rules made thereunder or under any other law for the time being in force to verify the correctness of turnover declared, taxes paid, refund claimed and input tax credit availed, and to assess his compliance with the provisions of this Act or the rules made thereunder

❑ Non Filing of GSTR-9 and GSTR-9C

➤ Sec 47(2) Any registered person who fails to furnish the return required under section 44 by the due date shall be liable to pay a late fee of 100 rupees (total 200 rupees) for every day during which such failure continues subject to a maximum of an amount calculated at **.25% (total .50%)** of his turnover in the State or Union territory.

Example:

Turnover INR 2 Cr.

Date of filing of Annual Return along with GSTR 9C- 25.08.2020

Due date-31.12.2018

Delay in days: 600 days

Penalty amount CGST INR 60000, SGST INR 60,000, Total=1,20,000

Or **Maximum Penalty**

2 Cr.*.25%= 50,000 CGST and INR 50,000 for SGST, Total= 1,00,000

□ Turnover

➤ Sec. 2(6) “Aggregate turnover” means the aggregate value of **all taxable supplies** (excluding the value of inward supplies on which tax is payable by a person on reverse charge basis), exempt supplies, exports of goods or services or both and **inter-State supplies of persons having the same Permanent Account Number**, to be computed on all India basis but excludes central tax, State tax, Union territory tax, integrated tax and cess.

➤ Sec. 22 The expression “aggregate turnover” shall include all supplies made by the taxable person, whether on his own account or made on behalf of all his principals

Sec -2 (47)

“Exempt Supply” means supply of any goods or services or both which attracts *nil* rate of tax or which may be wholly exempt from tax under section 11, or under section 6 of the Integrated Goods and Services Tax Act, **and includes non-taxable supply;**

□ Turnover....continue

➤ It also include non taxable supply

- Petroleum crude, high speed diesel, petrol, natural gas and aviation turbine fuel
- Alcoholic liquor for human consumption

Sec-2 (78)

“Non-taxable supply” means a supply of goods or services or both which is not leviable to tax under this Act or under the Integrated Goods and Services Tax Act;

Note:- Exempt supply include non taxable supply and the definition of aggregate turnover includes exempt supply. So the same should be included in the calculation of turnover.

□ Turnover- Clarification

➤ It covers PAN India turnover

E.g. HR 90L+ DL 70L+HP 50L=2.10 Cr. All states are required to comply GST Audit

Turnover Period 1st April, 2017 to 31st March 2018

➤ It includes deemed supply to compute turnover limit

E.g. XYZ Ltd Hr trf stock to XYZ Del. 60L (Deemed Supply)

XYZ Hr Sells to non distinct person 80L and XYZ Del Sells to non distinct person 70L

Total turnover will count 2.10Cr instead of actual B/sheet turnover 1.50

➤ It Includes exempted Supply and Taxable Supply

Residential Rental Income 1.8 Cr (Exempt)+ Commercial Rental Income .25 Cr.=2.05Cr. Assesse are required to comply GST Audit

□ Turnover- Clarification....(cont'd)

➤ It doesn't include No Supply

- SH.-III excludes supply from the definition of Supply
- Land Sale, Salary is not part of turnover

➤ Other Income

- If it is in the course or furtherance of business will be covered under Supply and turnover, such as Sale of old business car, old furniture, sales of scrap
- Otherwise It will not be part of Supply and turnover, such as Interest on Saving bank account/FD, selling of household items

❑ Turnover- Non GST Supply

➤ No Supply-Sh.-III Supply such as

- Salary
- Sale of Land & Building (excluding taxable building)
- Actionable claims other than lottery, betting and gambling.

➤ Non taxable Supply S. 2(78)

- Petroleum crude, high speed diesel, petrol, natural gas and aviation turbine fuel
- Alcoholic liquor for human consumption

□ Effective date of Registration

❖ R(10)(2) The registration shall be effective from the date on which the person becomes liable to registration where the application for registration has been submitted within a period of thirty days from such date.

❖ R(10)(3) Where an application for registration has been submitted by the applicant after the expiry of thirty days from the date of his becoming liable to registration, the effective date of registration shall be the date of the grant of registration under sub-rule (1) or sub-rule (3) or sub-rule (5) of rule 9.

❖ S25(1) Every person who is liable to be registered under section 22 or section 24 shall apply for registration in every such State or Union territory in which he is so liable within thirty days from the date on which he becomes liable to registration

□ Documentation

- S 31(3)(d) a registered person shall, on receipt of advance payment with respect to any supply of goods or services or both, issue a receipt voucher or any other document, containing such particulars as may be prescribed, evidencing receipt of such payment;
- S31(3)(e) where, on receipt of advance payment with respect to any supply of goods or services or both the registered person issues a receipt voucher, but subsequently no supply is made and no tax invoice is issued in pursuance thereof, the said registered person may issue to the person who had made the payment, a refund voucher against such payment;

❑ Legal provision to avail ITC

- 16(2) Notwithstanding anything contained in this section, no registered person shall be entitled to the credit of any input tax in respect of any supply of goods or services or both to him unless,— (a)..... (b).....(c) subject to the provisions of section 41, the tax charged in respect of such supply has been actually paid to the Government, either in cash or through utilisation of input tax credit admissible in respect of the said supply; and
- 41(1) Every registered person shall, subject to such conditions and restrictions as may be prescribed, be entitled to take the credit of eligible input tax, as self-assessed, in his return and such amount shall be credited on a provisional basis to his electronic credit ledger.
 - 41(2) The credit referred to in sub-section (1) shall be utilized only for payment of self-assessed output tax as per the return referred to in the said sub-section.
 - 49(2) The input tax credit as self-assessed in the return of a registered person shall be credited to his electronic credit ledger, in accordance with section 41, to be maintained in such manner as may be prescribed.

