

JUNE, 2019

# TAX Bulletin



VOLUME - 42



**THE INSTITUTE OF COST ACCOUNTANTS OF INDIA**

(Statutory Body under an Act of Parliament)

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### MISSION STATEMENT

“The CMA Professionals would ethically drive enterprises globally by creating value to stakeholders in the socio-economic context through competencies drawn from the integration of strategy, management and accounting.”

### VISION STATEMENT

“The Institute of Cost Accountants of India would be the preferred source of resources and professionals for the financial leadership of enterprises globally.”

### Objectives of Taxation Committee:

1. Preparation of Suggestions and Analysis of various Tax matters for best Management Practices and for the professional development of the members of the Institute in the field of Taxation.
2. Conducting webinars, seminars and conferences etc. on various taxation related matters as per relevance to the profession and use by various stakeholders.
3. Submit representations to the Ministry from time to time for the betterment and financial inclusion of the Economy.
4. Evaluating opportunities for CMAs to make way for further development and sustenance of the opportunities.
5. Conducting and monitoring of Certificate Courses on Direct and Indirect Tax for members, practitioners and stake holders.

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## FROM TAX RESEARCH DEPARTMENT

The Tax Research Department is progressing with the incessant support, knowledge contribution and valuable feedback from our authors and Key Resource people.

The Bulletin has definitely provided inputs on the burning issues like latest tax rulings on both Direct and Indirect Taxation, notifications, circulars and judgements in addition to the articles presented by the renowned Tax experts of the Country. The 40<sup>th</sup> & 41<sup>st</sup> Tax Bulletins have also been published in the last one month.

The Institute was invited for providing suggestions on both Direct and Indirect Tax in front of the esteemed members of CBDT. The department has put forth its presentation on the 3<sup>rd</sup> of this month to the Government along with again handing over a representation for 'Inclusion of Cost Accountants' in the term "Accountant" as appearing in sub-section (2) of section 288 of Income Tax Act 1961 to Member, CBDT. The presentation of the department was appreciated and conspicuous points were noted.

The department has also submitted representations on "Pre - budget Memorandum" to the Ministry. Other representations on "Inclusion of Cost Accountants for authorizing the various certifications under Customs Act and Foreign Trade Policy" and 'Request for inclusion of "Cost Accountants (CMA)" on the

labels of Forms under point no. C of GSTR - 10 (Final Return)', were submitted on various dates.

Among the courses 'Certificate Course on GST' 4<sup>th</sup> Batch has commenced in 9 locations through offline Mode and PAN India through online mode. Three other courses Advanced Certificate Course on GST, Certificate Course on TDS and Certificate Course on Returns Filling and Filing are also being successfully conducted. The courses have been gladly and cordially accepted by the masses. The "Crash Course on GST" for colleges and Universities has been conducted at Bangalore location. The examination for the same was conducted on the 07.06.2019.

In accomplishing all the above activities we have been supported by our resource pool. We are grateful for the support and guidance of our resource contributors and mentors. The department is indebted to all of them. We solicit support in serving our members, learner and students better and further.

Thank You.

Regards

Tax Research Department

17<sup>th</sup> June 2019

## TEAM - TAX RESEARCH DEPARTMENT

CMA Rajat Kumar Basu	-	Additional Director - Tax Research
CA Neelesh Jain	-	Deputy Director - Tax Research
CMA Priyanka Roy	-	Assistant Director - Tax Research
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### SPECIAL ACKNOWLEDGEMENT

Mr. Dipayan Roy Chaudhuri	-	Graphics & Web Designer
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Articles on the Topics of Direct and Indirect Taxation are invited from readers and authors. Along with the article please share a recent passport-sized photograph, a brief profile and the contact details. The articles should be the author's own original.

Please send the articles to

***trd@icmai.in /trd.ad1@icmai.in***





# GST AUDIT

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**CA Saurabh Tibrewal**

Practicing Chartered Accountant

**E**very registered entity whose aggregate turnover during a financial year exceeds Rs.2.00 crore has to get its accounts audited as the provisions of GST Act. Such person has to furnish a copy of audited annual accounts and a reconciliation statement, duly certified, in FORM GSTR-9C, electronically through the common portal either directly or through a Facilitation Centre notified by the Commissioner.

Earlier, under the Central excise and service tax laws, there was no requirement for audit of accounts and furnishing reconciliation statement by a Chartered Accountant and/or Cost accountant. However, many State VAT laws had stipulated audit of records by a Chartered Accountant and filing of VAT audit reports. Threshold limits were prescribed for such audits. Reconciliations between the tax records and audited statement of accounts was generally sought for at the time of assessment, audit or investigation by the revenue authorities. There was no statutory requirement to furnish such reconciliation statements under the erstwhile laws.

Followings areas are required to be certified by the auditor:

- The total turnover of outward supplies declared in the returns including all the outward supplies taxable under GST Act effected during the year.
- The total turnover of inward supplies declared in the returns including all the inward supplies taxable under GST Act made during the year.
- The deductions from the total turnover including deduction on account of sales /supply returns claimed in the returns which are to be in conformity with the provisions of the law.
- The adjustment to turnover of outward supplies and inward supplies has to be based on the entries made in the books of account maintained for the year.
- The classification of outward goods/services supplied and inward supplies, rate of tax applicable and computation of output tax and input tax and net tax payable as shown in the return has to be certified as correct.
- The computation of classification of goods supplied, the amount of input tax paid and deductions of input tax credit claimed and reversed in the return has to be certified as correct and in conformity with the provisions of law.

## **Conducting GST Audit & Issue of GST Audit report**

### 1. Appointment of GST Auditor:

A proprietor, partner or Board of Directors in case of a Company should appoint a GST Auditor at the beginning of the financial year.

### 2. Accounts to be reviewed by GST Auditor:

Following are important accounts or records for review:

- Sales Register
- Stock Register
- Purchase Register and Expenses ledgers
- Input tax credit availed and utilized
- Output tax payable and paid
- E-way bills generated during the period under Audit, if in compliance with rules.
- Any documents that record communications from the GST department relating to the year.

3. Documents to be furnished by the taxpayer for GST Audit:

- Audited financial statements (which is PAN-based)
- Annual return in form GSTR-9 (for every GSTIN)
- Certified reconciliation statement in Form GSTR-9C, reflecting reconciled values of supplies and tax amounts declared in GSTR-9 compared to audited financials in Part-A, along with the Audit report in Part-B.

4. Forms for Annual return and GST Audit:

Type of taxpayer	Form to be filed
Whether or not applicable to GST Audit	
A Regular taxpayer filing GSTR 1 and GSTR 3B	GSTR-9
A Taxpayer under Composition Scheme	GSTR-9A
E-commerce operator	GSTR-9B
Applicable for GST Audit	
Taxpayers whose turnover exceeds Rs. 2 crores in FY	GSTR-9C

5. Review of comments by GST Auditor:

The Auditor must report any tax liability pending for payment by the taxpayer, identified through the reconciliation exercise and observations made on GST audit. Taxpayers can settle taxes as recommended by the auditor in Form DRC-03.

6. Submission of GST Audit report & Annual return:

The finalized GSTR-9C can be certified by the same CA who conducted the GST audit or it can also be certified by any other CA who did not conduct the GST Audit for that particular GSTIN.

The following must be reported and certified by the GST Auditor or the certifier:

- Whether or not all the requisite accounts or records are maintained.
- Whether or not the Financial Statements are prepared as per the books of accounts maintained at the principal place of business or additional place of business of the taxpayer.
- Certify the accuracy of information in GSTR-9C.
- To list down the audit observations or reservations or comments, if any.

7. Due dates for submission of GST Audit report:

GSTR-9 and GSTR-9C are due on or before 31st December of the subsequent fiscal year.

Special Note: For FY 2017-18, the due date for filing GSTR 9 and GSTR-9C is extended to 30th June 2019, through an order.

# CASH CREDITS – ASSESSMENT OF CONTENTIOUS ISSUES

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**Prabhakar K S**

Proprietor – Shree Tax Chambers

## Synopsis:

- **Introduction**
- **Objects to adopt for the first time**
- **Section - 68: Ingredients**
- **Amendments**
- **Appeals**
- **Judgments in favour of Assessee and the Revenue**
- **Conclusion**

## Introduction

**S**ection 68 of the Income Tax Act, 1961...!!, One of the most contentious Sections under the said Act. The Tribunals and Courts have given rich judgments, both in favour of Assessee and the Revenue. In following paragraphs, quoting few words on Cash Credits and contentious issues involved in its assessments.

The Section is meant to curb generation of unaccounted money and it is in clarificatory nature. That means the assessing officer can add a lump sum as of income from undisclosed sources.

Interestingly, there was no corresponding provision in the erstwhile Act, i.e. The Income Tax Act, 1922 and current proviso continued unamended till 1988. A very slight amendment adopted by The Direct Tax Laws (Amendment) Act, 1987 with effect from 01.04.1988. Subsequently, inserted two key provisions vide Finance Act, 2012 (which will be dealt in later part). Further, Section 68 of the present Act is statutorily authorised an Assessing Officer to assess the unexplained cash credit as 'Income and add back to the total income of an assessee accordingly.'

## Objects to adopt for the first time

As a measure to prevent generation and circulation of unaccounted money and clamp the prevailing practices like

1. Concealment of unaccounted cash by showing the same as lent or deposited with them by third parties;
2. Showing of unaccounted cash as their own capital contribution;
3. Showing the alleged loan as repaid and other illegal practices.

