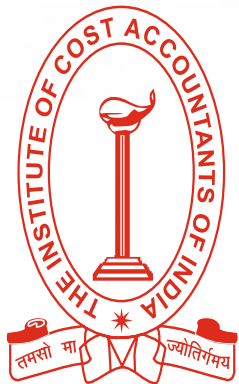


October, 2025

# TAX Bulletin

Volume - 194

17.10.2025



**ICMAI**  
**THE INSTITUTE OF  
COST ACCOUNTANTS OF INDIA**

**भारतीय लागत लेखाकार संस्थान**

**Statutory Body under an Act of Parliament**

**(Under the Jurisdiction of Ministry of Corporate Affairs)**

**Headquarters:** CMA Bhawan, 3, Institutional Area, Lodhi Road, New Delhi - 110003. Ph: 091-11-24666100

**Kolkata Office:** CMA Bhawan, 12, Sudder Street, Kolkata - 700016. Ph: 091-33-2252 1031/34/35/1602/1492



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

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"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."

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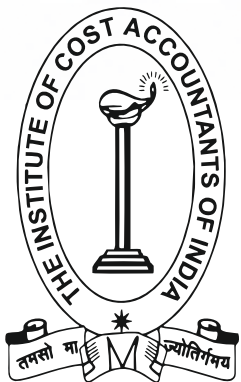
1. Preparation of Suggestions and Analysis of various Tax matters for best Management Practices and for the professional development of the members of the Institute in the field of Taxation.
2. Conducting webinars, seminars and conferences etc. on various taxation related matters as per relevance to 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 and also Crash Courses on GST for Colleges and Universities.

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2. Advanced Certificate Course on GST (ACCGST)
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5. Certificate Course on Filing of Returns (CCFOF)
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Admission Link - <https://eicmai.in/advsc/DelegatesApplicationForm-new.aspx>

### Modalities

Description	Course Name						
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Hours	72	40	30	30	30	30	50
Mode of Class	Offline/ Online	Online					
Course Fee* (₹)	10,000	14,000	12,000	10,000	10,000	12,000	10,000
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Course Fee* (₹)	1,000	1,500
Exam Fee* (₹)	200	500
Duration (Hrs)	32	32

For enquiry about courses, mail at: [trd@icmai.in](mailto:trd@icmai.in)

\*18% GST is applicable on both Course fee and Exam fee

Behind every successful business decision, there is always a **CMA**





# Chairman's Message

**CMA Rajendra Singh Bhati**  
**Chairman Direct Taxation Committee**



In continuation of the Government's commitment to facilitating compliance and easing procedural burdens, several important deadlines for furnishing audit reports, statements, and declarations relating to the previous financial year 2024-25 have been extended to 31st October 2025, as per Circular No. 14/2025. These include reporting obligations under various provisions, covering audited accounts, income statements, alternative tax regimes, capital gains, royalties, and specified domestic and international transactions. The extension provides taxpayers and professionals with additional time to ensure accurate and complete reporting, reflecting the emphasis on professional diligence and robust accounting practices, while supporting transparency and effective governance in the direct taxation framework."

October 2025 carries several important statutory deadlines, including the timely deposit of TDS/TCS, submission of quarterly statements, issuance of certificates, and filing of various regulatory reports with the tax authorities. Stakeholders are advised to ensure compliance with all applicable due dates during the month to avoid any procedural lapses.

The CBDT's order under section 119 of the Income-tax Act, which waives interest on delayed payments

arising due to rectification of rebates under section 87A, demonstrates a judicious approach to mitigating unintentional taxpayer difficulties. The stipulated deadline of 31st December 2025 for availing this relief ensures that taxpayers are protected from undue penalization and promotes trust in the tax administration.

Together, these reforms illustrate a tax administration that is increasingly digital, citizen-focused, and supportive of public-interest institutions. As tax professionals, it is essential that we stay aligned with these evolving developments and continue contributing to a more transparent, technology-driven, and efficient direct tax framework.

And the "Tax Research Department" has commenced work on the Pre-Budget Memorandum (PBM), an important annual exercise of the Institute aimed at contributing to the national policy discourse. Through this initiative, valuable suggestions are being invited from Members, Regional Councils, Chapters, and practicing professionals etc. across the country. The PBM serves as a platform for the Institute to present constructive recommendations to the Government, reflecting the collective expertise and insights of the CMA fraternity on matters of taxation, fiscal policy, and economic development.

**CMA Rajendra Singh Bhati**

Chairman – Direct Taxation Committee

**The Institute of Cost Accountants of India**

17.10.2025



# Chairman's Message

**CMA Dr. Ashish P. Thatte**

**Chairman Indirect Taxation Committee**



To ensure that members remain well-informed about the continuously evolving taxation landscape, a series of focused and knowledge-driven webinars were organized, covering key aspects of the GST framework and their practical significance. The first session, held on 3rd October 2025, titled “Understanding the Critical Aspects of the 56th GST Council Meeting”, was conducted by CMA Rahul A. Chincholkar, offering a comprehensive overview of the Council’s recommendations and their sectoral impact. This was followed by another session on 10th October 2025, “Applicability of CAS 4 on Implementation of GST ‘New Regime 2.0’”, led by CMA Ajay Deep Wadhwa, which provided insights into the application of cost accounting standards within the new GST framework. Both sessions substantially enriched members’ understanding of recent policy developments and their practical implementation in professional practice.

The recent weeks have been marked by significant and progressive reforms in the Customs administration, reaffirming the Government’s commitment to strengthening transparency, operational efficiency, and trade facilitation within the indirect tax ecosystem. These developments highlight CBIC’s continuous pursuit of technology-driven solutions and responsive governance.

One of the most impactful measures announced is the system-based auto-approval for incentive bank account and IFSC code registration across all Customs locations. This initiative represents a major leap forward in reducing administrative delays and enhancing the Ease of Doing Business for exporters. Earlier, exporters were required to obtain approval for the same bank account and IFSC code combination at every port where they transacted—leading to duplication, pendency, and avoidable procedural burdens. With the new system, once an IEC–bank account–IFSC combination is approved at any one port, all subsequent registrations at other ports will be auto-approved by the system, eliminating the need for manual intervention by Port officers. This will not only ensure swifter processing, but also enable

faster and seamless credit of export incentives, thereby substantially improving trade efficiency.

Parallel to these policy improvements, CBIC’s proactive participation in Special Campaign 5.0 demonstrates its dedication to clean governance and administrative optimization. The mid-campaign progress is noteworthy. These actions reflect CBIC’s unwavering commitment to operational productivity, environmental responsibility, and improved workplace experience across its field formations.