□ Input Tax Credit-Condition

- Goods or Services should be purchased for Business Purpose
- Registered Person should have tax invoice or other relevant document such as debit note, GST challan under reverse charge, BOE
- Goods or Services has been Received
 - **Note- Tax invoice received in advance, ITC is not available because Supply has not received**
- Place of supply should be Registered person Place
- Inward supply should be used for taxable supply or common supply
- Note:
 - Clause (c) and (d) of Sec. 16(2) are not more relevant due to GSTR-2 and GSTR-3 not in operation
 - Credit should be match with GSTR 2A to avoid future litigation but its not advisable to reverse credit if other conditions fulfilled.

❑ ITC-Paid under Reverse Charge

- R-36 Documentary requirements and conditions for claiming input tax credit-
- Invoice issued in accordance with the provisions of S 31(3)(f), **subject to the payment of tax**
- Relevant Sections:
- S 31(3) (f) a registered person who is liable to pay tax u/s 9(3)/9(4) shall **issue an invoice** in respect of supply received by him from the supplier who is not registered on the date of receipt of goods or services or both;
- S 31(3)a registered person who is liable to pay tax u/s 9(3)/9(4) shall issue a payment voucher at the time of making payment to the supplier.

□ Input Tax Credit-Time Limit

❖ Section 16(4) of the CGST Act, 2017 provides for the time limit for claiming the input tax credit. Said provision is reproduced below:

- *“16(4) A registered person shall not be entitled to take input tax credit in respect of any invoice or debit note for supply of goods or services or both after the due date of furnishing of the return under section 39 for the month of September following the end of financial year to which such invoice or invoice relating to such debit note pertains or furnishing of the relevant annual return, whichever is earlier.”*
- Sec. 39 species cut-off date of filing of GSTR-1, 2 & 3.

□ Provision for reversal of ITC-Payment not made

....Second proviso of sec 16(2)

- Provided further that where a recipient fails to pay to the supplier of goods or services or both, other than the supplies on which tax is payable on reverse charge basis, the amount towards the value of supply along with tax payable thereon within a period of 180 days from the date of issue of invoice by the supplier, an amount equal to the input tax credit availed by the recipient shall be added to his output tax liability, along with interest thereon, in such manner as may be prescribed.
- ITC reversal is required if payment is not made within 180 days Starting from the date of **INVOICE**.
- Interest applicable @ 18% from the date of ITC **availed** (its availed not utilized)
- No payment restriction for Sh-1 deemed Supply,

❑ Input Tax Credit-Transitional Provision

- ❖ Transition ITC are required to show in Table 12B of GSTR 9C as credit related to earlier year.
- ❖ Auditor may required to check authenticity of transitional credit u/s 139 to 142.
- ❖ Every registered person other than composition dealer u/s 10 are entitled to take credit c/f as on 30.06.2017.
- ❖ ITC on Capital Goods on which ITC not taken in earlier law
- ❖ ITC on stock as on 30.06.217 on the basis of duty paying documents

□ ITC Reversal-Exempted and Taxable Supply

Provisional Credit Reversal/Output Liability for the m/o March-18:

Common Credit (Mar-18)*Exempted Supply (Mar-18)

Total Supply(Mar-18)

Note: Exempt supply includes Supply covered under Reverse Charge

In case of NIL supply then turnover of last month will be taken

If lower credit reversed interest @ 18%p.a will be applicable –?

Final Reversal- (upto Sep-18 return)

Common Credit (FY 2017-18)*Exempted Supply (FY 2017-18)

Total Supply(FY 2017-18)

If excess credit requires to reverse then interest @ 18% p.a. starting from 1st April-18

If excess credit reversed then re-credit upto Sep-18 Return

❑ ITC Reversal-Capital Goods used for Taxable and Exempt Supply

Useful Life-5 Years (starting from INVOICE date)

Full Credit taken at the time of purchase of Capital Goods

Reversal $1/60$ every month with INTEREST starting from date of Full credit taken

Ratio: E/F of every month

➤ No revised credit is required to calculate after the end of FY

❑ ITC- Not allowed if tax paid under departmental demand order

- R 36(3) No input tax credit shall be availed in respect of any tax that has been paid in pursuance of any order where any demand has been confirmed on account of any fraud, willful misstatement or suppression of facts.

□ Use of ITC

- Sec 49(4) The amount available in the electronic credit ledger may be used for making any payment towards output tax under GST Act in such manner and subject to such conditions and within such time as may be prescribed.

□ Sec. 17

Apportionment of Credit – Meaning of Exempt Supply

- 17(3) The value of exempt supply under sub-section (2) shall be such as may be prescribed, and shall **include supplies on which the recipient is liable to pay tax on reverse charge basis**, transactions in securities, **sale of land** and, subject to clause (b) of paragraph 5 of Schedule II, sale of building.
- 2 (47) “exempt supply” means supply of any goods or services or both which attracts *nil* rate of tax or which may be wholly exempt from tax under section 11, or under section 6 of the Integrated Goods and Services Tax Act, **and includes non-taxable supply**;

❑ Block Credit..... Motor Vehicle

1) Motor vehicles and other conveyances except when they are used—

➤ for making the following taxable supplies, namely:—

- further supply of such vehicles or conveyances ; or
- transportation of passengers; or
- imparting training on driving, flying, navigating such vehicles or conveyances;

➤ for transportation of goods;

❑ Block Credit.....Personnel nature expenses

2) The following supply of goods or services or both—

- food and beverages, outdoor catering, beauty treatment, health services, cosmetic and plastic surgery except where an 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 an element of a taxable composite or mixed supply;
- membership of a club, health and fitness centre ;
- rent-a-cab, life insurance and health insurance except where—
 - 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
 - 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
- travel benefits extended to employees on vacation such as leave or home travel concession;

❑ Block Credit...Construction

3) Works contract services when supplied 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;

4) Goods or services or both received by a taxable person for construction of an immovable property (other than plant or machinery) on his own account including when such goods or services or both are used in the course or furtherance of business.

Explanation.—For the purposes of clauses (c) and (d), the expression “construction” includes re-construction, renovation, additions or alterations or repairs, to the extent of capitalization, to the said immovable property;

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.

❑ Block Credit.....Others

- Goods lost, stolen, destroyed, written off or disposed of by way of gift or free samples.
- Any tax paid in accordance with the provisions of sections 74, 129 and 130.