## Section - 68: Ingredients

Key portion of the section read as –

*Where any sum is found credited in the books of an assessee maintained for any previous year, and the assessee offers no explanation about the nature and source thereof or the explanation offered by him is not, in the opinion of the Assessing Officer, satisfactory, the sum so credited **may be charged to income-tax as the income of the assessee of that previous year....***

## **Ingredients**

The three ingredients of Section 68 are:

### *1. The existence of books of account*

The first ingredient of the section is existence of books of account. In other words, the books of account should be maintained by the concerned assessee. However, books of account of a firm where the assessee is a partner cannot be treated as his personal books of accounts for the purpose of Section 68. *Smt. Shanta Devi v. CIT* [[1988](#)] [171 ITR 532/37 Taxman 104 \(Punj. & Har.\)](#)

### **What may be termed as books of accounts?**

*According to P. Ramanatha Aiyar's Concise Law Dictionary*, unbound sheets of papers in whatever quantity, though filled up with one continuous account are not a book of account. The book of account signifies a collection of sheets of paper bound together with the intention that such binding shall be permanent and the papers used collectively in one volume.

*According to Section 2(12A) of the Income Tax Act, 1961*, books or books of account, includes ledgers, day-books, cash books, account-books and other books, whether kept in the written form or as print-outs of data.

### **Whether Bank Passbook can be regarded as books of account?**

No. *In CIT v. Bhaichand N. Gandhi* [[1983](#)] [141 ITR 67/\[1982\] 11 Taxman 59](#) Hon'ble Bombay High Court held that the passbook supplied by the bank to the assessee cannot be regarded as the books of account of the assessee. In other words, a cash credit of previous year shown in the bank's passbook but not in the cash book maintained by the assessee for that year does not fall under Section 68 and if assessing officer not found suitable explanation can treat it as unexplained money under the said section.

### **Whether rough books can be regarded as books of account?**

Yes. The Hon'ble High Court of Delhi, in *Haji Nazir Hussain v. ITO* [[2004](#)] [91 ITD 42 \(Delhi - Trib.\)](#), held that where assessee failed to give satisfactory explanation for cash credits recorded in his rough books can be assessed as Income of the assessee.

### **Whether a piece of paper found during Search can be regarded as books of account?**

No. Majority of Judges of the Hon'ble Supreme Court in *Shukla (V.C.) JT and L.K Advani on Crl. Revision Petition No. 265 of 1996* held that a piece of paper found in search does not fall within the meaning of "Books of account".

### **2. A credit entry in the said books of account**

The second but most important ingredient is "a Credit Entry." Since the sphere of Section 68 is general and inclusive in nature, the provisions shall apply to all types of credit entries. For Instance, cash credit entry relating to "Gift by ....". In the absence of satisfactory explanation, the tax authorities may construe the said Gift as income from undisclosed sources. Disclosure of gifts in the Income tax returns doesn't validate the gift receipts as lawful income. *State of Karnataka v. Selvi. J. Jaalalitha* [[2017](#)] [392 ITR 97/78 taxmann.com 161 \(SC\)](#).

### **Whether the section covers only credits in cash?**

No. Credits under Section 68 shall include all amounts met for payments found in the assessee's books of account and not merely for cash receipts as loans. In other words, the section itself not confined to cash credits only, say other credits also, for e.g. by way of liabilities also requires satisfactory

explanation, so in its absence, the Assessing officer may add to the income of the assessee. *V.I.S.P. (P.) Ltd. v. CIT* [[2004](#)] [265 ITR 202/136 Taxman 482 \(M.P.\)](#).

### **3. Absence of satisfactory explanation by assessee regarding said cash credit**

The third ingredient says that the assessee offers no proper, reasonable and acceptable as regards the sums found credited in Books of accounts maintained by him in the previous year. For instance, "Gift... By" as stated above, will be taken as absence of satisfactory explanation by the assessee.

#### **Satisfactory explanation by?**

It is clear from the language of the section, it is the assessee, the assessee alone who is to offer the explanation, whether initially or subsequently.

#### **Applicability - Whether retrospective or prospective?**

Section 68 is applicable only from assessment year 1962 - 63 onwards.

#### **Year of Charge**

Since 'Previous year' is now defined to mean only the earlier financial year. In *Bhogilal Virchand v. CIT* [[1981](#)] [127 ITR 591/5 Taxman 65 \(Bom.\)](#) held that effect of the Section is that statutorily, a sum which is found credited in the books of accounts maintained by assessee for any previous year in respect of which either assessee offers no satisfactory explanation or his explanation was not accepted by the assessing officer is required to be charged as income of the assessee of that previous year.

#### **Assessing Officer & His opinion on Cash Credit**

Since "**May**" word has been used in the Section (*fourth line*), it can be easily interpreted as "the Section itself gives discretionary power to apply the provision on a particular sum as income or not. However, even in the absence of satisfactory explanation, it is not necessary to treat all cash credits as income of the assessee. However, the assessing officer cannot act unreasonably and his opinion must be based on relevant factors.

*Hindustan Tea Trading Co. Ltd. v. CIT* [[2003](#)] [263 ITR 289/129 Taxman 601 \(Cal.\)](#).

The Hon'ble Supreme Court, in *CIT v. P. Mohanakala*, [[2007](#)] [161 Taxman 169](#), held that the opinion of the assessing officer is required to be formed with reference to the material available on record.

#### **Burden of proof - On whom? Either on Assessee or the Revenue?**

The issue of cash credit has always been a matter of litigation. The Section enacts a golden rule of evidence which is not in dispute, i.e. the onus is on the assessee to explain any sum found credited in his books of account. However, the section does not absolve the responsibility of assessing officer to prove that cash credit form part of assessee's total income. Further such satisfaction must not be illusory but must have been derived from relevant facts. The amount of cash credits shall not be included in the total income of the assessee if the assessing officer's contention is not justified.

With respect to credits and investments, the Hon'ble Calcutta High Court in *CIT v. Precision Finance (P.) Ltd.* [[1994](#)] [208 ITR 465/\[1995\] 82 Taxman 31](#), laid down that an assessee is expected to establish -

- Identity of creditors
- Capacity of creditors to advance money
- Genuineness of transaction

## Nature and Source

The Hon'ble Bombay High Court, in *Orient Trading Co. Ltd. v. CIT* [1963] 49 ITR 723, had a detailed observation on the nature and source of cash credits under Section 68. The observation, in brief as follows:

*When cash credits appear in the books of account of the assessee, whether in his own name or in the name of third parties, the assessing officer is entrusted to satisfy himself as the true nature and source of such cash credits. In any case, absence of satisfactory explanation by the assessee, the assessing officer is entitled to add back assessee's total income. However, entries stand in third party name, then, issue of question of burden of proof arises. Divergence of opinion expressed over a period of time.*

The Hon'ble Supreme Court in *Kale Khan Mohd. Hanif v. CIT* [1963] 50 ITR 1, held that the onus on the assessee has to be understood with reference to the facts of each case. If the prima facie inference on the fact is that assessee's explanation is satisfactory, the onus shifts to the Revenue.

## Peak Credit Theory

One of the key defence of an assessee, where a single or series of credits entered in the books of account, that a credit following debit entry should be treated as referable to the latter to the extent possible and that not the aggregate but only peak of the credits should be treated as unexplained.

In *Bhaiyalal Shyam Behari v. CIT* [2005] 276 ITR 38 (All.), the assessee claimed the benefit of peak credit theory. The assessee's contention was that the deposits were genuine, so that the benefit of peak credit was an alternative one. Interestingly, the assessee claimed all deposits were genuine and in the same breath asked the benefit of peak credit which is not possible, hence, the Hon'ble Tribunal denied the benefit and the High Court also upheld on the ground that there was no infirmity.

## Appeals - Question of Law and Question of Fact

Cash credit is less a question of law would arise where the decision is based on evidence. The question of the genuineness of a credit or satisfactory explanation by assessee is the question of fact. On whom burden of proof lays also a question of law but whether such onus has been discharged or not is question of fact. *CIT (Central) v. K.S. Dattatreya* [2012] 344 ITR 127/[2011] 197 Taxman 151/9 taxmann.com 106 (Kar.).

*Questions regarding the interpretation of Section 68 are also question of law. CIT v. Smt. Usha Jain* [1990] 182 ITR 437 (Delhi).

In cash credit cases the tribunal is the final fact-finding body and not the High Court. *Balbir sing v. CIT* [2011] 334 ITR 287/196 Taxman 339/[2010] 8 taxmann.com 202 (Punj. & Har.).

## Amendments

### 1. Share application money

In order to prevent generation and circulation of unaccounted money in the case of closely held companies where investments were made by known persons and to place an onus on such companies, two provisions to Section 68 has been inserted vide Finance Act 2012 w.e.f 01.01.2013.

Provisions in brief

In case of any such sum credited as share capital or share premium etc. in the books of closely held company shall be treated as explained satisfactorily, only if the source of funds genuinely explained and proved.

An Exception - Additional onus of satisfactory explanation is not apply, if the shareholder is venture capital fund or venture Capital Company registered with the SEBI.

## **2. Set off Losses against deemed undisclosed Income**

To avoid litigations, the Income Tax Act, 1961 was amended by the Finance Act, 2016. According to amendment to Section 115BBE (2), w.e.f Assessment year 2017-18 onwards, no such set off of loss shall be allowable in respect of income under the Section 68.