Further, the issuance of Circular No. 25/2025-Customs marks an important milestone in the phased implementation of the Sea Cargo Manifest and Transshipment Regulations (SCMTR), 2018. With the Sea Arrival Manifest (SAM), Sea Entry Inward (SEI), and Sea Departure Manifest (SDM) already implemented pan-India, and the Stuffing Message (SF) recently piloted at ICD Tughlakabad and CFS-Sattva, CBIC is steadily moving toward full digitalization of cargo reporting processes. The extension of transitional provisions until 31 December 2025, along with the establishment of a dedicated Task Force and weekly stakeholder outreach programs, demonstrates the Board’s intent to facilitate a seamless and compliant shift to the SCMTR framework for all logistics partners and custodians.

Collectively, these initiatives underscore the significant strides being made in Customs modernization through automation, procedural rationalization, and accountable governance. As these reforms continue to unfold, I encourage all members to remain engaged, familiarize themselves with the evolving regulatory landscape, and support trade stakeholders in aligning with these important procedural advances.

*Ashish Thatte*

**CMA (Dr) Ashish P Thatte**

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17.10.2025

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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](mailto:trd@icmai.in)

[trd.dd2@icmai.in](mailto:trd.dd2@icmai.in)

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# Applicability of GST on Corporate Guarantee



CMA Harish U

Cost Accountant

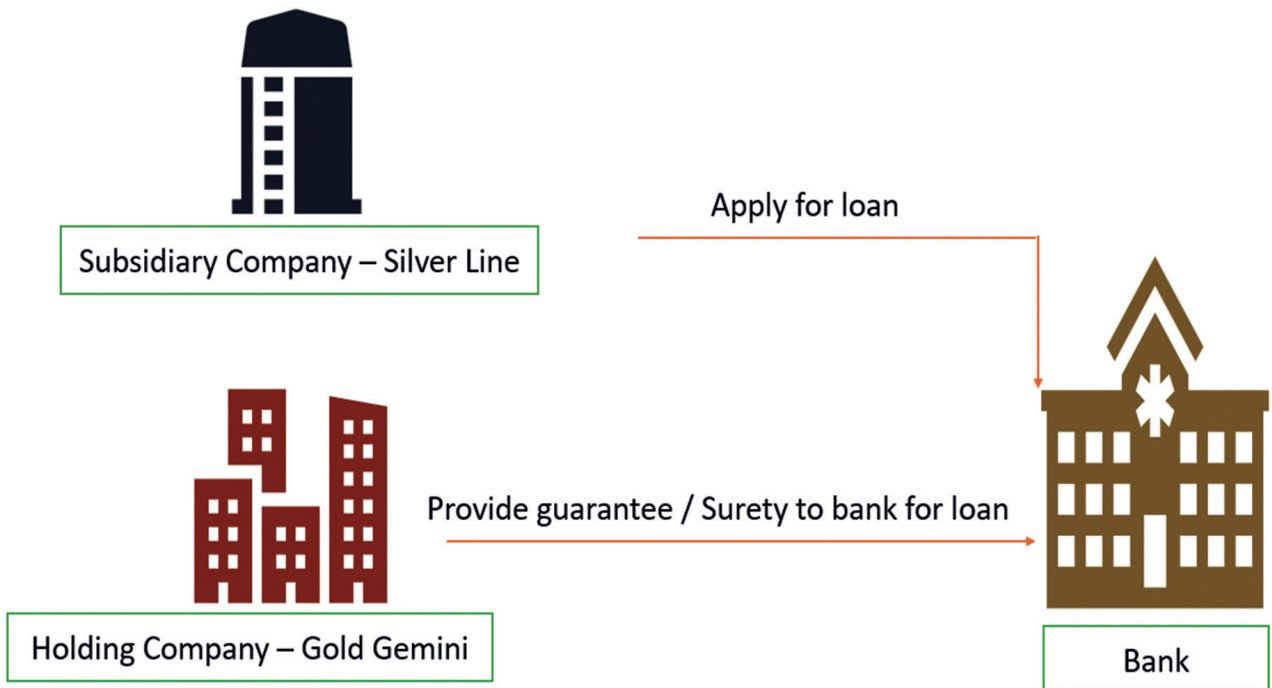
## Corporate Guarantee:

A Corporate Guarantee is a legal agreement among the lender, borrower, and guarantor, which enables the borrower to obtain a loan from the lender. It ensures that the guarantor undertakes the responsibility to repay the loan amount to the lender in case the borrower fails to do so.

## For Instance:

“M/s Gold Gemini Pvt. Ltd.” is the holding company,

and “M/s Silver Line Pvt. Ltd.” is its wholly owned subsidiary. The holding company, “M/s Gold Gemini Pvt. Ltd.,” extends a Corporate Guarantee in favour of the subsidiary company to enable “M/s Silver Line Pvt. Ltd.” to obtain a loan from a bank. Based on this guarantee, the bank sanctions the loan to the subsidiary. In the event of any default or failure by the subsidiary company in repaying the loan, the liability to repay the outstanding amount rests with the holding company, “M/s Gold Gemini Pvt. Ltd.”



## I. Applicability of GST

### (a) Activity of providing corporate guarantee is treated as “Supply” under GST.

As per Schedule I of the CGST Act, 2017, certain activities are treated as “supply” even if made without consideration. This includes:

*“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.”*

Accordingly, the activity of providing a corporate guarantee by one company (guarantor) on behalf of another related company (borrower) is treated as a supply of service under GST, even in the absence of any monetary consideration

#### **Circular no.204/16/2023 dated 27.10.2023**

*“Where the corporate guarantee is provided by a company to the bank/financial institutions for providing credit facilities to the other company, where both the companies are related, the activity is to be treated as a supply of service between related parties as per provisions of Schedule I of CGST Act, even when made without any consideration”*

Further, Related persons are defined u/s 2(84) of the GST Act. Persons shall be deemed to be related if they fall under any of the categories below:

- Officer or director of one business is the officer/ director of another business businesses
- Legally recognized as partners
- An employer and an employee
- Any person who holds at least 25% of shares in another company, either directly or indirectly One of them controls the other directly or indirectly
- They are under common control or management
- The entities together control another entity
- The promoters or managerial persons are members of the same family Sponsored

As per the above-referred provision, the act of providing a corporate guarantee by a guarantor (related party) in favour of a borrower is considered as a “supply of services” under the GST law, even in cases where no consideration is received from the recipient of such services.