□ Job Work

- Goods send to Job Worker and not returned back within One/ Three Year
- Consider as supply w.e.f. goods transfer to Job Worker

❑ Interest @ 24%

- Sec 50(3) A taxable person who makes an undue or excess claim of input tax credit u/s 42(10) or undue or excess reduction in output tax liability u/s 43(10), shall pay interest on such undue or excess claim or on such undue or excess reduction, as the case may be, at such rate not exceeding 24% as may be notified by the Government on the recommendations of the Council.

❑ Interest..... Mismatch in ITC

- Sec 42(10) The amount reduced from the output tax liability in contravention of the provisions of section 42(7) shall be added to the output tax liability of the recipient in his return for the month in which such contravention takes place and such recipient shall be liable to pay interest on the amount so added at the rate specified in section 50(3).
- Sec 42(7) The recipient shall be eligible to reduce, from his output tax liability, the amount added under sub-section (5), if the supplier declares the details of the invoice or debit note in his valid return within the time specified in sub-section (9) of section 39.
- Sec 42(5) The amount in respect of which any discrepancy is communicated under sub-section (3) and which is not rectified by the supplier in his valid return for the month in which discrepancy is communicated shall be added to the output tax liability of the recipient, in such manner as may be prescribed, in his return for the month succeeding the month in which the discrepancy is communicated.
- Sec 42(3) Where the input tax credit claimed by a recipient in respect of an inward supply is in excess of the tax declared by the supplier for the same supply or the outward supply is not declared by the supplier in his valid returns, the discrepancy shall be communicated to both such persons in such manner as may be prescribed.

❑ Interest.....Mismatch in Credit Note

- Sec 43(10) The amount reduced from output tax liability in contravention of the provisions of sub-section (7) shall be added to the output tax liability of the supplier in his return for the month in which such contravention takes place and such supplier shall be liable to pay interest on the amount so added at the rate specified in section 50(3).
- Sec 43(7) The supplier shall be eligible to reduce, from his output tax liability, the amount added under sub-section (5) if the recipient declares the details of the credit note in his valid return within the time specified in sub-section (9) of section 39.
- Sec 43(5) The amount in respect of which any discrepancy is communicated under sub-section (3) and which is not rectified by the recipient in his valid return for the month in which discrepancy is communicated shall be added to the output tax liability of the supplier, in such manner as may be prescribed, in his return for the month succeeding the month in which the discrepancy is communicated.
- Sec 43(3) Where the reduction of output tax liability in respect of outward supplies exceeds the corresponding reduction in the claim for input tax credit or the corresponding credit note is not declared by the recipient in his valid returns, the discrepancy shall be communicated to both such persons in such manner as may be prescribed.

❑ Interest @ 18%

- **Sec. 50(1)** Every person who is liable to pay tax in accordance with the provisions of this Act or the rules made thereunder, but fails to pay the tax or any part thereof to the Government within the period prescribed, shall for the period for which the tax or any part thereof remains unpaid, pay, on his own, interest at such rate, not exceeding 18% as may be notified by the Government on the recommendations of the Council.
- **Sec.50(2)** The interest under sub-section (1) shall be calculated, in such manner as may be prescribed, from the day succeeding the day on which such tax was due to be paid.

□ Late Fee for non filing of GSTR-1,2 & 3

➤ **47.** (1) Any registered person who fails to furnish the details of outward or inward supplies required under section 37 or section 38 or returns required under section 39 or section 45 by the due date shall pay a late fee of Rs. ~~100~~ 25/10 for every day during which such failure continues subject to a maximum amount of Rs. 5,000.

Offences and Penalties-S 122(1).....Fix Penalty

Rs. 10,000 (total Rs. 20,000) or amount tax evaded or ITC availed of or passed on or distributed irregularly, or the refund claimed fraudulently, whichever is higher

- Collect Tax but Not Paid within 3 months of payment due
- Takes or utilizes input tax credit without actual receipt of Goods/Services
- Non registration under GST
- False Information in RC
- Fails to keep, maintain or retain books of account and other documents in accordance with the provisions of this Act or the rules

❑ Fine for failure to furnish statistics.

124. If any person required to furnish any information or return under section 151,—

- (a) without reasonable cause fails to furnish such information or return as may be required under that section, or
- (b) wilfully furnishes or causes to furnish any information or return which he knows to be false,

he shall be punishable with a fine which may extend to ten thousand rupees and in case of a continuing offence to a further fine which may extend to one hundred rupees for each day after the first day during which the offence continues subject to a maximum limit of twenty- five thousand rupees.

□ General Penalty-Flexible upto Rs.25,000

➤ **Sec 125.** Any person, who contravenes any of the provisions of this Act or any rules made thereunder for which no penalty is separately provided for in this Act, shall be liable to a penalty which **may extend** to Rs 25,000 (total Rs. 50,000).

□ Relaxation in Penalty

126. (1) No officer under this Act shall impose any penalty for minor breaches of tax regulations or procedural requirements and in particular, any omission or mistake in documentation which is easily rectifiable and made without fraudulent intent or gross negligence.

Explanation.—For the purpose of this sub-section,

(6) The provisions of this section shall not apply in such cases where the penalty specified under this Act is either a fixed sum or expressed as a fixed percentage.

Note: Penalty u/s 125 is Fix and u/s 124 is flexible

❑ Power to Waive penalty or fee or both

➤ **128.** The Government may, by notification, waive in part or full, any penalty referred to in section 122 or section 123 or section 125 or any late fee referred to in section 47 for such class of taxpayers and under such mitigating circumstances as may be specified therein on the recommendations of the Council.

Deemed Supply

SCHEDULE I (see section 7)

- ACTIVITIES TO BE TREATED AS SUPPLY EVEN IF MADE WITHOUT CONSIDERATION
 - Permanent transfer or disposal of business assets where input tax credit has been availed on such assets.
 - Supply of goods or services or both between related persons or between distinct persons as specified in section 25, when made in the course or furtherance of business:
 - Provided that gifts not exceeding fifty thousand rupees in value in a financial year by an employer to an employee shall not be treated as supply of goods or services or both.
 - Supply of goods—
 - (a) by a principal to his agent where the agent undertakes to supply such goods on behalf of the principal; or
 - (b) by an agent to his principal where the agent undertakes to receive such goods on behalf of the principal.
 - Import of services by a taxable person from a related person or from any of his other establishments outside India, in the course or furtherance of business.