## **Judgments In favour of Assessee**

### **1. Geniuses of Credit proved**

The Hon'ble Allahabad High Court in *CIT v. Anurag Agarwal* [[2015](#)] [229 Taxman 532](#) ruled in favour of assessee.

Where in respect of credit entries, the assessee established identity of all creditors by providing PANs and addresses beyond reasonable doubts.

### **2. Genuineness of Gift**

The Hon'ble Gujarat High Court in *Smt.Neelamben Gopaldas Agrawal v. ITO* [[2015](#)] [57 taxmann.com 176](#), ruled in favour of Assessee.

The said assessee received certain sum as a gift from NRI through banking channels and produced duly certified bank certificates, gift deed etc.

### **3. Genuineness of unsecured Loans**

The Hon'ble Madras High Court in *CIT v. Mark Hospitals (P.) Ltd.* [[2015](#)] [232 Taxman 197/58 taxmann.com 226](#) deleted the addition made on account of unsecured loans.

The said assessee had obtained unsecured loans form agriculturists and submitted their details except PANs. The assessing officer made addition under section 68. However, it was found that loans were made through proper banking channels and all creditors had confirmed that they had advanced loans. Since all creditors were agriculturists did not have PAN. On facts addition was deleted.

### **4. Share Application Money - Non-Sufficient of Identifications**

The Hon'ble Supreme Court in *CIT v. Navodaya Castles (P.) Ltd.* [[2014](#)] [50 taxmann.com 110/226 Taxman 190 \(Mag.\) \(Delhi\)](#) dismissed a special leave petition against Delhi High Court's impugned order.

The Hon'ble Delhi Court by the impugned order held that certificate of incorporation (COI) and PAN were not sufficient for purpose of identification of Subscriber Company when there was material to show that the subscriber was a paper company and not a genuine investor.

### **5. Surrendered Lesser Amount**

The Hon'ble Rajasthan High Court in *CIT v. Ashok Kumar Jain* [[2015](#)] [229 Taxman 65/53 taxmann.com 173/\[2014\] 369 ITR 145](#), ruled in favour.

Whereas in the stated case, the assessee in his revised return surrendered a lesser sum instead of what he had admitted during course of survey. In the absence of assessing officer's to support addition, addition was deleted.

## Judgments In favour of the Revenue

Many judgments are in favour of the revenue. The assessing officers may draw conclusions by using them. Few of them are –

### 1. Onus of proving the source of money

The Apex Court in *Roshan Di Hatti v. CIT* [[1977](#)] [107 ITR 938](#) held that onus of proving the source of a sum of money found to have been received by an assessee is on him. When the nature and source of money or otherwise cannot be satisfactorily explained by the assessee, it is open to the revenue to hold that it is the income of the assessee.

### 2. Third Party Credits

Assessee must prove identities of creditors, capacity of creditors to advance moneys and genuineness of the transactions, then only burden will fall on the revenue.

*Shankar Industries v. CIT* [[1978](#)] [114 ITR 689](#) (The Hon'ble Calcutta High Court)

*CIT v. Biju Patnaik* [[1986](#)] [160 ITR 674/26 Taxman 324](#) (The Hon'ble Supreme Court)

### 3. Genuineness of creditors

In *Mangilal Jain v. ITO* [[2009](#)] [315 ITR 105 \(Mad.\)](#), the assessee failed to prove the genuineness of creditors. Since assessee did not prove the identity of creditor. However, the transaction was by proper banking channel but same was not sufficient. Hence, Hon'ble Madras High Court upheld the additions.

### 4. Filing of Income Tax Return

The Hon'ble High Court of Calcutta, in *CIT v. Korlay Trading Co. Ltd.* [[1998](#)] [232 ITR 820](#), ruled that mere filing of filing of income tax return is not enough to prove genuineness of cash credit.

### 5. Cash Credits through Banking Channels say Cheques

As stated above, the Hon'ble High Court of Calcutta in *Precision Finance (P.) Ltd. (supra)*, held that cash credit can be assessed even if transaction passed through banking channels.

## Concluding Remarks

The Section 68 is really a dynamic one under Indian Income Tax Act. The section is evolving and playing crucial role as far as concerned safeguarding revenue. The aforesaid provisions are making it extremely difficult for assessee or companies to involve in any mala fide practices like tax evasion. It is expected that the above Section and its provision preserve its due place in proposed new Income Tax Law in near future.

## Reference

1. Taxmann's Income Tax Act 1961 as amended by Finance Act 2017.
2. Taxmann's Yearly Tax Digest & Referencer, 46<sup>th</sup> Edition 2017.
3. Taxmann's Master Guide to Income Tax Act, 2017.
4. Taxmann's Direct Taxes Manual 2017 47<sup>th</sup> Edition.
5. Taxman - The Tax Law weekly - latest issues.
6. Sampath Iyengar's Law of Income Tax, 12<sup>th</sup> Edition Vol. 4.
7. A N Aiyar's Indian Tax Laws 2017, 54<sup>th</sup> Edition.
8. Kanga & Palkhivala's The Law and Practice of Income Tax, Tenth Edition Vol. 1.



# ISSUES REPORTED IN FILING FORM GSTR 9 BY THE TAXPAYERS: STEPS TO BE TAKEN

TEAM TRD

Taxpayers have reported some issues in filing their Form GSTR 9, which are clarified below:

1) Some taxpayers have reported that figures of Input Tax Credit (ITC), as pre-populated in table 8A of Form GSTR-9, do not match with the figures as appearing in their Form GSTR-2A. Please note that this may happen due to following reasons:

- a) Figures in GSTR-2A are auto populated based on **filed/ saved / submitted** Form GSTR-1 of the supplier taxpayer. But figures in table 8A of Form GSTR-9 are auto-populated **only** on the basis of **filed** Form GSTR-1 by the supplier taxpayer. In case, Form GSTR -1 is not filed by your supplier, then credit related to those invoices will not appear in table 8A of your Form GSTR-9.
- b) Figures in table 8A of Form GSTR 9 are auto populated **only** for those Form GSTR-1, which are **filed** by the supplier taxpayer by **due date of its filing i.e. 30th April, 2019**. Thus, ITC on supplies of the financial year 2017-18, if reported beyond 30th April, 2019, will not get auto-populated in table 8A of Form GSTR-9.
- c) In table 8A of Form GSTR-9, only latest values have been auto-populated based on filed Form GSTR-1, taking into account all the amendments made, if any. Suppose an invoice with taxable value of Rs 100/- with tax of Rs. 18/- was filed in Form GSTR-1 in the month of January, 2018 and same was amended to Rs 90 as taxable value in the month of March, 2018, then
  - i. the Form GSTR-2A of January, 2018 will show ITC of Rs. 18
  - ii. the Form GSTR-2A of March, 2018 will show ITC of Rs 16.20 &
  - iii. the table 8A of Form GSTR-9 will contain ITC of Rs 16.20.
- d) In table 8A of Form GSTR-9, ITC related to all such invoices have been excluded in which place of supply lies in supplier's Taxpayers State, instead of State of the receiver taxpayer. These figures will be shown in Form GSTR-2A of the recipient. For example if a taxpayer of State A visits State B and stays in a hotel in State B, the tax paid by him to the hotel in State B will appear in his Form GSTR-2A, but the same will not be reflected in table 8A of Form GSTR-9.
- e) The Figures in table 8A of Form GSTR-9 do not contain ITC for the period during which the recipient taxpayer was under composition scheme.

2) While filing Form GSTR 9 '**Proceed to File**' button will be enabled only if '**Compute Liability**' is clicked. This button is meant for computation of late fees only. Please note Form GSTR 9 once filed cannot be revised.

## ISSUES REPORTED IN FILING FORM GSTR 9C BY THE TAXPAYERS: STEPS TO BE TAKEN

Taxpayers have reported some issues in filing their Form GSTR 9C, which are clarified below:

1. **Turnover for filing Form GSTR- 9C:** Form GSTR-9C is to be filed by all those taxpayers whose aggregate turnover has exceeded Rs 2 crore in a financial year. Turnover of complete year i.e. from 1st April, 2017 to 31st March, 2018 has to be taken into account for calculating the turnover. For example, if a taxpayer has a turnover of Rs. 2.1 Cr for the period 1st April, 2017 to 31st March, 2018 and a turnover of Rs. 1.9 Cr for the period 1st July, 2017 to 31st March, 2018, then the taxpayer is required to file form GSTR- 9C.
2. **User getting error message while using Excel version :** You are also advised to use Microsoft excel version higher than 2007 while preparing Form GSTR 9C.
3. **Providing Membership Number by Auditor:** While filing Part B of Form GSTR-9C, Auditors are advised to give their membership number without prefixing '0' in their membership number. If membership number is '016', then auditor should enter '16' on the aforesaid part in the membership number field & not '016'.

# TAX UPDATES, NOTIFICATIONS AND CIRCULARS

## INDIRECT TAX

### CUSTOMS - TARIFF

#### **Notification No. 16/2019-Customs**

**Date - 15.06.2019**

Seeks to increase the tariff rate of customs duty on lentils, boric acid and laboratory reagents by amending First schedule to the Customs Tariff Act, 1975 under emergency powers under section 8A of the Customs Tariff Act

Whereas the Central Government on being satisfied that the import duty leviable on goods, falling under Chapters 7, 28 and 38 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), should be increased and that circumstances exist which render it necessary to take immediate action.