### (b) Service of offering corporate guarantee is taxable supply under GST

Supply of service of providing corporate guarantee is covered under the Service Accounting Code 99715 and there is no exemption for the said service.

The applicable GST rate for the said SAC is 18% .

## II. Value of Corporate guarantee

Sl. No	Cases	Valuation
1.	Value of loan availed is less than the value of corporate guarantee provided.	The Value of corporate guarantee provided is considered irrespective of value of utilisation for loan.
2.	In case of takeover of existing loan by another bank or financial institution.	Unless there is an issue of fresh corporate guarantee or renewal, the taken over process will not impact for valuation.
3.	Applicability of RCM for corporate guarantee.	In case of domestic companies issues corporate guarantee – GST to be charged under forward charge basis. If the foreign/overseas entities issue corporate guarantee- GST to be discharged by the Indian recipient under Reverse charge basis.



Sl. No	Cases	Valuation
4.	Cases where corporate guarantee provided by more than one company.	In such case value of corporate guarantee will be considered on proportionate basis of amount guaranteed.

Source: Circular no.225/19/2024 dated 11.07.2024

### III. Taxable value of corporate guarantee

#### (a) Valuation rule before 26.10.2024

**Applicable Rule:** Rule 28 of CGST Rules, 2017

(Clarification – 225/19/2024 dated 11.07.2024)

- (1) The value of the supply of goods or services or both between distinct persons as specified in sub-section (4) and (5) of section 25 or where the supplier and recipient are related, other than where the supply is made through an agent, shall-

- be the open market value of such supply;
- if the open market value is not available, be the value of supply of goods or services of like kind and quality;
- if the value is not determinable under clause (a) or b), be the value as determined by the application of rule 30 or rule 31, in that order:

**Provided** that where the goods are intended for further supply as such by the recipient, the value shall, at the option of the supplier, be an amount equivalent to ninety percent of the price charged for the supply of goods of like kind and quality by the recipient to his customer not being a related person:

**Provided** further that where the recipient is eligible for full input tax credit, the value declared in the invoice shall be deemed to be the open market value of the goods or services.

#### **If invoice is not issued by the supplier of service:**

Clarification as per circular no.199/11/2023 dated 17.07.2023

*"In cases where full input tax credit is available to a BO, the value declared on the invoice by HO to the said BO in respect of a supply of services*

*shall be deemed to be the open market value of such services, irrespective of the fact whether cost of any particular component of such services, like employee cost etc., has been included or not in the value of the services in the invoice.*

*Further, in such cases where full input tax credit is available to the recipient, if HO has not issued a tax invoice to the BO in respect of any particular services being rendered by HO to the said BO, the value of such services may be deemed to be declared as "Nil" by HO to BO, and may be deemed as open market value in terms of second proviso to rule 28 of CGST Rules".*

#### **Conclusion:**

Where a corporate guarantee is provided before 26.10.2024, the value of supply of service shall be the value declared in the invoice, provided that the recipient is eligible to claim full Input Tax Credit (ITC).

If no invoice has been issued, the value of supply shall be treated as "Nil", if the recipient is entitled to claim full ITC, in accordance with Circular No. 199/11/2023-GST dated 17.07.2023.

However, if the recipient of the service is not entitled to full ITC, the value of supply shall be determined as per sub-clauses (a) to (c) of Rule 28(1) of the CGST Rules, 2017,

#### (b) Valuation on or after 26.10.2025

**Applicable Rule:** Rule 28(2) of CGST Rules, 2017

(Clarification – 225/19/2024 dated 11.07.2024)

<sup>1</sup>[(2) Notwithstanding anything contained in sub-rule (1), the value of supply of services by a supplier to a recipient who is a related person <sup>2</sup>[located in India by way of providing corporate guarantee to

any banking company or financial institution on behalf of the said recipient, shall be deemed to be one per cent of the amount of such guarantee offered <sup>2</sup>[per annum], or the actual consideration, whichever is higher.]

<sup>2</sup>[Provided that where the recipient is eligible for full input tax credit, the value declared in the invoice shall be deemed to be the value of said supply of services.]

### **Conclusion:**

Where a corporate guarantee is provided on or after 26.10.2024, the value of supply of service shall be the value declared in the invoice, if the recipient is eligible to claim full Input Tax Credit (ITC).

If no invoice has been issued, the value of supply of service shall be 1% of the value of the corporate guarantee furnished.

If the recipient of the service is not entitled to claim full ITC, the taxable value shall be the actual consideration received for providing the guarantee or 1% of the value of the corporate guarantee, whichever is higher.

### **Advise:**

#### **Corporate guarantee provided before 26.10.2025**

- (a) If invoice is not issued, then the value of supply of service is “Nil” as per circular no.199/11/2023.
- (b) If invoice is issued, then the value declared in the invoice will be the value of supply of services.

**Assumption:** Recipient is entitled to claim full ITC on invoice issued by the supplier.

#### **Corporate guarantee provided on or after 26.10.2025**

- (a) If the consideration is received & invoice is not issued – Issue the invoice for consideration amount and pay GST accordingly
- (b) If the consideration is not received & Invoice is also not issued – Issue the invoice for nominal value and pay GST accordingly
- (c) If invoice is issued, then the value declared in the invoice will be the value of supply of services

**Assumption:** Recipient is entitled to claim full ITC on invoice issued by the supplier.



# Article 13 (3A) of India-Mauritius DTAA: A Brief Discussion



CMA Iyer Parmeswaran Vythilingam

Cost Accountant

## Introduction

Taxpayers try to arrange their affairs in a manner to reduce their tax liability by the use of techniques like Treaty Shopping, Excessive use of debt over equity, Abuse of Transfer Pricing Provisions, Use of Tax Havens etc. All such methods used by taxpayers reduce the Government's revenue collections as a result Government employs various measures to check and control tax avoidance. The method employed by Government to check and control tax avoidance is called "**Anti-Avoidance Measures**".

India is also a signatory to BEPS project and Multilateral Instruments treaty to amend the Tax Treaties as part of its efforts to reduce and check tax Avoidance, similarly India also amended the Income Tax Act, 1961 as an effort to align it with global standards on the basis BEPS project guidelines.