No-Supply

SCHEDULE III (SEE SECTION 7)

- Activities or transactions which shall be treated neither as A supply of goods nor A supply of services
- Services by an employee to the employer in the course of or in relation to his employment.
 - Services by any court or Tribunal established under any law for the time being in force.
 - (a) the functions performed by the Members of Parliament, Members of State Legislature, Members of Panchayats, Members of Municipalities and Members of other local authorities;
 - (b) the duties performed by any person who holds any post in pursuance of the provisions of the Constitution in that capacity; or
 - (c) the duties performed by any person as a Chairperson or a Member or a Director in a body established by the Central Government or a State Government or local authority and who is not deemed as an employee before the commencement of this clause.
 - Services of funeral, burial, crematorium or mortuary including transportation of the deceased.
 - Sale of land and, subject to clause (b) of paragraph 5 of Schedule II, sale of building.
 - Actionable claims, other than lottery, betting and gambling.
 - *Explanation.*—For the purposes of paragraph 2, the term "court" includes District Court, High Court and Supreme Court.

□ Furnishing of Returns

- 16(2) Notwithstanding anything contained in this section, no registered person shall be entitled to the credit of any input tax in respect of any supply of goods or services or both to him unless,—
- (a)....(b)....(c).....(d) he has furnished the return under section 39:
- S 39(1) Every registered person,.....,, furnish return of inward and outward supplies, input tax credit availed, tax payable, tax paid and such other particulars as may be prescribed, on or before the 20th day of the month succeeding such calendar month or part thereof.
- S 39(2) furnish return by Composition dealer u/s 10 by 18th after the end of quarter.
- 39(3) furnish return by person who are required to deduct TDS u/s 50 by 10th after the end of month
- 39(4) ISD return by 13th after end of month
- 39(5) Return by Non Resident Taxable Person by 20th of end of month
- 39(6) Power to extend returns date
- 39(7) Due date payment of Tax u/s 39 will be as date extended u/s 39(6)
- 39(8) Mandatory filing of return u/s 39(1) and 39(2).
- 39(9) Correction in last period returns u/s 39(1) to 39(5) with INTEREST lasts by due date of September/ 2nd quarter return of following year
- 39(10) Requirements of filing of last returns before filing current return

❑ GST on Discount

- Value can be reduced only if its upfront discount or its part of written agreement as mentioned in all relevant invoices.
- Note- if any credit note issued after sale then GST liability can't be reduced from outward supply value. Meaning hereby GST can't be passed to receiver.
- **Issue:** Supply Value Rs 100
 - Discount after Sale Rs. 20 (No GST)
 - Receiver paid Rs.80
 - Is Receiver will be deemed as not able to pay within 180 days?

□ Credit Note

- S 34 (1) Where a tax invoice has been issued for supply and the **taxable value or tax** charged in that tax invoice is found to exceed the taxable value or tax payable in respect of such supply, or where the goods supplied are returned by the recipient, or where supplied are found to be deficient, the registered person, who has supplied, may issue to the recipient a credit note containing such particulars as may be prescribed.
- Bad Debts- Output tax liability can't reduced only reporting bad debts in books, CN are also required to issue u/s 34(1)
- Bad Debts-If condition u/s 34(1) not fulfilled then No CN can be issue under GST.

□ Credit Note

- **34** (2) any registered person who issues a credit note in relation to a supply of goods or services or both shall declare the details of such credit note in the return for the month during which such credit note has been issued but not later than september following the end of the financial year in which such supply was made, or the date of furnishing of the relevant annual return, whichever is earlier, and the tax liability shall be adjusted in such manner as may be prescribed:

provided that no reduction in output tax liability of the supplier shall be permitted, if the incidence of tax and interest on such supply has been passed on to any other person.

❑ POT-Reverse Charge

S 12(3) and S 13(3) In case of supplies in respect of which tax is paid or liable to be paid on reverse charge basis, the time of supply shall be the earliest of the following dates, namely:—

- (a) the date of the receipt of goods (**Not for Services**)
- (b) the date of payment as entered in the books of account of the recipient or the date on which the payment is debited in his bank account, whichever is earlier
- (c) the date immediately following 30 days (**60 days for Services**) from the date of issue of invoice by the supplier

S 12(6) and S 13(6) The time of supply to the extent it relates to an addition in the value of supply by way of interest, late fee or penalty for delayed payment of any consideration shall be the date on which the supplier receives such addition in value.

□ Reverse Charge

- Sec. 9(3) The Government may, on the recommendations of the Council, by notification, specify categories of supply of goods or services or both, the tax on which shall be paid on reverse charge basis by the recipient of such goods or services or both and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to the supply of such goods or services or both.

□ Reverse Charge 9(3)-Services

- GTA @ 5% (w.e.f 22.08.2017 if GTA charge 12% GST no Reverse Charge)
- Advocate, Firm of advocate, arbitral tribunal
- Sponsorship Services-Received by Body Corporate and Partnership Firm
- Services by Govt.
 - ✓ (other than Postal Services, Aircraft & Vessel Services and transportation of goods and passenger: w.e.f. 25.01.2018 renting of immovable property also cover under RC)
- Director Services
- Insurance Agent Services
- Recovery Agent Services
- Services supplied by a person located in non- taxable territory by way of transportation of goods by a vessel from a place outside India up to the customs station of clearance in India
- Import of Services

□ Reverse Charge 9(3)-Goods

- Cashew nuts, not shelled or peeled
- Bidi wrapper leaves (tendu)
- Tobacco leaves
- Silk yarn
- Used vehicles, seized and confiscated goods, old and used goods, waste and scrap, supplied by Central Government, State Government, Union territory or a local authority to any registered person
- Raw Cotton (w.e.f. 15th November' 2017)
- Priority Sector Lending Certificates

❑ Reverse Charge 9(4)