Now, therefore, the Central Government has amended in the following manner, namely:-

In the First Schedule to the said Customs Tariff Act,-

- 1) in Chapter 7, for the entry in column (4) occurring against tariff item 0713 40 00, the entry "50%" shall be substituted;
- 2) in Chapter 28, for the entry in column (4) occurring against tariff item 2810 00 20, the entry "27.5%" shall be substituted;
- 3) in Chapter 38, for the entry in column (4) occurring against tariff item 3822 00 90, the entry "30%" shall be substituted.

#### **Notification No. 17/2019-Customs**

**Date - 15.06.2019**

Seeks to further amend notification No. 50/2017-Customs dated 30.06.2017 to implement the imposition of retaliatory duties on 28 specified goods originating in or exported from USA and preserving the existing MFN rate for all these goods for all countries other than USA

The Central Government has made amendments in the Notification No. 50/2017-Customs, dated the 30<sup>th</sup> June, 2017.

In the said notification,-

(a) in the Table,-

- i. serial number 14A and the entries relating thereto shall be omitted;
- ii. after serial number 24A and the entries relating thereto, the following serial number and entries shall be inserted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"24AA	0802 11 00	All goods originating in or exported from the United States of America	Rs. 41 per kg/-	-	-";

- iii. after serial number 32A and the entries relating thereto, the following serial number and entries shall be inserted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"32 B	0808 10 00	All goods originating in or exported from the United States of America	70%	-	-";

- iv. serial number 177A shall be renumbered as serial number 177B and before the serial number 177B as so renumbered, the following serial number and entries shall be inserted, namely:-

(1)	(2)	(3)	(4)	(5)	(6)
"177A	2809 20 10	All goods originating in or exported from the United States of America	10%	-	-";

- (b) for the second proviso, the following proviso shall be substituted namely:-

"Provided further that nothing contained in entries against serial numbers 21C, 21D, 24A, 24B, 26A, 32A, 177, 177B, 249A, 250A, 371A, 371B, 376A, and 377A of the said Table shall apply to goods originating in the United States of America.";

- (c) the third proviso shall be omitted.

This notification has come into force from the 16<sup>th</sup> day of June, 2019.

### **CUSTOMS – NON TARIFF**

#### **Notification No. 40/2019-Customs (N.T) Date – 06.06.2019**

Exchange Rates Notification No.40/2019-Custom (NT) dated 06.06.2019

CBIC has determined the rate of exchange of conversion of the foreign currencies into Indian currency or vice versa, relating to imported and export goods.

Sl. No	Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees	
		(For Imported Goods)	(For Exported Goods)
1			
2	Australian Dollar	49.55	47.35
3	Bahraini Dinar	190.25	178.40
4	Canadian Dollar	52.75	50.85
5	Chinese Yuan	10.20	9.90
6	Danish Kroner	10.65	10.25
7	EURO	79.50	76.50
8	Hong Kong Dollar	9.00	8.70
9	Kuwaiti Dinar	235.75	220.95
10	New Zealand Dollar	47.30	45.15
11	Norwegian Kroner	8.10	7.80

For more details, please follow - <http://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2019/cs-nt2019/csnt40-2019.pdf>

#### **Notification No. 41/2019-Customs (N.T) Date – 14.06.2019**

Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Sliver- Reg

The Central Board of Indirect Taxes & Customs, has made amendments in the Notification No. 36/2001-Customs (N.T.), dated the 3<sup>rd</sup> August, 2001, namely:-

In the said notification, for TABLE-1, TABLE-2, and TABLE-3 the following Tables shall be substituted, namely: -

**TABLE-1**

Sl. No	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$Per Metric Tonne)
1	1511 10 00	Crude Palm Oil	525
2	1511 90 10	RBD Palm Oil	556
3	1511 90 90	Others - Palm Oil	541
4	1511 10 00	Crude Palmolein	559
5	1511 90 20	RBD Palmolein	562
6	1511 90 90	Others - Palmolein	561
7	1507 10 00	Crude Soya bean Oil	709
8	7404 00 22	Brass Scrap (all grades)	3487
9	1207 91 00	Poppy seeds	3350

**TABLE-2**

Sl. No.	Chapter/ heading/ sub heading/tariff item	Description of goods	Tariff value (US \$)
1	71 or 98	Gold, in any form, in respect of which the benefit of entries at serial number 356 and 358 of the Notification No. 50/2017-Customs dated 30.06.2017 is availed	430 per 10 grams
2	71 or 98	Silver, in any form, in respect of which the benefit of entries at serial number 357 and 359 of the Notification No. 50/2017-Customs dated 30.06.2017 is availed	477 per kilogram

**TABLE-3**

Sl. No.	Chapter/heading/sub-heading/tariff item	Description of goods	Tariff value (US \$ Per Metric Tonne)
1	080280	Areca nuts	3920

**CUSTOMS - ANTI DUMPING DUTY****Notification No. 22/2019-Customs (Add)  
Date - 10.06.2019**

Seeks to extend levy of anti-dumping duty till 24.06.2019, on imports of "Paracetamol" originating in or exported from china PR, imposed vide notification No. 39/2018 Customs (ADD), dated the 20th August, 2018, in pursuance order of Hon'ble High Court of Gujarat in the matter of SCA 5278/2019

The Central Government levied anti-dumping duty on imports of Paracetamol falling under Chapter 29 of the First Schedule to the Customs Tariff Act, originating in or exported from China PR vide Notification No. 26/2013-Customs (ADD), dated the 28th October, 2013, for a period of 5 years from the date of publication in the Official Gazette.

The designated authority, vide Notification No. 7/16/2018-DGAD, dated the 25th April, 2018 initiated a review in the matter of continuation of anti-dumping duty and recommended the extension of the anti-dumping duty on the subject goods for a period of 6 months.

Now therefore the Central Government has made further amendments in the Notification No. 39/2018 Customs (ADD), dated the 20th August, 2018, namely:-

In the said notification, for the figures, letters and word “26th April, 2019”, the figures, letters and word “24<sup>th</sup> June, 2019” shall be substituted.

**Notification No. 23/2019-Customs (Add)**  
**Date – 11.06.2019**

Notification No. 23/2019-Customs (ADD) dated 11.06.2019 seeks to extend the levy of anti dumping duty imposed on 'PVC (resin) suspension grade' imported from China, Thailand and USA till 12th August, 2019

The designated authority has initiated review the matter of continuation of anti-dumping duty on imports of 'Poly Vinyl Chloride (Resin) Suspension Grade' originating in or exported from China PR, Thailand and USA and has recommended for extension of anti-dumping duty for two months, till the 12th August, 2019 in terms of sub-section (5) of section 9A of the Customs Tariff Act.

Now, therefore, the Central Government has made amendments in the Notification No. 27/2014-Customs (ADD), dated the 13th June, 2014, namely:-

In the said notification, after paragraph 2 and before the Explanation, the following paragraph shall be inserted, namely: -

“3. Notwithstanding anything contained in paragraph 2, the anti-dumping duty imposed on the subject goods specified against serial numbers 4, 11 to 28, and 32 to 34 of the TABLE above in, shall remain in force up to and inclusive of the 12th August 2019, unless revoked earlier.”

For more details, please follow - <http://www.cbic.gov.in/resources/htdocs-cbec/customs/cs-act/notifications/notfns-2019/cs-add2019/csadd23-2019.pdf;jsessionid=AD02FA4D163F9D45C94D0F866D896CD7>

**CUSTOMS – CIRCULARS**

**Circular No. 14/2019**  
**Date – 03.06.2019**

Simplified auto-registration of beneficiaries (IEC holders) on ICEGATE for eSanchit and Other benefits – Reg

As per Circular No. 35/2018 dated 01.10.2018 it was stated that CBIC was working towards bringing all the participating government agencies under eSANCHIT and enable PGAs who issue licenses, permits, certificates, and other authorizations to upload the documents themselves instead of importer/exporter. The IRN of the uploaded documents would be communicated to the beneficiary importer/exporter for quoting the same in their declaration. The importers, exporters, customs brokers and other beneficiaries transacting with Customs were, therefore requested to come forward and register on ICEGATE portal. A detailed procedure was also made available for this purpose.

For successful implementation of PGA-e SANCHIT, it is essential that beneficiaries are registered with ICEGATE portal. Once the facility of uploading the LPCOs and eSANCHIT by PGAs is implemented, the beneficiaries will not be allowed to upload the same themselves.

It was reported that one of the bottlenecks in registration was the requirement of DSC of beneficiaries. For the effective implementation of PGA-eSANCHIT and other planned enquiries and interactions, it was decided to simplify the registration process on ICEGATE for those importers and exporters that do not intend to do any filling of documents through ICEGATE and would use the login only as an information and interaction portal.

Accordingly, ICEGATE has now introduced simplified auto registration for IEC holders based on the email ids already provided by them for registration under GST. The simplified procedure does away

with the requirement of the DSC. However DSC would be required in case of IEC holder intends to file any declarations with customs.

The registration of importers and exporters will also enable direct access to information related to their consignments.

For more details, please follow - <http://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2019/Circular-No-14-2019.pdf;jsessionid=5AD19032B84065B3D23A3F509F4B05A6>

**Circular No. 15/2019**

**Date – 07.06.2019**

**Forwarding of samples for testing to the Outside Laboratories - reg**

With reference to the Circular No. 43/2017-Customs dated 16th November, 2017 on the subject "Forwarding of samples for testing to the Outside Laboratories", a list of items, the samples of which could not be tested in the revenue laboratories was provided in the Annexure.