Anti-Avoidance Measures can be broadly classified into:

1. General Anti-Avoidance Rules (GAAR)
2. Specific Anti-Avoidance Rules (SAAR)
3. BEPS Related Measures

## DTAA (Double Taxation Avoidance Agreement)

As per Section 90 of The Income Tax Act, 1961 the Government of India may enter into an agreement with the Government of any country outside India or specified territory outside India

- (a) For the granting of relief in respect of—
- (i) income on which have been paid both income-

tax under this Act and income-tax in that country or specified territory, as the case may be, or

- (ii) income-tax chargeable under this Act and under the corresponding law in force in that country or specified territory, as the case may be, to promote mutual economic relations, trade and investment, or
- (b) For the avoidance of double taxation of income under this Act and under the corresponding law in force in that country or specified territory, as the case may be, without creating opportunities for non-taxation or reduced taxation through tax evasion or avoidance (including through treaty-shopping arrangements aimed at obtaining reliefs provided in the said agreement for the indirect benefit to residents of any other country or territory), or
- (c) For exchange of information for the prevention of evasion or avoidance of income-tax chargeable under this Act or under the corresponding law in force in that country or specified territory, as the case may be, or investigation of cases of such evasion or avoidance, or
- (d) For recovery of income-tax under this Act and under the corresponding law in force in that country or specified territory, as the case may be, and may, by notification in the Official Gazette, make such provisions as may be necessary for implementing the agreement.

## Treaty Shopping

Treaty Shopping is a situation where a third person takes un-intended advantage of treaty; it refers to a case of routing of income earned in a source country to a country of residence through an intermediary country. It involves taking an un-intended benefit of tax treaties of three countries.

## India-Mauritius DTAA

India and Mauritius signed a Double Taxation Avoidance Agreement on 24th August, 1982. The convention entered into force on 1st April, 1983 in case of India and on 1st July, 1983 in case of Mauritius. Mauritius has been the most preferred route for foreign investors to invest in India in 2016-17 36 % of the total FDI inflows into India was routed through Mauritius route.

Article 13(4) of the Indo-Mauritius DTAA (as stood before amendment) was the most beneficial and misused provision of the Tax Treaty by the foreign investors to route investment in India through Mauritius route. As per Article 13(4) of the DTAA capital gain arising on alienation of shares of an Indian Company by a Mauritius resident shall not be taxed in India and shall be taxed in Mauritius. Mauritius did not tax capital gains on shares in its country as a consequence it resulted in **Double Non-taxation** of capital gains on transfers Shares.

On 10th May, 2016 Indian Government entered into a Protocol to amend the Indo-Mauritius DTAA one of the key amendment was giving of taxing right on capital gains arising on sale of shares to India a shift from residency based taxation to source based taxation.

### Article 13(3A):--

Gains from the alienation of shares acquired on or after 1st April 2017 in a company which is resident of a Contracting State may be taxed in that State

### Article 13(3B):-

However, the tax rate on the gains referred to in paragraph 3A of this Article and arising during the period beginning on 1st April, 2017 and ending on

31st March, 2019 shall not exceed 50% of the tax rate applicable on such gains in the State of residence of the company whose shares are being alienated;

## Grandfathering Provisions and Transitional Benefit

The gains arising to Mauritian resident on shares of an Indian company acquired prior to 1st April 2017 shall continue to remain exempt in India regardless of date of sale.

The amended treaty also provides for relaxation in respect of capital gain arising on transfer of shares acquired between 1st April, 2017 to 31st March, 2019 and sold between 31st March which shall be taxed at a concessional rate of 50% of domestic tax rate in India i.e. 7.5%. This benefit however has been made subject to Limitation of Benefit (LOB) article.

The benefit of concessional tax rate shall be available to Mauritius tax residents only if the two conditions are satisfied:

1. If its affairs are not arranged with the primary purpose to take advantage of lower rate of tax.
2. The Mauritius Company is not a shell or a conduit.

The Mauritius company shall not be a shell or a conduit if:

1. It is a listed company or
2. Its operating expenses during immediately preceding previous year is at least Mauritian Rupees 1.5 million or Indian Rupees 2.7 million.

## BEPS and Treaty Amendment

The above purpose test and expenditure test are in lines with BEPS Action Plan-6 Preventing Treaty Abuse and hence is welcome move.



## Indo-Mauritius DTAA and MLI

Although India has notified Mauritius in MLI, Mauritius has not notified India in its MLI as a consequence Indo-Mauritius tax treaty is not a covered tax agreement. MLI shall have an impact only in case of a Covered Tax Agreement. Hence, PPT (Principal Purpose Test) does not have a direct impact on Indo-Mauritius DTAA.

India and Mauritius has recently on 07th March, 2024 signed a Protocol amending the India- Mauritius DTAA which shall align the Indo-Mauritius DTAA with the OECD Proposal on BEPS Minimum Standard and introduce Principal Purpose Test (PPT) (Article 27B – Entitlement to Benefits), the said Protocol shall also amend the Preamble of the India- Mauritius DTAA thereby impacting Treaty-Shopping. The Protocol is yet to come into force and shall be effective once it is notified by both the Countries (Date of Entry into Force of the Protocol)

## Tiger Global International III Holdings v. Authority For Advance Rulings - [2024] (Delhi)

### Brief Facts of the Case

Tiger Global International (Petitioner/Assessee ) is a private company limited by shares incorporated under the laws of the Mauritius and having its principal office in that country. set up with the primary objective of undertaking investment activities with the intention of earning long term capital appreciation and investment income. Tiger Global Management LLC, a company incorporated in terms of the laws of Delaware USA was asserted to be the petitioner's Investment Manager. The indirect shareholders of the petitioner consisted of almost 500 investors residing in as many as 30 jurisdictions spread across the globe. The petitioner has been granted a Category 1 Global Business License<sup>5</sup> and is also a tax resident of Mauritius. Between

October 2011 and April 2015, it acquired the shares of Flipkart Singapore and subsequently on 18 August 2018 transferred its shareholding in the company to Fit Holdings SARL, a Luxembourg entity.

### Authority for Advance Ruling Decision

The Assessee moved the AAR on 19 February 2019 seeking its opinion on the taxability of the transaction in question. The AAR rejected the application of the Assessee concluding that that the entire arrangement made by the Assessee was with an intention to claim benefit under India - Mauritius DTAA, which was not intended by the lawmakers, and such an arrangement was nothing but an arrangement for avoidance of tax in India.