- Sec 9(4) The central tax in respect of the supply of taxable goods or services or both by a supplier, who is not registered, to a registered person shall be paid by such person on reverse charge basis as the recipient and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to the supply of such goods or services or both.
- W.E.F 13.10.2017 9(4) has been postponed.
- No Reverse Charge with respect to Services, if receiver has make payment on or after 13.10.2017 and invoices issued after 13th August, 2017

□ Adjustments in Turnover under Section 15

Value of Supply under GST will also include following:

1. Any Tax, Cess, Charges, fee other than GST
2. Any amount payable by supplier but paid by recipient and not included in transaction value.
3. Any incidental expenses such as packing/freight will be part of Value and taxed at same rate as applicable on principal supply
4. Interest or late fee also be part of value of supply at same rate.
5. Any subsidy received other than CG/SG

□ Valuation in case of distinct or related persons

- Open market value of such supply;
- if open market value is not available, value of supply of like kind and quality;

Option1-Supplier can opt 90% of value of further supply by recipient

Relaxation- provided, if recipient is eligible for FULL ITC, the value declared in the invoice shall be deemed to be the open market value.

❑ Deemed Valuation-Optional

- Foreign currency exchange agent
- Air travel agent 5%/10% of Base Fare
- Life Insurance Company (not applicable on General Insurance and agent)
- Second hand goods dealer

□ Exchange Rate

Goods- Applicable rate of exchange as notified by the Board under section 14 of the Customs Act, 1962 for the date of time of supply of such goods in terms of section 12 of the Act.

Services- Applicable rate of exchange determined as per the generally accepted accounting principles for the date of time of supply of such services in terms of section 13 of the Act

□ Gross-up

Where the value of supply is inclusive of integrated tax or, as the case may be, central tax, State tax, Union territory tax, the tax amount shall be determined in the following manner, namely

Tax amount = (Value inclusive of taxes X tax rate in % of GST) ÷ (100+ sum of tax rates, as applicable, in %)

- Tax Amount= $118 * 18\% / 118\% = 18$

□ Accounts and Record

35. (1) Every registered person shall keep and maintain, at his principal place of business, as mentioned in the certificate of registration, a true and correct account of— (note- *Nothing mention in RC*)

- (a) production or manufacture of goods
 - (b) inward and outward supply of goods or services or both;
 - (c) stock of goods;
 - (d) input tax credit availed;
 - (e) output tax payable and paid; and
 - (f) such other particulars as may be prescribed:
- Accounts relating to each place of business shall be kept at such places of business either in physical form or in electronic form

❑ Non matching of accounts and records

- Sec. 35(6) Subject to the provisions of clause (h) of sub-section (5) of section 17, where the registered person fails to account for the goods or services or both in accordance with the provisions of sub-section (1), the proper officer shall determine the amount of tax payable on the goods or services or both that are not accounted for, as if such goods or services or both had been supplied by such person and the provisions of section 73 or section 74, as the case may be, shall, *mutatis mutandis*, apply for determination of such tax.
- Sec.17(5)(h)...block credit.... goods lost, stolen, destroyed, written off or disposed of by way of gift or free samples
- Sec.73/74.... Determination of tax not paid or short paid or erroneously refunded or input tax credit wrongly availed or utilised for any reason **other than** fraud or any wilful- misstatement or suppression of facts.

□ Period of retention of accounts

Sec. 36 Registered person required to keep and maintain books of account or other records as mentioned u/s 35(1) until the expiry of 72 months from the **due date** of annual return (form-9) for the year pertaining to such accounts and records.

Note- Total period should be 6 years and 9 months

□ Exempted Supply Notification

- **Services 02/2017-CT(rate) dated 28.06.2017)**
 - 28/2017-CT (rate) dated 22-09-2017
 - 35/2017-CT (rate) dated 13-10-2017
 - 42/2017-CT (rate) dated 14-11-2017
 - 07/2018-CT (rate) dated 25-01-2018
- **Goods (12/2017 dated 28.06.2017)**
 - 21/2017-CT(rate) dated 22-08-2017
 - 25/2017-CT(rate) dated 21-09-2017
 - 32/2017-CT(rate) dated 13-10-2017
 - 02/2018-CT(rate) dated 25-01-2018

□ Rate Change Notifications

- **Services (11/2017 dated 28.06.2017)**
 - 20/2017-CT (rate) dated 22-08-2017
 - 24/2017-CT (rate) dated 21-09-2017
 - 31/2017-CT (rate) dated 13-10-2017
 - 47/2017-CT (rate) dated 14-11-2017
 - 01/2018-CT (rate) dated 25-01-2018
- **Goods (1/2017 dated 28.06.2017)**
 - 18/2017-CT(rate) dated 30-06-2017
 - 19/2017-CT(rate) dated 18-08-2017
 - 27/2017-CT(rate) dated 22-09-2017
 - 34/2017-CT(rate) dated 13-10-2017
 - 41/2017-CT(rate) dated 14-11-2017
 - 06/2018-CT(rate) dated 25-01-2018
 - 08/2018-CT(rate) dated 25-01-2018

FORM GSTR-9C

PART – A – Reconciliation Statement

Pt.1	Basic Details of Business	Need to fill
1	Financial Year	
2	GSTIN	06AAAAA1234A1ZZ
3A	Legal Name	Auto-XYZ Ltd
3B	Trade Name, (if any)	Auto- Dominos
4	Are you liable to audit under any Act?	Specify if applicable

Pt-II

Reconciliation of turnover declared in audited Annual Financial Statement with turnover declared in Annual Return (GSTR9)

Part II consists of reconciliation of the annual turnover declared in the audited Annual Financial Statement with the turnover as declared in the Annual Return furnished in FORM GSTR-9 for this GSTIN.

The details for the period between July 2017 to March 2018 are to be provided in this statement for the financial year 2017-18. The reconciliation statement is to be filed for every GSTIN separately.