The Revenue Laboratories have now acquired testing facilities for some of the samples listed in the said Annexure following the up-gradation and induction of more sophisticated equipment. These items are listed in Annexure I annexed with this Circular.

Additionally, Revenue Laboratories have also acquired the facility for testing items provided in Annexure II of this Circular.

Field formations may therefore first ensure with their respective jurisdictional laboratories that the testing facilities for any particular items listed in the said Circulars are not available with them before forwarding such samples to outside Laboratory(s) listed therein.

**DIRECT TAX**

**Notification No. 10/2019**

**Date – 04.06.2019**

**Procedure for online submission of statement of deduction of tax under sub-section (3) of section 200 and statement of collection of tax under proviso to sub-section (3) of section 206e of the Income-tax Act, 1961 read with rule 31A(5) and rule 31AA(5) of the Income-tax Rules, 1962 respectively**

The Director General of Income tax (Systems) shall specify the procedures, formats and standards for the purposes of furnishing and verification of the statements and shall be responsible for the day to day administration in relation to furnishing and verification of the statements.

The Principal Director General of Income-tax (Systems) has laid down the procedures of registration in the e-filing portal, the manner of the preparation of the statements and submission of the statements as follows:

- The deductors/collectors will have the option of online filing of e-TDS/TCS returns through e-filing portal or submission at TIN Facilitation Centres. Procedure for filing e- TDS/TCS statement online through e-filing portal is as under:
  - ✓ **Registration:** The deductor/collector should hold valid TAN and is required to be registered in the e-filing website (<https://www.incometaxindiaefiling.gov.in/>) as "Tax Deductor & Collector" to file the "e-TDS/e-TCS Return". In case of an office of the government, the Treasury Officer can register as an external agency user.

- ✓ **Preparation:** The Return Preparation Utility (RPU) to prepare the TDS/TCS Statement and File Validation Utility (FVU) to validate the Statements can be downloaded from the tin-nsdl website (<https://1v1lww.tin-nsdl.com/>). The statement is required to be uploaded as a zip file and submitted using either Digital Signature Certificate (DSC) or Electronic Verification Code (EVC). For DSC mode, the signature for the zip file can be generated using the DSC Management Utility available under Downloads in the e-Filing website
  - ✓ Alternatively, deductor/collector can e-Verify using EVC.
  - ✓ **Submission:** The deductor/collector is required to login to the e-filing website using TAN and go to TDS-> Upload TDS. The deductor/collector is required to upload the "Zip" file along with either the signature file (generated as explained in para (b) above) or EVC. In case of External agency user, TDS/TCS return can be filed for the deductors/collectors under their jurisdiction using Digital Signature Certificate.
- EVC can be generated using one of the following modes:
    - ✓ **Net Banking** - Principal contact person's net banking login (linked to the registered PAN) can be used to generate the EVC for the TAN of the deductor / collector.
    - ✓ **Aadhaar OTP** - The principal contact person's PAN can be linked with AADHAAR to use this option.
    - ✓ **Bank Account Number** - The principal contact person can use his pre validated bank account details to avail this option.
    - ✓ **Demat Account Number** - The principal contact person can use his pre validated demat account details to avail this option.

This pre generated EVC can be used to e-Verify the TDS return.

- Once uploaded, the status of the statement shall be shown as "Uploaded". The uploaded file shall be processed and validated. Upon validation, the status shall be shown as either "Accepted" or "Rejected" which will reflect within 24 hours from the time of upload. The status of uploaded file is visible at TDS -7 View Filed TDS. In case the submitted file is "Rejected", the rejection reason shall be displayed.



# PRESS RELEASE

## INDIRECT TAX

Date - 04.06.2019

### Clarifications on filing of Annual Return (FORM GSTR-9)

The last date for filing of Annual return in **FORM GSTR-9** is 30<sup>th</sup> June 2019. The trade and industry have raised certain queries with respect to filing of this Annual return which are being clarified as follows:

- a) Information contained in **FORM GSTR-2A** as on 01.05.2019 shall be auto-populated in Table 8A of **FORM GSTR-9**.
- b) Input tax credit on inward supplies shall be declared from April 2018 to March 2019 in Table 8C of **FORM GSTR-9**.
- c) Particulars of the transactions for FY 2017-18 declared in returns between April 2018 to March 2019 shall be declared in Pt. V of **FORM GSTR-9**. Such particulars may contain details of amendments furnished in Table 10 and Table 11 of **FORM GSTR-1**.
- 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-9**.
- e) Any additional outward supply which was not declared by the registered person in **FORM GSTR-1** and **FORM GSTR-3B** shall be declared in Pt.II of the **FORM GSTR-9**. Such additional liability shall be computed in Pt.IV and the gap between the “tax payable” and “Paid through cash” column of **FORM GSTR-9** shall be paid through **FORM DRC-03**.
- f) Many taxpayers have reported a mismatch between auto-populated data and the actual entry in their books of accounts or returns. One common challenge reported by taxpayer is in Table 4 of **FORM GSTR-9** where details may have been missed in **FORM GSTR-1** but tax was already paid in **FORM GSTR-3B** and therefore taxpayers see a mismatch between auto-populated data and data in **FORM GSTR-3B**. It may be noted that auto-population is a functionality provided to taxpayers for facilitation purposes, taxpayers shall report the data as per their books of account or returns filed during the financial year.
- g) Many taxpayers have represented that Table 8 has no row to fill in credit of IGST paid at the time of import of goods but availed in the return of April 2018 to March 2019. Due to this, there are apprehensions that credit which was availed between April 2018 to March 2019 but not reported in the annual return may lapse. For this particular entry, taxpayers are advised to fill in their entire credit availed on import of goods from July 2017 to March 2019 in Table 6(E) of **FORM GSTR-9** itself.
- h) Payments made through **FORM DRC-03** for any supplies relating to period between July 2017 to March 2018 will not be accounted for in **FORM GSTR-9** but shall be reported during reconciliation in **FORM GSTR-9C**.

2. All the taxpayers are requested to file their Annual Return (**FORM GSTR-9**) at the earliest to avoid last minute rush.



Transition plan to the new GST Return

The GST Council in its 31<sup>st</sup> meeting decided that a new GST return system will be introduced to facilitate taxpayers. In order to ease transition to the new return system, a transition plan has been worked out. The details of the indicative transition plan are as follows: -

- In May, 2019 a prototype of the offline tool has already been shared on the common portal to give the look and feel of the tool to the users. The look and feel of the offline tool would be same as that of the online portal. Taxpayers may be aware that there are three main components to the new return – one main return (**FORM GST RET-1**) and two annexures (**FORM GST ANX-1 and FORM GST ANX-2**).
- From July, 2019, users would be able to upload invoices using the **FORM GST ANX- 1** offline tool on trial basis for familiarization. Further, users would also be able to view and download, the inward supply of invoices using the **FORM GST ANX-2** offline tool under the trial program. The summary of inward supply invoices would also be available for view on the common portal online. They would also be able to import their purchase register in the Offline Tool and match it with the downloaded inward supply invoices to find mismatches from August 2019.
- Between July to September, 2019 (for three months), the new return system (ANX-1 & ANX-2 only) would be available for trial for taxpayers to make themselves familiar. This trial would have no impact at the back end on the tax liability or input tax credit of the taxpayer. In this period, taxpayers shall continue to fulfil their compliances by filing **FORM GSTR-1** and **FORM GSTR-3B** i.e. taxpayers would continue to file their outward supply details in **FORM GSTR-1** on monthly / quarterly basis and return in **FORM GSTR-3B** on monthly basis. Non-filing of these returns shall attract penal provisions under the GST Act.
- From October, 2019 onwards, **FORM GST ANX-1** shall be made compulsory and **FORM GSTR-1** would be replaced by **FORM GST ANX-1**. The large taxpayers (i.e. those taxpayers whose aggregate annual turnover in the previous financial year was more than Rs. 5 Crore) would upload their monthly **FORM GST ANX-1** from October, 2019 onwards. However, the first compulsory quarterly **FORM GST ANX-1** to be uploaded by small taxpayers (with aggregate annual turnover in the previous financial year upto Rs. 5 Crore) would be due only in January, 2020 for the quarter October to December, 2019. It may be noted that invoices etc. can be uploaded in **FORM GST ANX-1** on a continuous basis both by large and small taxpayers from October, 2019 onwards. **FORM GST ANX- 2** may be viewed simultaneously during this period but no action shall be allowed on such **FORM GST ANX-2**.
- For October and November, 2019, large taxpayers would continue to file **FORM GSTR-3B** on monthly basis. They would file their first **FORM GST RET-01** for the month of December, 2019 by 20<sup>th</sup> January, 2020.
- The small taxpayers would stop filing **FORM GSTR-3B** and would start filing **FORM GST PMT-08** from October, 2019 onwards. They would file their first **FORM GST-RET-01** for the quarter October, 2019 to December, 2019 from 20<sup>th</sup> January, 2020.
- From January, 2020 onwards, all taxpayers shall be filing **FORM GST RET-01** and **FORM GSTR-3B** shall be completely phased out.

Separate instructions shall be issued for filing and processing of refund applications between October to December, 2019.

