

RETURNS

SECTION 37,38,39,40,44,45,46,47

RULE 59,60, 61, 61A, 62,68,80,81

Question 1: Explain Furnishing of statement of outward supplies under section 37 / Rule 59 (GSTR-1)

Answer: Furnishing of statement of outward supplies under section 37 / Rule 59

1. Every registered person shall be required to file a statement of outward supply in **GSTR-1 on monthly basis upto 11th of the month succeeding the relevant month**
2. If turnover in the preceding year is **upto 5 crores, such person has the option to file such statement on quarterly basis upto 13th on the month succeeding the relevant quarter.** If turnover has crossed 5 Crores, such person shall be required to file the return on monthly basis from the first month of next quarter. (NN 83/2020 CT 10/11/2020)
3. If statement is filed on quarterly basis, in that case, the details of outward supply for first and second month of a quarter may be furnished using invoice furnishing facility till 13th of subsequent month but only upto ₹50 lakh for each month. It will include debit note and credit note also.
4. A registered person shall **not be allowed to furnish GSTR-1, if he has not furnished GSTR-1 or GSTR-3B for the earlier tax period.**
5. A taxpayer cannot file GSTR-1 before the end of the current tax period. However, following are the exceptions to this rule:
 - a. Casual taxpayers, after the closure of their business
 - b. Cancellation of GSTIN of a normal taxpayer. A taxpayer whose registration has been cancelled shall be allowed to file GSTR-1 before completion of tax period.

The return shall contain the following particulars:

1. GSTIN
2. Legal name / Trade name.
3. Aggregate Turnover in the preceding financial year
4. Taxable outward supplies (invoice wise) made to registered persons.
5. Taxable outward Inter-State supplies (invoice wise) to unregistered persons where the invoice value is more than ***₹1 lakh.***
6. Zero rated supplies
7. Consolidated details of Taxable Supplies to unregistered persons except table 5 (Rate wise and State wise)
8. Nil rated, exempted and non GST outward supplies
9. Amendments to table 4,5,6 including debit note, credit note etc.
10. Amendments to table no. 7
- 11(I). Advances received/advance adjusted in the current tax period.
- 11 (II). Amendments of 11(I).
12. HSN-wise summary of outward supplies
13. Serial number of Documents issued during the tax period.

GSTR-1 can be filed maximum upto 3 years for a particular tax period from the due date of filing GSTR-1 for the said tax period.

If any person has received a notice under Rule 88C or Rule 88D, such person shall not be allowed to furnish GSTR-1 / IFF for a subsequent tax period unless he has either deposited the amount or has furnished a reply.

If any person has not complied with Rule 10A, he will not be allowed to furnish GSTR-1 / IFF

Question 2: Whether Nil GSTR-1 is to be filed

Answer: Filing of GSTR-1 is mandatory for all normal and casual taxpayers, even if there is no business activity in any particular tax period. For such tax period, a Nil GSTR-1 is required to be filed.