

GOODS & SERVICES TAX / IDT UPDATE - 114

Amendment in the CGST Rules, 2017

The Central Government vide [Notification No. 01/2021- Central Tax dated 1st January 2021](#) has made the following amendment in the CGST Rules, 2017:-

Rule-59 (Form and manner of furnishing details of outward supplies):-

Insertion of Sub-rule (6)

“(6) Notwithstanding anything contained in this rule, -

(a) a registered person shall not be allowed to furnish the details of outward supplies of goods or services or both under section 37 in **FORM GSTR-1**, if he has not furnished the return in **FORM GSTR-3B** for preceding two months;

(b) a registered person, required to furnish return for every quarter under the proviso to sub-section (1) of section 39, shall not be allowed to furnish the details of outward supplies of goods or services or both under section 37 in **FORM GSTR-1** or using the invoice furnishing facility, if he has not furnished the return in **FORM GSTR-3B** for preceding tax period;

(c) a registered person, who is restricted from using the amount available in electronic credit ledger to discharge his liability towards tax in excess of ninety-nine per cent. of such tax liability under rule 86B, shall not be allowed to furnish the details of outward supplies of goods or services or both under section 37 in **FORM GSTR-1** or using the invoice furnishing facility, if he has not furnished the return in **FORM GSTR-3B** for preceding tax period.”

[Comment:- The above amendment rectifies the anomaly created in rule 59 vide Notification No. 82/2020 Central Tax dated November 10, 2020 and Notification No. 94/2020 Central Tax dated December 22, 2020. On account of the amendments made vide these two notifications, two different sub-rules (5) were becoming effective from January 1, 2021. However, with the above amendment, sub-rule (5) inserted vide Notification No. 94/2020 has been retained in rule 59 as sub-rule (6) thereby removing the ambiguity.

[Notification No. 01/2021- Central Tax dated 1st January 2021]

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