## **DIRECT TAX**

**Date – 04.06.2019**

### **CBDT extends due date for filing of TDS statement in Form 24Q**

The Central Board of Direct Taxes (CBDT) had earlier notified amended Form 24Q for filing TDS statement by deductors of tax vide Notification No. 36/2019 dated 12th April, 2019. Subsequently, the File Validation Utility (FVU) for online filing of Form 24Q was updated by NSDL on 21st of May, 2019.

With a view to redress genuine hardship of deductors in timely filing of TDS statement in Form 24Q on account of revision of its format and consequent updating of the File Validation Utility for its online filing, CBDT has ordered the following:

- I. Extended the due date of filing of TDS statement in Form 24Q for financial year 2018-19 from 31st of May, 2019 to 30th of June, 2019 and
- II. Extended the due date for issue of TDS certificate in Form 16 for financial year 2018-19 from 15th of June, 2019 to 10th of July, 2019.

Order dated 04.06.2019 issued under section 119 of the Income-tax Act, 1961 to this effect is available on [www.incometaxindia.gov.in](http://www.incometaxindia.gov.in).

**Date – 06.06.2019**

### **Agreement for Exchange of Information between India and Marshall Islands notified**

The Agreement between the Government of the Republic of India and the Government of the Republic of the Marshall Islands for the Exchange of Information with respect to taxes (India – Marshall Islands TIEA) was signed on 18th March, 2016 at Majuro, the Republic of the Marshall Islands. The India – Marshall Islands TIEA has been notified in the Gazette of India (Extraordinary) on 21st May, 2019.

The Agreement enables exchange of information, including banking and ownership information, between the two countries for tax purposes. It is based on international standards of tax transparency and exchange of information and enables sharing of information on request. The Agreement also provides for representatives of one country to undertake tax examinations in the other country.

The Agreement will enhance mutual co-operation between India and Marshall Islands by providing an effective framework for exchange of information in tax matters which will help curb tax evasion and tax avoidance.

**Date – 11.06.2019**

### **Income Tax Department strikes again in J&K Region**

The Income Tax Department conducted search and seizure operations on 11.06.2019 on a prominent business group based in Srinagar, covering 8 premises in Srinagar and 1 each at Bangalore and Delhi. The assessee group is engaged in the business of transportation, manufacturing of silk yarn, hospitality, retail trading of Kashmir Arts & Crafts etc.

None of the members of the group is regular in filing their Income Tax Returns. As a onetime settlement, the group has got their loans of Rs.170 crore with J&K Bank restructured for a sum of Rs.77 crore, out of which, payment of only Rs.50.34 crore to the J&K Bank has been made so far and balance of Rs.27.66 crore is yet to be paid. During the search, evidence has been detected indicating that the onetime settlement of the loan from J&K Bank has been done through the active connivance of a senior J&K Bank officer who was receiving several out of turn promotions. Furthermore, evidence has also

been unearthed indicating that the repayment of Rs.50.34 crore pertaining to the said loan has been greenfielded by the J&K Bank by granting loan of similar amount to an associate who has confessed to his role in layering the entire transaction.

During the search, incriminating evidence has also been found relating to

- sale of undisclosed property amounting to **Rs.22 crore**.
- agreement to sell Transport business for **Rs.9.10 crore**.
- undisclosed profit of **Rs.15-20 crore** on account of sale of Cold Storage plant at Lassipora. The cost of this project was found to have been inflated to Rs.47 crore instead of the actual cost of Rs.17 crore, for claiming more subsidy from the government by raising inflated and bogus bills. The loan for this project was taken from J&K Bank.
- undisclosed properties at Sonmarg (**Rs.2.68 crore**), Pahalgam (**Rs.3.55 crore**) and Bangalore (**Rs.1.00 crore**).
- one shop in partnership in Delhi purchased for **Rs.1.02 crore**.

During the search, digital evidence found has been seized, analysis of which is in progress.

# JUDGEMENTS

## INDIRECT TAX

### **Denial of GST Input Tax Credit to Recipient for Default of Supplier: Delhi HC issues Notice to Centre**

Bharati Tele Media Ltd. vs. Union of India & ORS

Case No. W.P. (C) 6293/2019  
Date - 29.05.2019

#### **Fact of the Case**

- Bharati Tele Media Ltd. is a petitioner/applicant in the present case.
- The petitioner challenged the legality and validity of Section 16(2)(c), second proviso to Section 16(2)(d) and proviso to Section 16(4) of the Central Goods and Service Tax Act, 2017.
- The Petition also challenged the validity of Section 43A(6) of the Central Goods and Service Tax Act, 2017, which has yet been notified.
- The petitioner contended that the law empowers the Department to recover any revenue loss owing to non-payment of taxes by erring suppliers and credit cannot be denied to the recipient for default on part of the supplier.

#### **Decision of the Case**

- Section 16(2)(c) of CGST Act, 2017 provides for a condition wherein the recipient would only be entitled to Input Tax Credit if the tax charged in respect of such supply has been actually paid by the Supplier.
- The second proviso to Section 16(2)(d) provides that the recipient shall add an amount of Input Tax Credit availed, along with interest to the output tax liability if the recipient fails to pay the invoice amount to the supplier within 180 days.
- The Delhi High Court will look into ambiguity in the existing Central Goods and Services Tax (GST) Law that whether input tax credit can be denied

to a purchaser for the default committed by the seller.

### **Books 'Sulekh Sarita Parts I to V' are 'Printed Books': Exempted from GST: Delhi HC**

Sonka Publication India Private Limited vs. Union of India & others

Case No. - W.P.(C)10022/2018 & CM 39032/2018  
Date - 07.05.2019

#### **Fact of the Case**

- In the present case the petitioner is the books "Sulekh Sarita Parts I to V".
- The petitioner approached the High Court challenging an AAR order wherein the authority had held that the books sold by the petitioners are classifiable as excisable goods and asked the petitioners to get registered if it had GST liability under Reverse Charge Mechanism.
- Against the order, the petitioner raised a question that whether the books published by the Petitioner, viz., Sulekh Sarita Parts I to V are printed books classifiable as 'Excisable Books'.

#### **Decision of the Case**

- The learned justice of honorable bench observed that that an educational text is like a handholding exercise for a child.
- At the end of the course, by using these books, the attempt is to enhance the educational value addition as far as the child is concerned. The attempt is to help the child think on his own and to enable the teacher to evaluate the child's output.
- The bench further observed that the emphasis was on a "functional characteristics" of a book.
- In the present case, the "workbooks" or "practice books" printed and sold by the Petitioner certainly fall in the latter category i.e. they test the child's knowledge, ask questions which the

- child has to answer, and facilitate evaluating the child's understanding.”
- Consequently, this Court is satisfied that in the present case, the books published and sold by the Petitioner are classifiable under HSN 49.01 and not HSN 48.02. In terms of Notification No.2/2017-Central Tax (Trade) dated 28th June 2017 i.e. Entry No.119 thereunder, such goods classifiable under HSN 49.01 i.e. 'printed books, including Braille books' are wholly exempted from tax.

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**Recovery can only be initiated once the Amount of Excess Credit has been quantified in an Assessment: Madras HC**

M/s Jayachandran Alloys (P.) Ltd. v The Superintendent of GST and Central Excise

Case No. – Writ Petition 5501 of 2019  
Date – 04.04.2019

**Fact of the Case**

- M/s Jayachandran Alloys (P.) Ltd. is the petitioner in the present case
- The petitioner is an assessee against whom an investigation was initiated by the respondents in the premises of the petitioner after which the petitioner was called upon to furnish various records.
- The petitioner has contended that the Managing Director was threatened that he would be arrested in the light of the provisions of Section 69.
- Further that the powers of arrest and prosecution with the Department would only arise if the Department is in possession of evidence to prove that the Assessee had indulged in fraud or intended to defraud the Revenue.
- The Department, on the other hand, has submitted that the petitioner has availed an ITC in excess of what it was entitled to, to an extent of Rs. 18.99 crores. It was is an offence punishable under Section 132(i)(c), if availed without actually supplying such goods and services.

**Decision of the Case**

- The Hon'ble Court hence holding in favour of the petitioner with respect to

the first issue ruled that the copies of the documents sought will be furnished within a period of 2 weeks from this order.

- With respect to the issue concerning arrest, the Court referred to Sections 73 and 74 dealing with assessments and observed that such recovery can only be initiated once the amount of excess credit has been quantified and determined in an assessment.
- The Hon'ble Court hence is of the considered view that the power to punish set out in Section 132 of the Act would stand triggered only once it is established that an assessee has 'committed' an offence that has to necessarily be post-determination of the demand due from an assessee, that itself has to necessarily follow the process of an assessment.
- The Hon'ble Court directed the respondents to conclude the process of adjudication within a period of twelve weeks from order, after issuing show cause notice to the petitioner setting out the proposals for assessment, affording full opportunity to the petitioner to respond to the same and advance submissions in person, and pass a reasoned and speaking order, in accordance with law.

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**No Input Tax Credit on Motor Vehicles purchased for Rent-a-Cab Service: AAR**

Mohan Ghosh vs. W.B AAR

Case No. – WBAAR 9 if 2019  
Date – 10.06.2019

**Fact of the Case**

- In the present case the applicant is the buyer of motor vehicles for supplying rent a car service.
- The applicant demands ITC as per section 17(5)(a)(B) of the GST Act which allows ITC for purchasing motor vehicles when it is used for supplying passenger transportation service.
- It was contended that Rent-a -Cab is, therefore, essentially associated with the transportation of passengers. GST paid on the purchase of motor vehicles for supplying rent-a-cab service should,

therefore, be admissible in terms of section 17(5)(a)(B) of the GST Act.