The Conclusion of AAR was based on two Factors:

- (i) **Control and Management:-** Based the various facts referred by the AAR it came to the conclusion that the head and brain of the companies and consequently their control and management was situated not in Mauritius but outside in USA with Mr. Charles P. Coleman, the beneficial owner of the entire group structure ,and further went on to hold that the Petitioner companies were only a see through entity to avail the benefits of India-Mauritius DTAA.
- (ii) **Treaty Eligibility:-** The AAR also held that the Shares transferred in the question was that of a Singapore Company and hence India-Mauritius DTAA have no applicability to the given case. The contention of the Assessee that the that shares of the Singapore Company derived their value substantially from assets located in India and, therefore, it was eligible to take benefit of Article 13 (4) of India - Mauritius Treaty, in this regard The AAR held that Even if the Singapore Company derived its value from the assets located in India, the fact remains that what the Assessee had transferred was shares of Singapore Company and not that of an Indian company. The objective of India-Mauritius DTAA was to allow exemption of capital gains on transfer of shares of Indian company only and any such exemption on transfer of shares of the company not resident in India, was never intended by the legislator. In view of this

clear stipulation in the India-Mauritius DTAA, the Assessee were not entitled to claim benefit of exemption of capital gains on the sale of shares of Singapore Company. Thus, the Assessee have no case on merits and fail on the ground of treaty eligibility as well. The AAR observed that In the absence of any direct investment in India one can only conclude that the arrangement was a pre-ordained transaction which was created for tax avoidance purpose. (Indirect Transfers)

### **Delhi High Court Ruling**

Aggrieved by the decision of the AAR the Assessee appeal against the Order in the Delhi High Court. The High Court overruled the ruling passed by AAR. The High Court held that the conclusion of the AAR that the transaction was aimed at tax avoidance is rendered arbitrary and cannot be sustained and transaction stands duly grandfathered by virtue of Article 13(3A) of the DTAA.

The High Court also held the findings of AAR that the Sale of Shares are not covered by Article 13(3A) of the Indo-Mauritius DTAA as the same would only be applicable to the sale of shares of a company resident in India and holding the treaty benefit shall not be applicable as unsustainable, while ruling so the High Court observed that the said transaction of sale of shares clearly fall within Indirect Transfer with the realm of Section 9 of the Income Tax Act as shares derived their value from underlying assets situate in India.

In its elaborate order the High Court also held that the GAAR provisions under chapter X-A of the Income Tax Act and corresponding rules shall not be applicable to the said transaction, the High Court observed that Domestic tax legislation cannot be interpreted in a manner which brings it in direct conflict with a treaty provision or with an overriding effect over the provisions contained in a DTAA since the same would in effect amount to accepting the right of the Legislature of one of the Contracting States to unilaterally amend or override the provisions of a treaty and would result in the elevation of a domestic subordinate legislation over that of the provisions embodied in a treaty entered into between sovereign nations.

While ruling on the Economic Substance Point the Delhi High Court ruled in favor of the Assessee by holding that “The petitioner (Assessee) is stated to have incurred expenditure amounting to USD 1,063,709 roughly translating to MUR 36,436,182 as against the threshold of MUR 1,500,000 as prescribed in Article 27A of India- Mauritius DTAA (Limitation of Benefit Clause) and additionally had its total liabilities and shareholders’ equity at USD 1,764,819,299 with its net increase in shareholders equity resulting from operations being pegged at USD 267,633,593.” Based on these facts the High Court held that the petitioner (Assessee) cannot be said to be lacking in economic substance.

On the issue of TRC the High Court clearly held that that the issuance of a TRC by the competent authority must be considered to be sacrosanct and due weightage must be accorded to the same the High Court also referred to the ruling of the Punjab and Haryana High Court in **Serco BPO P. Ltd. v. Authority For Advance Ruling and Ors.** **The High Court strongly observed that** the mere fact of an entity being situated in Mauritius cannot result in a default adverse inference or raise a presumption of illegality or of such an entity being a colourable device, nor are Mauritian entities required to satisfy any separate standard of legitimacy or stricter standard of proof.

**On the issue of Treaty Shopping the High Court again took a favorable view to the assessee holding that** treaty shopping in itself cannot be rendered abhorrent unless it was categorically established that the device was incorporated to evade tax and in a manner contrary to the intent of the Contracting States to the treaty. It further held that there cannot be an assumption of treaty shopping and treaty abuse merely because a subsidiary or any related entity is established in a tax friendly jurisdiction. The High Court extensively reference the decisions of the Supreme Court of India in the case of **Azadi Bachao Andolan [2003]** and **Vodafone International Holdings [2012]**, the Delhi Court also referred the decisions rendered by the Foreign Courts in **Cadbury Schweppes and Burlington** while ruling on the issue of the Treaty Shopping. The said ruling also elaborately discussed about the concept of Beneficial Ownership in Tax Treaties.





## Summary

**T**he High Court based on the aforesaid reasons came to the firm conclusion that order passed by AAR is wholly untenable and unsustainable view with respect to the transaction in question and its conclusion that the transaction was aimed at tax avoidance is rendered arbitrary and cannot be sustained. The High Court ruling in favour of the Assessee

entitling them to all consequential reliefs and granting them Treaty Benefits (DTAA). The Hon'ble Supreme Court has vide its Judgement dated 24-01-2025 has stayed the Operation of the Judgement of Hon'ble Delhi High Court, While the matter is currently under consideration by the Hon'ble Supreme Court, the High Court's reasoning provides a thoughtful and balanced approach to treaty interpretation and offers valuable clarity to cross-border investors, tax authorities, and legal practitioners alike.

# PRESS RELEASE

## INDIRECT TAX

### **CBIC introduces system-based auto-approval for IFSC code registration to enhance Ease of Doing Business**

**Posted On: 07 OCT 2025 4:11PM by PIB Delhi**

In another step towards streamlining Customs procedures and enhancing trade facilitation, the Central Board of Indirect Taxes and Customs (CBIC) has introduced system-based auto-approval for IFSC code registration to enhance Ease of Doing Business.

As per the new initiative, the system will automatically approve requests for registration of the same incentive bank account and IFSC code for a particular Importer Exporter Code (IEC) at multiple Customs locations, provided the same combination has already been approved at any one location. Thus, manual intervention by the Port officer will be eliminated, and the system will directly approve such requests.

This initiative is aimed at:

- i. swift processing of bank account and IFSC code approval requests,
- ii. simplifying the registration process at multiple ports,
- iii. ensuring faster and seamless credit of export incentives into exporters' bank accounts.
- iv. enhancing overall trade efficiency.

Exporter gets export-related benefits in bank account declared by the exporter in Customs Automated System. There is already a facility for online registration of Authorised Dealer (AD) Code by the exporter on ICEGATE. Requests for registration of incentive-linked bank accounts and IFSC codes under an Importer Exporter Code (IEC) required approval by Customs officers at each port location. This often resulted in duplication of efforts and pendency of

requests, particularly when the same bank account and IFSC combination is being registered across multiple customs stations.