5	Reconciliation of Gross Turnover	
A	Turnover (including exports) as per audited financial statements for the State / UT (For multi-GSTIN units under same PAN the turnover shall be derived from the audited Annual Financial Statement)	GSTN No. Wise Turnover Reference to audited Annual Financial Statement includes reference to books of accounts in case of persons having presence over multiple States.
B	Unbilled revenue at the beginning of Financial Year	+ This is not part of turnover as per B/sheet but actually billed during current FY, Hence required to add to reach GST turnover as per GSTR1 and 3B. E.g. Hotel Industry booking of unbilled revenue w.r.t. guests arrived before 31 st March and checkout after that.
C	Unadjusted advances at the end of the Financial Year	+ To arrive turnover as per 3B 3.1 because its not part of turnover as per B/sheet. No need to re check monthly advances received and adjusted.
D	Deemed Supply under Schedule I	+ Deemed supply u/s 7(1)(b) read with Schedule I of CGST Act Any deemed supply which is already part of the turnover in the audited Annual Financial Statement is not required to be included here.
E	Credit Notes issued after the end of the financial year but reflected in the annual return	+ Any CN issued after the end of FY is required to declare in 3B in that month only, i.e. - turnover of that month is reduced as per GSTR. But the same is reduced is earlier month(last year) in P&L then here is required to deduct it o arrive last year turnover
F	Trade Discounts accounted for in the audited Annual Financial Statement but are not permissible under GST	+ To arrive taxable turnover as per GSTR it is required to add because TD reduced the sales as per b/sheet but u/s 15(3) it was not allowed.
G	Turnover from April 2017 to June 2017	- Apr-17 to Jun-17 is not covered under GST, hence required to reduce the same
H	Unbilled revenue at the end of Financial Year	- Unbilled revenue is not billed during this FY, hence required to reduce B/sheet turnover
I	Unadjusted Advances at the beginning of the Financial Year	- These advances already taxed in last FY as per POT provision. But as per B/sheet last year advances is billed in this FY
J	Credit notes accounted for in the audited Annual Financial Statement but are not permissible under GST	- Here it should be added instead of reducing the same

5	Reconciliation of Gross Turnover (Cont'd)		
K	Adjustments on account of supply of goods by SEZ units to DTA Units	-	Goods supplied by SEZs to DTA units for which the DTA units have filed BOE shall be declared here. This supply is not part of GST Returns because the same is covered under Custom provisions.
L	Turnover for the period under composition scheme	-	There may be cases where registered persons might have opted out of the composition scheme during the current financial year. Turnover for which GST was paid under the composition scheme shall be declared here.
M	Adjustments in turnover under section 15 and rules thereunder	+/ -	There may be cases where value of supply as per GST law and as per books may differ because of valuation provisions e.g. subsidy, reimbursement.
N	Adjustments in turnover due to foreign exchange fluctuations	+/ -	Its applicable where exchange rate as per GST law are differ then Accounting rate. Like, under GST Law rate for export of goods are consider u/s14 of custom act
O	Adjustments in turnover due to reasons not listed above	+/ -	Any income reported in P/L a/c which is not covered above will reflect here
P	Annual turnover after adjustments as above		Total of above
Q	Turnover as declared in Annual Return (GSTR9)		Annual turnover as declared in the Annual Return (GSTR 9) shall be declared here. This turnover may be derived from Sr. No. 5N, 10 and 11 of Annual Return (GSTR 9).
R	Un-Reconciled turnover (Q - P)		Q-P
6	Reasons for Un - Reconciled difference in Annual Gross Turnover		
A B	Reason 1, 2,3		Only reason for amount shown in 'G'

7	Reconciliation of Taxable Turnover The table provides for reconciliation of taxable turnover from the audited annual turnover after adjustments with the taxable turnover declared in annual return (GSTR-9).	
A	Annual turnover after adjustments (from 5P above)	<Auto> from 5P-Annual turnover after adjustments
B	Value of Exempted, Nil Rated, Non-GST supplies, No-Supply turnover	It is reported net of CN, DN and amendments (DN/CN issued till 30 th September, and its effect has taken in audited financial statements).
C	Zero rated supplies without payment of tax	Value of zero rated supplies (including supplies to SEZs) on which tax is not paid shall be declared here. This shall be reported net of credit notes, debit notes and amendments if any.
D	Supplies on which tax is to be paid by the recipient on reverse charge basis	Value of reverse charge supplies on which tax is to be paid by the recipient shall be declared here. This shall be reported net of credit notes, debit notes and amendments if any.
E	Taxable turnover as per adjustments above (A-B-C-D)	$\text{<Auto> } A - (B + C + D)$ The taxable turnover is derived as the difference between the annual turnover after adjustments declared in Table 7A above and the sum of all supplies (exempted, non-GST, reverse charge etc.) declared in Table 7B, 7C and 7D above.
F	Taxable turnover as per liability declared in Annual Return (GSTR9)	Taxable turnover as declared in Table 4N of the Annual Return (GSTR9) shall be declared here.
G	Unreconciled taxable turnover (F-E)	<AT2 Result> Reconciliation is done with figure in Table 4N of GSTR 9. However, figure in Table 4N includes figure of Inward supplies of a person liable to reverse charge mechanism so it should be excluded from 4N of GSTR-9.
8	Reasons for Un - Reconciled difference in Taxable Turnover Reasons for non-reconciliation between adjusted annual taxable turnover as derived from Table 7E above and the taxable turnover declared in Table 7F shall be specified here.	
A B	Reason 1,2,3	Only reason for amount shown in 'G'

Pt-III

Reconciliation of Tax Paid

Part III consists of reconciliation of the tax payable as per declaration in the reconciliation statement and the actual tax paid as declared in Annual Return (GSTR9).

- T-9

- The table provides for reconciliation of tax paid as per reconciliation statement and amount of tax paid as declared in Annual Return (GSTR 9). Under the head "RC", supplies where tax was paid on reverse charge basis by the recipient (i.e. the person for whom reconciliation statement has been prepared) shall be declared.

- T-9P

- The total amount to be paid as per liability declared in Table 9A to 9O is auto populated here.

- T-9Q

- The amount payable as declared in Table 9 of the Annual Return (GSTR9) shall be declared here. It should also contain any differential tax paid on Table 10 or 11 of the Annual Return (GSTR9).