- He submits photocopies of a few invoices, showing that the invoices are made on the distance travelled.

### **Decision of the Case**

- The AAR observed that the Act did not allow credit of GST paid on inputs for supply of rent-a-can service, except under certain specific conditions that are not applicable in the applicant's case.
- It rules out credit of input tax paid on purchase of motor vehicles used for supply of rent-a-cab service if the transaction was effected before 11.02.2019.
- It was further observed that the amended provisions of section 17(5)(b)(i) of the GST Act do not contain a reference to the rent-a-cab service. However, post-amendment, the input tax credit shall not be available in respect of the supply of the service of renting or hiring of motor vehicles.
- The nature of the service the Applicant provides is classifiable under SAC 9966 as renting of a motor vehicle. The credit of GST paid on the purchase of motor vehicles or other inputs for the supply of the Applicant's service is not, therefore, admissible in terms of section 17(5)(b)(i) of the GST Act.

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### **Restaurant & sweetshop operated from same premises are not 'Composite Supplies' of restaurant services**

M/s. Kundan Mishthan Bhandar vs. AAR of Uttarakhand

Appeal Nos. UK/GST ARA 02/10 & UK/GST ARA 03/08  
Date – 27.02.2019

### **Fact of the Case**

- M/s. Kundan Mishthan Bhandar is running sweetshop and a restaurant in two distinctly marked separate parts of same premises and also maintaining separate accounts and billings for the two types of business.

- The question was raised whether the supply of pure food items such as sweetmeats, namkeens, cold drinks and other edible items in the sweet shop which is also running a restaurant in the first floor is a transaction of supply of goods or services.
- The another question was also raised what is the nature and tax rate applicable to the items supplied from the ground floor Sweetshop in which restaurant is located at the first floor and whether the applicant is entitled to claim benefit of input tax credit w.r.t snacks, ready to eat items supplied from live counter and takeaway orders of person sitting in the restaurant of sweet shop.

### **Decision of the Case**

- The Hon'ble AAAR, Uttarakhand upholds that when the goods such as sweets, namkeens, cold drinks, and other edible items are supplied to customers in the restaurant as takeaway from the restaurant counter and which are being billed under restaurant sales head should fall under 'composite supply' with restaurant service is the principal supply. Since the supply of food, in this case, is naturally bundled with the restaurant service. The taxability of all such goods supplied to or through the restaurant will be governed by the principal service i.e. restaurant service and GST rate with applicable conditions will also be applicable to all such goods also. Input credit will not be allowed in this case.
- Further, all goods which are supplied to customers through sweetshop counter have no connection with restaurant service. Anyone can come and purchase any item of any quantity from the counter without visiting the restaurant. The billings of such sales are also done separately. These sales do not satisfy the basic requirement of 'composite supply' i.e. 'being naturally bundled and supplied in conjunction with each other'. These sales are completely independent of restaurant activity and will continue even when



the restaurant is closed, either temporarily or permanently. Hence such sales will be treated as a supply of goods with applicable GST rates on the items sold. The input tax credit will be allowed on such supply.

### **DIRECT TAX**

#### **Personal Use' has significant role in granting Depreciation on any Vehicle: ITAT**

Ralhan Construction Company vs. ACIT, New Delhi

Case No. – 3928/del/2018

Date – 09.04.2019

#### **Fact of the Case**

- The assessee engaged in the business of contractor for Mahanagar Telephone Nigam Limited.
- The Assessing Officer noted that the assessee had claimed expenses of Rs. 5,42,015/- and on account of depreciation of Rs. 4,90,928/-.
- The AO for want of logbook made disallowance of 1/5th of the said expenses to prevent the revenue leakage against personal use of vehicle and accordingly made an addition of Rs. 2,06,589/-.
- Further, the AO noticed that the assessee had debited telephone expenses to the extent of Rs.1,35,211/- in the P&L A/c. Since the assessee did not maintain any personal telephone call register for partners/employees, therefore, in order to prevent leakage of Revenue on account of personal use, he disallowed 1/5th of these expenditures, amounting to Rs. 27042/- u/s 37(1).

#### **Decision of the Case**

- The Tribunal observed that the depreciation of Rs. 49093/- is included in it. "The depreciation is fixed expenditure in nature whether it is used exclusively for the business or partially for personal use.
- Thus, the element of some personal use has no role to play while granting depreciation on vehicle.

- Therefore, the assessee deserves deduction of depreciation of Rs. 49,093/- and rest of the addition deserves to be sustained for want of proper verification.
- The Delhi bench of the Income Tax Appellate Tribunal (ITAT) has held that the element of personal use has a significant role to play while granting depreciation on any vehicle under Section 32 of the Income Tax Act, 1961.

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#### **Rent from Sub-Letting of Warehouse is "Other Income": ITAT**

Sushil Tuli vs. Income Tax Officer

Case No. – 553/Lkw/2016

Date – 23.05.2019

#### **Fact of the Case**

- In the present case the assessee is a lessee of a warehouse.
- The assessee claimed that it took a warehouse on lease to sub-let it on a higher rent. While filing the income tax returns for the relevant assessment year, the assessee declared the rental income as "income from other sources.
- The A.O the assessee to explain as to why the above income may not be treated/computed under the head "Income from House Property", as the property was under the assessee's possession since 30/8/2008.

#### **Decision of the Case**

- The Tribunal noted that there are two pre-conditions for charging the income as income from house property under section 22 of the Act.
- Firstly, the assessee must be the owner of the property. Also, the property must not be occupied by the assessee for the purposes of his business or profession. In other words, the property should be a residential property.
- In the present case, neither of the above conditions of section 22 of the Act stands satisfied. The assessee, as discussed, is not the owner of the property in question.
- Secondly, the property is commercial in nature. Therefore, the provisions of section 22 of the Act are not at all applicable.

- Hence, the addition made as ‘income from house property’ is not sustainable. Accordingly, the order under appeal is reversed and the addition is deleted.”

### **Extinguishment of Right in Property would result in Capital Gain: ITAT**

Ashwin S Bhalekar vs. ACIT, Mumbai

Case No. - 6822/Mum/2016  
Date - 21.05.2019

#### **Fact of the Case**

- In the present case the advocate is the assessee who paid advance of Rs. 50,00,000 for allotment of a flat.
- The construction of the building was yet to commence on the date of allotment. Due to various delay in regulatory approvals, the builder could not obtain permission to construct the building up to the 17th floor.
- Under such circumstances, the assessee surrendered the right to receive the flats and the builder cancelled the allotment of the above flats and agreed to pay the compensation for an amount of Rs. 1,10,00,000/- on account of the surrender of such flats.
- The assessee claimed the compensation amount as long term capital gain for extinguishment of assessee’s right in the flat and it was held for more than 3 years.
- The AO has not accepted the claim of the assessee and treated the compensation on surrender of flats amounting to Rs. 1.10 crores as income of the assessee under the head of income from other sources.

#### **Decision of the Case**

- The Tribunal noted that the above-narrated facts are undisputed in relation to capital asset in view of the provisions of section 47 of the Act and falls in the definition of transfer and hence, result in capital gain chargeable under section 45 of the Act.
- It is a fact that assessee held this right for more than 3 years.

- The assessee has made payment of Rs. 1.10 crores on various dates mentioned above and these are eligible for the claim of deduction under section 54 of the Act also.
- The CIT (A) has rightly deleted the addition made by the AO in regard to disallowance of the claim of the assessee disallowing deduction of long term capital gain under section 54 of the Act.

### **Lorry Booking Agent not liable to deduct TDS: ITAT**

Sunil Kumar vs. ITO, New Delhi

Case No. - 956/Del/2016  
Date - 17.05.2019

#### **Fact of the Case**

- The assessee is carrying on the business of transportation under the name and style of M/s Bharat Golden Carrier.
- During the assessment proceedings, the Assessing Officer noted that the assessee debited to its profit and loss a sum of Rs. 2,13,03,542/-towards amount freight paid.
- The assessee claimed that the individual truck was settled from market according to the availability of trucks and requirement of the company at a settled freight and after settlement freight at a time not more than Rs. 20,000 was paid.
- He further stated that trucks are not organized sector, individual truck is arranged and payment of freight is made to him and hence no TDS has been deducted.

#### **Decision of the Case**

- The Tribunal observed that the assessee is nothing but an intermediary between the clients and the vehicle owners/operators and mainly facilitates the contract for carrying goods.
- The Ld. CIT(A) observed that the assessee had incurred only office expenditure and no expenditure relating to transportation of goods



such as loading, unloading charge etc., has been debited.

- The assessee actually engaged himself not in the transportation business, but only facilitating or arranging transportation for various parties and he is a mere lorry booking agent.
- The Delhi ITAT has recently held that a person who is merely a lorry booking agent is not bound to deduct TDS under Section 194C of the Income Tax Act, 1961.

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**Remuneration to Director in proportion to his Experience which has no bearing on his shareholding is not Dividend: ITAT**

M/S BMR Business Solution Pvt. Ltd. vs. DCIT,  
New Delhi

Case No. – 2990 & 2991/DEL/2016  
Date – 10.05.2019

**Fact of the Case**

- The assessee company engaged in the business of Management Consultancy Services.
- The AO observed that assessee company had paid salary and other allowances to its Directors as per the Board Resolutions. It was found that the amount was paid as bonus to the Director who is also a major shareholder of more than 10%.
- The AO further noted that as per provisions of section 36(1)(ii), profit or dividend should not be paid in the form of bonus.
- Accordingly, the AO disallowed Rs. 1,77,79,000/- on account of 'bonus' and added the same to the income of the assessee.