CBIC remains committed to leveraging technology to simplify procedures, reduce transaction costs, and enhance the ease of doing business for India's trade community with better Customs experience.

### **Central Board of Indirect Taxes and Customs (CBIC) enthusiastically participates during implementation of Special Campaign 5.0**

**Posted On: 17 OCT 2025 7:28PM by PIB Delhi**

The Central Board of Indirect Taxes and Customs (CBIC) is enthusiastically participating in the implementation phase of Special Campaign 5.0 as announced by Govt. of India from 2nd – 31st October, 2025 for cleanliness and disposal of pending matters with a focus on disposal of e-Waste generated as per E-Waste Management Rules 2022 of MoEFCC, space management and enhancing work place experience of Field offices.

As the campaign has reached its halfway, the progress made by formations under CBIC across India is as under:-

- 4014 physical files have been reviewed out of which 2120 files were weeded out as per norms.
- 921 e-files have been reviewed out of which 116 were subsequently closed.
- Cleanliness campaign was conducted at 594 places in and around office premises including public places.
- 4436 Kgs of scrap including e-waste of 2141 kgs has been disposed off during this campaign.

Under the best practices, an additional office space of 8805 square feet was freed up on account of disposal of scrap including e-waste and other non-office scrap.



**- Destruction of NDPS goods** - Around 26 Lakhs cigarette of foreign origin, 219.60 Kgs of NDPS drugs (Heroin, Cocaine, Ganja, Charas, etc), Gutkha/ Pan Masala and e-Cigarettes valued at ₹. 852 Crores approx. were destroyed in a safe and non-hazardous manner at a waste management facility

Extensive efforts are being made to ensure that the field formations under CBIC adhere to the prescribed timelines of the campaign and meet the objectives set during the preparatory phase of the **Special Campaign 5.0**.

## DIRECT TAX

### CBDT actively implements Special Campaign 5.0 for swachhata and administrative efficiency

**Posted On: 17 OCT 2025 7:24PM by PIB Delhi**

The Central Board of Direct Taxes (CBDT) is actively executing Special Campaign 5.0 for Swachhata, focused on enhancing cleanliness in government offices and resolving pending matters. In accordance with DARPG guidelines, the campaign is being enthusiastically implemented by field formations nationwide.

The campaign commenced with a Preparatory Phase (September 15 - 30, 2025) to identify key targets, followed by the Implementation Phase (October 2 - 31, 2025). Income Tax offices across the country have shown strong participation, with ongoing efforts aimed at boosting workplace efficiency, fostering sustainability, and ensuring timely resolution of grievances.

In the first two weeks of the Implementation Phase, the campaign has already delivered notable results:

- Cleanliness drives carried out at more than 700 sites across India.
- Scrap disposal resulted in earnings exceeding ₹. 12,00,000/-.
- Weeding out of about 42000 redundant files.
- Freeing up of space of about 50,000 sq. ft.
- More than 10,000 public grievances resolved during first 2 weeks of campaign.

These results underscore the Department's firm commitment to embedding cleanliness practices, enhancing record management, and advancing

digitization and responsible e-waste disposal. The CBDT Nodal Officer is working in close coordination with regional counterparts to ensure effective implementation, with daily progress updates being uploaded to the SCDPM portal managed by DARPG.

To enhance public engagement, CBDT has made over 300 posts on X (formerly Twitter), highlighting achievements, best practices, and citizen-centric efforts. The campaign is being widely promoted across digital platforms, reinforcing the Department's focus on transparency, participation, and good governance.

During the campaign, the department has taken many initiatives and some of these are:

#### A. Digital File Inventory and Space Optimization in Andhra Pradesh & Telangana

The Office of the Principal Chief Commissioner of Income Tax, Andhra Pradesh & Telangana, launched a QR code—based File Inventory Mobile App to streamline record management. Over 10,000 records were digitized and indexed for instant retrieval. A parallel space optimization effort merged two record rooms into one, freeing 500 sq. ft. by removing redundant storage units. This initiative exemplifies digital innovation, efficient resource use, and improved accessibility.

#### B. 'Prabhat Pheri' in Jaipur Reaffirms Commitment to Swachh Bharat

In order to celebrate Swachh Bharat Diwas, the Income Tax Department, Rajasthan, organized a large-scale 'Prabhat Pheri' in Jaipur. The event witnessed enthusiastic participation from over 500 officers, officials, and citizens, spreading messages of cleanliness and environmental responsibility. The initiative reaffirmed the Department's strong

commitment to the vision of a Swachh Bharat, promoting community participation and collective action for a cleaner, greener India.

promoting the message of waste-to-wealth and sustainable living.

### **C. Zero Waste Event Promoting Sustainable Practices in Delhi**

The Office of the Principal Chief Commissioner of Income Tax, Delhi, organized a zero Waste Event at the C.R. Building to promote sustainable waste management and environmental responsibility. Conducted in collaboration with the Ashoka Institute of Arts, New Delhi, the event featured live demonstrations on transforming discarded materials into functional and artistic products. The initiative encouraged staff participation and reinforced the Department's commitment to a Swachh Bharat and a Zero Waste society.

### **D. 'Waste to Art' Exhibition Showcases Creativity and Sustainability in Shillong**

The Income Tax Department, North Eastern Region, organized a 'Waste to Art' exhibition at Shillong, featuring innovative artworks made from discarded household materials. Used plastic bottles, metal wires, cloth strips, and coconut shells were transformed into striking depictions of Goddess Durga, Lord Ganesha, human figures, and animal replicas. The initiative beautifully blended artistic creativity with environmental consciousness,

### **Cleanliness Drive and Green Initiative at Mahalaxmi Chambers, Mumbai**

As part of Special Campaign 5.0, the Income Tax Department, Mumbai, carried out a cleanliness and beautification drive at Mahalaxmi Chambers, installing a vertical garden and planting trees along the compound wall. The initiative promoted a greener workplace and reinforced the Department's commitment to cleanliness and sustainability.

The Income Tax Department also actively participated in the 'Swachhata Hi Seva' (SHS) campaign during the month of September 2025. Key initiatives included the Swachhata pledge, Sustainable Waste Management, medical camps for Safai Mitras, cleaning up of parks and other public spaces and also actively participating in the nationwide shramdaan - 'Ek Din Ek Ghanta Ek Saath'.