- T-10

- Reasons for non-reconciliation between payable / liability declared in Table 9P above and the amount payable in Table 9Q shall be specified here.

- T-11

- Any amount which is payable due to reasons specified under Table 6, 8 and 10 above shall be declared here.

9	PT.III Reconciliation of rate wise liability and amount payable thereon						
				Tax Payable			
	Description	Taxable Value	Central Tax	State Tax/ UT	Integrated Tax	Cess	
	1	2	3	4	5	6	
A/B	5%/ RC						The table provides for reconciliation of tax paid as per reconciliation statement and amount of tax paid as declared in Annual Return (GSTR 9). Under the head “RC”, supplies where tax was paid on reverse charge basis by the recipient (i.e. the person for whom reconciliation statement has been prepared) shall be declared.
C/D	12%/ RC						
E/F	18%/RC						
G/H	28%/RC						
I/J/K	3%, .25%, .10%						
L/M/N	Interest, Late Fee, Penalty						
O	Others						
P	Total amount to be paid as per tables above		<Auto	<Auto>	<Auto>	<Auto>	Total Table 9A to 9O is auto populated
Q	Total amount paid as declared in Annual Return (GSTR 9)						The amount payable as declared in Table 9 of the Annual Return (GSTR9) shall be declared here. It should also contain any differential tax paid on Table 10 or 11 of the Annual Return (GSTR9).
R	Un-reconciled payment of amount				PT 1		
10	Reasons for un-reconciled payment of amountABC....		Reasons for non-reconciliation between payable / liability declared in Table 9P above and the amount payable in Table 9Q shall be specified here.				

11	PT III Additional amount payable but not paid (due to reasons specified under Tables 6,8 and 10 above) (Any amount which is payable due to reasons specified under Table 6, 8 and 10 above shall be declared here.)						
	Description	Taxable Value	Central Tax	State Tax/ UT	Integrated Tax	Cess	
	1	2	3	4	5	6	
	5%						
	12%						
	18%						
	28%						
	3%						
	.25%						
	.10%						
	Interest						
	Late Fee						
	Penalty						
	Others(Please Specify)						

Pt-IV

Reconciliation of Input Tax Credit

12	Pt. IV Reconciliation of Input Tax Credit (ITC)			
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)			ITC availed (after reversals) as per the audited Annual Financial Statement shall be declared here.
B	ITC booked in earlier Financial Years claimed in current Financial Year	+		Any ITC which was booked in the audited Annual Financial Statement of earlier financial year(s) but availed in the ITC ledger in the financial year for which the reconciliation statement is being filed for shall be declared here. This shall include transitional credit which was booked in earlier years but availed during Financial Year 2017-18.
C	ITC booked in current Financial Year to be claimed in subsequent Financial Years	-		Any ITC which has been booked in the audited Annual Financial Statement of the current FY but the same has not been credited to the ITC ledger for the said financial year shall be declared here.
D	ITC availed as per audited financial statements or books of account(A+B-C)		AUTO	ITC availed as per audited Annual Financial Statement or books of accounts as derived from values declared in Table 12A, 12B and 12C above will be auto-populated here.
E	ITC claimed in Annual Return (GSTR9)			Net ITC available for utilization as declared in Table 7J of Annual Return (GSTR9) shall be declared here.
F	Un-reconciled ITC		ITC 1	
13	Reasons for Un - Reconciled difference in ITC			Reasons for non-reconciliation of ITC as per audited Annual Financial Statement or books of account (Table 12D) and the net ITC (Table12E) availed in the Annual Return (GSTR9) shall be
ABC	Reason 1, 2,3		Only reason for amount shown in 'F'	

14	PT.IV Reconciliation of ITC declared in Annual Return (GSTR9) with ITC availed <u>on expenses</u> as per audited Annual Financial Statement or books of account			
	Description	Value	Amount of ITC	Amount of Eligible ITC Availed
A,B,C	Purchases Freight / Carriage /Power and Fuel	This table is for reconciliation of ITC declared in the Annual Return (GSTR9) against the expenses booked in the audited Annual Financial Statement or books of account. The various sub-heads specified under this table are general expenses in the audited Annual Financial Statement or books of account on which ITC may or may not be available. Further, this is only an indicative list of heads under which expenses are generally booked. Taxpayers may add or delete any of these heads but all heads of expenses on which GST has been paid / was payable are to be declared here.		
D,E	Imported goods (Including received from SEZs)/ Rent and Insurance			
F	Goods lost, stolen, destroyed, written off or disposed of by way of gift or free samples			
G, H,I	Royalties,Employees' Cost (Salaries, wages, Bonus etc.) , Conveyance charges			
J, K	Bank Charge , Entertainment charges			
L, M	Stationery Expenses (including postage etc.), Repair and Maintenance			
N,O,P,Q	Other Miscellaneous expenses , Capital goods , Any Other Exp 1,2			
R	Total amount of eligible ITC availed	Auto	Total ITC declared in Table 14A to 14Q above shall be auto populated here	
S	ITC claimed in Annual Return (GSTR9)	Auto	Net ITC availed as declared in the Annual Return (GSTR9) shall be declared here.Table 7J of the Annual Return (GSTR9) may be used for filing this Table.	
T	Un-reconciled ITC		Figure of ITC on invoices pertaining to the year under audit but declared in GST returns of the months after that year (i.e. declared during April-Sep of next FY) and accounted for in books of accounts would be coming in figure of 14R but not in 14S which will result in a difference in this column.	
15ABC	Reasons for un - reconciled difference in ITC		Reasons for non-reconciliation between ITC availed on the various expenses declared in Table 14R and ITC declared in Table 14S shall be specified here.	