**Decision of the Case**

- The Tribunal noted that there are certain limitations and restrictions in the matter of payment of dividend and discretion of the company either to pay or not to pay dividend cannot be assumed.
- Mr. Sanjoy Mehta, the director of the assessee company having only 11% share of the company. He was paid dividend of Rs. 1.78 crores. So the total

dividend for all shareholders would be amounting Rs. 16.16 crores. But the company was having loss of Rs. 1.17 crores during the year. The accumulated profit of the company was Rs. 6 crores only.

- Assessee further submitted that bonus was a variable remuneration for professional services rendered and amount of bonus was decided by the Board prior to the commencement of the financial year i.e. vide Board Resolution dated 10th March, 2010.
- The tribunal further find that it was actually paid during the year, on 31st August, 2010 and 30th November, 2010 and not post-closing of the year. No bonus / dividend were paid to the remaining major shareholders holding 89% equity.
- The Delhi ITAT, in a significant ruling, held that the remuneration paid to Director of company in commensuration with his experience which has no bearing on his shareholding, cannot be construed as 'dividend' under the Income Tax Act.

# TAX COMPLIANCE CALENDAR AT A GLANCE

## GST CALENDAR

Date	Return Type
20-06-19	<b>GSTR-3B</b> - for the month of May 2019.
20-06-19	<i>GSTR-5 &amp; 5A - to be filed by the Non-Resident taxable person &amp; OIDAR for the month of May 2019.</i>
30-06-19	<i>ITC-04 for July 2017 to March 2019 - for filing the details of goods or capital goods sent to job worker and received back</i>
30-06-19	<i>GSTR-9C – Annual Return for FY 17-18 by registered person whose Annual Turnover for FY 17-18 is above Rs. 2 Cores</i>
30-06-19	<i>GSTR-9A -Annual Return for FY 17-18 For Composition Tax Payer</i>
30-06-19	<b>GSTR 9</b> – Annual Return / Statement for FY 17-18 by all registered persons except Composition Tax Payer

## DIRECT TAX CALENDAR - JUNE, 2019

**07.06.2019**

- Due date for deposit of Tax deducted/collected for the month of May, 2019. However, all sum deducted/collected by an office of the government shall be paid to the credit of the Central Government on the same day where tax is paid without production of an Income-tax Challan

**14.06.2019**

- Due date for issue of TDS Certificate for tax deducted under section 194-IA & section 194-IB in the month of April, 2019

**15.06.2019**

- Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of May, 2019 has been paid without the production of a challan.
- Quarterly TDS certificates (in respect of tax deducted for payments other than salary) for the quarter ending March 31, 2019. However the due date for issuing quarterly TDS certificates has been extended from June 15, 2019 to July 15, 2019 for the deductors of the State of Odhisha vide order F.No. 275/38/2017-It(b), dated 24-5-2019
- First installment of advance tax for the assessment year 2020-21
- Certificate of tax deducted at source to employees in respect of salary paid and tax deducted during Financial Year 2018-19. However, the due date for issuing certificate of tax deducted at source in respect of salary paid and tax deducted has been extended from June 15, 2019 to July 15, 2019 for the deductors of the State of Odhisha vide order F.No. 275/38/2017-It(b), dated 24-5-2019 . Due date for issuing certificate of tax deducted at source in respect of salary paid and tax deducted has been extended from June 15, 2019 to July 10, 2019 vide order F.No. 275/38/2017-It(b), dated 04-06-2019
- Due date for furnishing statement in Form no. 3BB by a stock exchange in respect of transactions in which client codes been modified after registering in the system for the month of May, 2019

**29.06.2019**

- Due date for e-filing of a statement (in Form No. 3CEK) by an eligible investment fund under section 9A in respect of its activities in financial year 2018-19.

**30.06.2019**

- Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA & section 194-IB in the month of May, 2019
- Return in respect of securities transaction tax for the financial year 2018-19
- Quarterly return of non-deduction of tax at source by a banking company from interest on time deposit in respect of the quarter ending March 31, 2019
- Statement to be furnished (in Form No. 64C) by Alternative Investment Fund (AIF) to units holders in respect of income distributed during the previous year 2018-19
- Report by an approved institution/public sector company under Section 35AC(4)/(5) for the year ending March 31, 2019
- Due date for furnishing of statement of income distributed by business trust to its unit holders during the financial year 2018-19. This statement is required to be furnished to the unit holders in form No. 64B
- Quarterly statement of TDS deposited for the quarter ending March 31, 2019 has been extended from May 30, 2019 to June 30, 2019 for the deductors of the State of Odhisha.

Order F.No. 275/38/2017-It(b), dated 24-5-2019

Quarterly statement in Form 24Q of TDS deposited for the quarter ending March 31, 2019 has been extended from May 31, 2019 to June 30, 2019 vide order F.No. 275/38/2017-It(b), dated 04-06-2019

## DIRECT TAX CALENDAR - JULY, 2019

### 07.07.2019

- Due date for deposit of Tax deducted/collected for the month of June, 2019. However, all sum deducted/collected by an office of the government shall be paid to the credit of the Central Government on the same day where tax is paid without production of an Income-tax Challan
- Due date for deposit of TDS for the period April 2019 to June 2019 when Assessing Officer has permitted quarterly deposit of TDS under section 192, 194A, 194D or 194H.

### 10.07.2019

- Due date for issuing quarterly TDS certificates in respect of salary paid and tax deducted has been extended from June 15, 2019 to July 10, 2019 vide order F.No. 275/38/2017-It(b), dated 04-06-2019

### 15.07.2019

- Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of June, 2019 has been paid without the production of a challan
- Due date for issue of TDS Certificate for tax deducted under section 194-IA & section 194-IB in the month of May, 2019
- Quarterly statement in respect of foreign remittances (to be furnished by authorized dealers) in Form No. 15CC for quarter ending June, 2019
- Quarterly statement of TCS deposited for the quarter ending 30 June, 2019
- Upload the declarations received from recipients in Form No. 15G/15H during the quarter ending June, 2019
- Due date for furnishing statement in Form no. 3BB by a stock exchange in respect of transactions in which client codes been modified after registering in the system for the month of June, 2019
- Due date for issuing quarterly TDS certificates and TDS certificate in respect of salary paid and tax deducted has been extended from June 15, 2019 to July 15, 2019 for the deductors of the State of Odhisha vide order F.No. 275/38/2017-It(b), dated 24-5-2019

### 30.07.2019

- Quarterly TCS certificate in respect of tax collected by any person for the quarter ending June 30, 2019
- Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA & section 194-IB for the month of June, 2019

### 31.07.2019

- Quarterly statement of TDS deposited for the quarter ending June 30, 2019
- Annual return of income for the assessment year 2019-20 for all assessee other than (a) corporate-assessee or (b) non-corporate assessee (whose books of account are required to be audited) or (c) working partner of a firm whose accounts are required to be audited or (d) an assessee who is required to furnish a report under section 92E.
- Quarterly return of non-deduction of tax at source by a banking company from interest on time deposit in respect of the quarter ending June 30, 2019
- Statement by scientific research association, university, college or other association or Indian scientific research company as required by rules 5D, 5E and 5F (if due date of submission of return of income is July 31, 2019)
- Application in Form 9A for exercising the option available under Explanation to section 11(1) to apply income of previous year in the next year or in future (if the assessee is required to submit return of income on or before July 31, 2019)
- Statement in Form no. 10 to be furnished to accumulate income for future application under section 10(21) or 11(1) (if the assessee is required to submit return of income on or before July 31, 2019)
- Due date for claiming foreign tax credit, upload statement of foreign income offered for tax for the previous year 2018-19 and of foreign tax deducted or paid on such income in Form no. 67. (If the assessee is required to submit return of income on or before July 31, 2019.)



## NOTES

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## TAXATION COMMITTEE - PLAN OF ACTION

### Proposed Action Plan:

1. Successful conduct of Certificate Course on GST.
2. Publication and Circulation of Tax bulletin (both in electronic and printed formats) for the awareness and knowledge updation of stakeholders, members, traders, Chambers of Commerce, Universities.
3. Publication of Handbooks on Taxation related topics helping stakeholders in their job deliberations.
4. Carry out webinars for the Capacity building of Members - Trainers in the locality to facilitate the traders/ registered dealers.
5. Conducting Seminars and workshops on industry specific issues, in association with the Trade associations/ Traders/ Chamber of commerce in different location on practical issues/aspects associated with GST.
6. Tendering representation to the Government on practical difficulties faced by the stakeholders in Taxation related matters.
7. Updating Government about the steps taken by the Institute in removing the practical difficulties in implementing various Tax Laws including GST.
8. Facilitating general public other than members through GST Help-Desk opened at Head quarter of the Institute and other places of country.
9. Introducing advance level courses for the professionals on GST and Income Tax.
10. Extending Crash Courses on Taxation to Corporates, Universities, Trade Associations etc.

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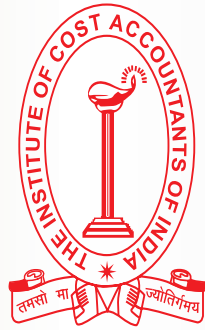
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