The initiatives undertaken by CBDT under Special Campaign 5.0 reaffirm its commitment to Swachhata, efficiency, and citizen-centric governance. Through innovation, active participation, and sustainable practices, the Department continues to drive the vision of a clean, efficient, and technology-enabled administration, ensuring that the spirit of Swachhata remains a year-round pursuit across all field formations.



# NOTIFICATIONS

## INDIRECT TAX

### Notification No. 40/2025-Customs

New Delhi, the 9th October, 2025

G.S.R...(E).- In the notification of the Government of India, Ministry of Finance (Department of Revenue) No. 37/2025-Customs, dated the 17th September, 2025, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 644(E), dated the 17th September, 2025, at page 4,- in line 31, in column (3), for 'aircrafts, missiles, etc.' read 'aircrafts, etc.'.

## DIRECT TAX

### NOTIFICATION

New Delhi, the 8th October, 2025

S.O. 4584(E).— In exercise of the powers conferred by sub-clause (b) of clause (46A) of section 10 of the Income-tax Act, 1961 (43 of 1961), (hereinafter referred to as "the Income-tax Act"), the Central Government hereby notifies "Jhansi Development Authority (PAN:AAALJ0068K) (hereinafter referred to as "the assessee"), an authority constituted under the Uttar Pradesh Urban Planning and Development Act, 1973 (President's Act No.11 of 1973), for the purposes of the said clause. This notification shall be effective from the assessment year 2025-2026, subject to the condition that the assessee continues to be an authority constituted under the Uttar Pradesh Urban Planning and Development Act, 1973 (President's Act No.11 of 1973), with one or more of the purposes specified in sub-clause (a) of clause (46A) of section 10 of the Income-tax Act.

### NOTIFICATION

New Delhi, the 15th October, 2025

S.O. 4678(E).— In exercise of the powers conferred by sub-clause (b) of clause (46A) of section 10 of the Income-tax Act, 1961 (43 of 1961), (hereinafter referred to as "the Income-tax Act"), the Central Government

hereby notifies "Chennai Metropolitan Water Supply and Sewerage Board" (PAN: AAALM0037B) (hereinafter referred to as "the assessee"), a Board constituted under the Chennai Metropolitan Water Supply and Sewerage Act, 1978 (Tamil Nadu Act 28 of 1978) for the purposes of the said clause.

This notification shall be effective from the assessment year 2024-2025, subject to the condition that the assessee continues to be a Board constituted under the Chennai Metropolitan Water Supply and Sewerage Act, 1978 (Tamil Nadu Act 28 of 1978) with one or more of the purposes specified in sub-clause (a) of clause (46A) of section 10 of the Income-tax Act.

### NOTIFICATION

New Delhi, the 15th October, 2025

S.O. 4679(E).— In exercise of the powers conferred by sub-clause (b) of clause (46A) of section 10 of the Income-tax Act, 1961 (43 of 1961), (hereinafter referred to as "the Income-tax Act"), the Central Government hereby notifies "Rajasthan State Seed and Organic Certification Agency" (PAN: AAAAR4064L) (hereinafter referred to as "the assessee"), an authority constituted under the Seeds Act, 1966 (Act No. 54 of 1966) a Central Act, for the purposes of the said clause. This notification shall be effective from the assessment year 2024-2025, subject to the condition that the assessee continues to be an authority constituted under

the Seeds Act, 1966 (Act No. 54 of 1966) a Central Act, with one or more of the purposes specified in sub-clause (a) of clause (46A) of section 10 of the Income-tax Act.

## NOTIFICATION

**New Delhi, the 15th October, 2025**

S.O. 4680(E).— In exercise of the powers conferred by sub-clause (b) of clause (46A) of section 10 of the Income-tax Act, 1961 (43 of 1961), (hereinafter referred to as “the Income-tax Act”), the Central Government hereby notifies “U.P. Awas Evam Vikas Parishad” (PAN: AAAJU0103A) (hereinafter referred to as “the assessee”), an authority constituted under the Uttar Pradesh Awas Evam Vikas Parishad Adhiniyam, 1965 (U.P. Act No. 1 of 1966), for the purposes of the said clause. This notification shall be effective from the assessment year 2024-2025, subject to the condition that the assessee continues to be an authority constituted the Uttar Pradesh Awas Evam Vikas Parishad Adhiniyam, 1965 (U.P. Act No. 1 of 1966) with one or more of the purposes specified in sub-clause (a) of clause (46A) of section 10 of the Income-tax Act.

## NOTIFICATION

**Dated: 17 Oct. 2025**

Order under clause (iia) of sub-section (1) of section 35 of the Income Tax Act, 1961 read with Rule 5F of the Income Tax Rules 1962

In exercise of the powers conferred by section 35(1)(iia) of the Income Tax Act, 1961, read with Rule 5F of the Income Tax Rules 1962, the Pr. Chief Commissioner

of Income Tax (Exemptions), Delhi hereby accords approval to the company Mis Mazumdar Shaw Medical Foundation, (PAN: AAICM6964A), having registered office at No. 258/A, 8th Floor, A Block, Mazumdar Shaw Medical Centre, NH Health City, Bangalore South, Bommasandra Industrial Estate S.O. Bangalore, Karnataka, India 560099 for ‘Scientific Research’ for the purpose of the clause (iia) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with rule 5F of the Income-tax Rules, 1962.

This Notification shall be applicable for five Assessment years (A Y) from A Y 2025-26 to A Y 2029-30.

## NOTIFICATION

**Dated: 17 Oct. 2025**

Order under clause (iia) of sub-section (1) of section 35 of the Income Tax ACT, 1961 read with Rules 5F of the Income Tax Rules 1962

In exercise of the powers conferred by section 35(1)(iia) of the Income Tax ACT, 1961, read with Rules 5F of the Income Tax Rules 1962, the Pr. Chief Commissioner of Income Tax (Exemptions), Delhi hereby accords approval to the company Mis Institute of Advance Medical Research & Innovations Forum, (PAN: AAFCI5125E), having registered office at Plot No. 299/A, MLA Colony Road No. 12, Hyderabad, Telangana, India 500034 for ‘Scientific Research’ for the purpose of the clause (iia) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with rule 5F of Income-tax Rules, 1962. This Notification shall be applicable for five Assessment years (AY) from A.Y. 2025-26 to A.Y. 2029-30.

# CIRCULARS

## INDIRECT TAX

### **Circular No 24/2025-Customs**

**New Delhi, 7th October, 2025**

**Subject:** Auto-approval of Incentive Bank Account and IFSC Code Registration requests across all customs locations - reg.