16	Pt. IV Tax payable on un-reconciled difference in ITC (due to reasons specified in 13 and 15 above)		
	Description	Amount Payable	Any amount which is payable due to reasons specified in Table 13 and 15 above shall be declared here.
	Central Tax		
	State/UT Tax		
	Integrated Tax		
	Cess		
	Interest		
	Penalty		

Pt-V

Auditor's recommendation on additional Liability due to non-reconciliation

- Part V consists of the auditor's recommendation on the additional liability to be discharged by the taxpayer due to non-reconciliation of turnover or non-reconciliation of input tax credit. The auditor shall also recommend if there is any other amount to be paid for supplies not included in the Annual Return. Any refund which has been erroneously taken and shall be paid back to the Government shall also be declared in this table. Lastly, any other outstanding demand which is recommended to be settled by the auditor shall be declared in this Table. Towards, the end of the reconciliation statement taxpayers shall be given an option to pay their taxes as recommended by the auditor.

11	PT V Auditor's recommendation on additional Liability due to non-reconciliation						
	Description	Value	Central Tax	State Tax/UT	Integrated Tax	Cess	
	1	2	3	4	5	6	
	5%						➤Part V consists of the auditor's recommendation on the additional liability to be discharged by the taxpayer due to non-reconciliation of turnover or non-reconciliation of input tax credit. The auditor shall also recommend if there is any other amount to be paid for supplies not included in the Annual Return. Any refund which has been erroneously taken and shall be paid back to the Government shall also be declared in this table. Lastly, any other outstanding demand which is recommended to be settled by the auditor shall be declared in this Table. Towards, the end of the reconciliation statement taxpayers shall be given an option to pay their taxes as recommended by the auditor.
	12%						
	18%						
	28%						
	3%						
	.25%						
	.10%						
	Interest/Late Fee/Penalty						
	Input tax credit						
	Any other amount paid for supplies not included in Annual Return (GSTR 9)						
	Erroneous refund to be paid back						
	Outstanding demands to be settled						
	Other (Pl. specify						

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.

** (Signature and stamp/Seal of the Auditor) Place:

Name of the signatory Membership No.....

Date:

Full address

GSTR 9 Annual Return

- GSTIN: Goods and Services Tax Identification Number
- UQC: Unit Quantity Code
- HSN: Harmonized System of Nomenclature Code
- The details for the period between July 2017 to March 2018 are to be provided in this return.
- Part II consists of the details of all outward supplies & advances received during the financial year for which the annual return is filed. The details filled in Part II is a consolidation of all the supplies declared by the taxpayer in the returns filed during the financial year.

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 declared 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 on which tax is payable as declared in returns filed during the financial year					
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					
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 on which tax is not payable as declared in returns filed during the financial year					
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					
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)					

6	Details of ITC availed as declared in returns filed 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 registered persons liable to reverse charge (other than B above) on which tax is paid and ITC availed	Inputs			
		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 as declared in returns filed during 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 (A to H above)				
J	Net ITC Available for Utilization (60 - 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 (out of D)				
F	ITC available but ineligible (out of D)				
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	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		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	Central Tax	State Tax / UT Tax	Integrated Tax	Cess	Interest	Penalty	Late Fee / Others
	1	2	3	4	5			
A	Total Refund claimed							
B	Total Refund sanctioned							
	Total above							
G	Total demands pending out of E above							
F	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	
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.

Place

<Signature>

(Name of Authorised Signatory)

Designation / Status

Date

Instructions to fill GSTR 9

Part II

Part II consists of the details of all outward supplies & advances received during the financial year for which the annual return is filed. The details filled in Part II is a consolidation of all the supplies declared by the taxpayer in the returns filed during the financial year. The instructions to fill Part II are as follows:

Table No.	Instructions
4A	Aggregate value of supplies made to consumers and unregistered persons on which tax has been paid shall be declared here. These will include details of supplies made through E-Commerce operators and are to be declared as net of credit notes or debit notes issued in this regard. 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.
4B	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.
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.
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.
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.

Table No.	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.
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.
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.
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.
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.

Table No.	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.
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.
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.
5D,5E and 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 also be declared here.
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.
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.
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.
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.

Part III

Part III consists of the details of all input tax credit availed and reversed in the financial year for which the annual return is filed. The instructions to fill Part III are as follows:

Table No.	Instructions
6A	Total input tax credit availed in Table 4A of FORM GSTR-3B for the taxpayer would be auto-populated here.
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.
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.
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.
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.
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.
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.

Table No.	Instructions
6H	Aggregate value of input tax credit availed, reversed and reclaimed under the provisions of the Act shall be declared here.
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.
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.
6L	Details of transition credit received in the electronic credit ledger after filing of FORM GST TRAN-II shall be declared here.
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.
7A, 7B, 7C, 7D, 7E, 7F, 7G and 7H	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. 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.

Table No.	Instructions
8A	The total credit available for inwards supplies (other than imports and inwards supplies liable to reverse charge but includes services received from SEZs) received during 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-I.
8B	The input tax credit as declared in Table 6B and 6H shall be auto-populated here.
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.
8E & 8F	Aggregate value of the input tax credit which was available in FORM GSTR- 2A (table 3 & 5 only) but not availed in any of the FORM GSTR-3B returns shall be declared here. The credit shall be classified as credit which was available and not availed or the credit was not availed as the same was ineligible. The sum total of both the rows should be equal to difference in 8D.
8G	Aggregate value of IGST paid at the time of imports (including imports from SEZs) during the financial year shall be declared here.
8H	The input tax credit as declared in Table 6E shall be auto-populated here.
8K	The total input tax credit which shall lapse for the current financial year shall be computed in this row.

Part IV

Part III consists of the details of all input tax credit availed and reversed in the financial year for which the annual return is filed. The instructions to fill Part III are as follows:

Part V

Part V consists of particulars of transactions for the previous financial year but declared in the returns 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:

Table No.	Instructions
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.
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.
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.

Part VI

Part VI consists of details of other information. The instructions to fill Part VI are as follows:

Table No.	Instructions
15A, 15B, 15C and 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.
15E, 15F and 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.
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.
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.
16C	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.
17 & 18	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.
19	Late fee will be payable if annual return is filed after the due date.

□ Declaration

✓ *Some confusion persists as regards to certain issues for which clarification is required from the government and thus, changes will be required in DMRN's opinion as well depending on such clarification.*



***EVERY ENDING
IS REALLY JUST A
NEW BEGINNING***

Thank You