Reference is invited to instruction No 25/2023-Customs dated 28.07.2023 which stipulates list of documentary requirement and timeline for approval of AD code and IFSC registration for incentive bank account at the port. It is stated that, with respect to bank account registration for IGST refund /drawback purpose option is available in ICEGATE portal for applying registration of incentive bank account for every port, where exporter intends to transact. Vide the said instruction it directed to put in place a suitable mechanism the application for AD Code/bank account registration dealt on same day when made before 2 PM. In other cases, the application should be disposed before 2PM on next working day.

The Board has examined the IFSC code approval requests at different ports in consultation with the Directorate General of Systems. In order to further streamline the process, it has been decided that the system will automatically approve requests for registration of the same incentive bank account and IFSC code for an Importer Exporter Code (IEC) at different customs locations, provided that the same combination has already been approved at any one customs location.

The existing workflow of submission of requests shall remain unchanged. However, in the above-mentioned cases, the approval will be granted directly by the system, and such requests will not be routed to the Port officer for manual approval. Once approved by the system, the request will continue to flow to PFMS (Public Financial Management System) for validation, as per the existing process.

This initiative is expected to further improve the efficiency of customs procedures and better Customs experience for the trade.

Any difficulties or issues faced in this regard may be brought to the notice of the Board for necessary redressal.

### **Circular No. 25/2025-Customs**

**Dated the 8th October, 2025**

**Subject:** Implementation of the Sea Cargo Manifest and Transshipment Regulations (SCMTR)-reg.

Kind attention is invited towards the Sea Cargo Manifest and Transshipment Regulations (SCMTR), 2018 issued vide Notification No. 38/2018 dated 11n May, 2018 (as amended) and Customs Notification No. 61/2025-Customs (N.T.) dated 30th September, 2025.

The Board has examined the implementation of the Sea Cargo Manifest and Transshipment Regulations (SCMTR) and it has been noted that Sea Arrival Manifest (SAM), Sea Entry Inward (SEI) were implemented PAN India on 16th January, 2025. Sea Departure Manifest (SDM) has been implemented pan India w.e.f. 26th August, 2025. The amendment message of SDM is also live and currently operational. The Stuffing Message (SF), filed by the custodian, has been implemented on a pilot basis at two sites, namely IICD Tughlakabad and CFS-Sattva under Chennai Customs, with effect from 29th September, 2025. Further, DG Systems shall test, and operationalize the remaining all messages under SCMTR by 31st December, 2025.

A Task Force has already been constituted in this regard to closely monitor the implementation of the SCMTR, 2018. Accordingly, any issues faced by stakeholders may be brought to the notice of DG Systems.

In furtherance of facilitation, the transitional provisions for the SCMTR have been extended till 31st December, 2025 vide Notification No. 61/2025-Customs (N.T.) dated 30th September, 2025. During this extended timeline, all stakeholders are required to file correct declarations in the prescribed format electronically. It is expected that SAM and SDM messages will be filed



correctly in terms of Section 30, 41, 53 and 54 of the Customs Act 1962 and SCMTR 2018 in compliance to the legal provisions under the Act.

The Chief Commissioners of Customs, in coordination with the Directorate General of Systems, are requested to conduct weekly outreach programs in their respective zones, to sensitise all the stakeholders appropriately. This

exercise, intends to ensure a smooth implementation of SCMTR 2018.

This Circular may be given wide publicity by issuing suitable Trade Notice/Public Notice. Difficulties, if any, in the implementation of the above Circular may be brought to the notice of the Board.

# JUDGEMENTS

## INDIRECT TAXATION

### HC directs CCTV footage of residential premises to be accessed by Dept. in presence of family member and representative

#### Facts of the Case :

Genesis Enterprises v. Principal Commissioner CGST Delhi East [2025] (Delhi)

A search and seizure operation was conducted by the GST Department at the residential premises of the assessee, its firms, and other entities. Electronic devices, documents, and CCTV footage were seized. Allegations were made that the panchnama for the residential search was improperly recorded and that seizure of CCTV footage violated the assessee's right to privacy.

#### Decision of the Case :

The authority held that the 'reasons to believe' were properly recorded and the proceedings under Section 67 of the CGST Act were not in violation of law. Surprise inspection, search, and seizure were justified to investigate alleged tax evasion. However, any family-related CCTV footage that infringed on privacy could not be accessed or disseminated. Officials were allowed to view footage only in the presence of a family member and an authorized representative, and only relevant data could be copied; the remaining footage had to be returned.

### Increase in quantity or free material under scheme won't satisfy requirement of passing on benefit to consumers after GST reduction: HC

#### Facts of the Case :

Sharma Trading Company vs. Union of India - [2025] (Delhi)

The distributor was a stockist of various products

of Hindustan Unilever Limited (HUL). One of the products was Vaseline VTM 400 ML. It is a matter of common knowledge that the GST Regime came into effect from 01-07-2017. Initially, the GST payable on the product was 28%. However, the rate was reduced to 18% w.e.f. 14-11-2017. A complaint was filed against the distributor, alleging that he continued to charge the same amount despite the reduction in the rate of GST. The matter was referred to the Standing Committee on Anti-Profitteering, which in turn referred the matter to the Director-General of Anti-Profitteering (DGAP) for investigation. DGAP submitted the investigation report to the Authority, wherein it was stated that the distributor had profiteered by not passing on the benefit of reduction in GST rates to the consumers. The Authority directed the distributor to deposit the profiteered amount along with interest in the Consumer Welfare Fund and also ordered to recover the profiteered amount from the recipients of the goods. The distributor filed a writ petition before the Delhi High Court to challenge the said order.

#### Decision of the Case :

The Delhi High Court held that the distributor had increased the base price of the product when the GST rate was reduced from 28% to 18%. Thus, the benefit of reduction in the GST rate was not passed on to the consumers. Such an act of the distributor was against the provisions of Section 171 of the Central Goods and Services Tax Act, 2017. The Court further held that the rationale behind the reduction in GST rates is to ensure that the consumer gets the benefit of the said reduction. A deadline, once fixed by way of notifications, cannot be sought to be violated merely on the ground that some special scheme is being launched or the product is being sought to be given free with some other product or the grammage or the quantity of the product is being increased. The term MRP means 'Maximum Retail Price' and thus sale below the said price is permissible. It is only sale above the said price which is impermissible. But to ensure that the GST benefit is not passed on, increasing the quantity of the



product unknowingly and charging the same MRP is nothing but deception. The consumer's choice is being curtailed. The non-reduction of price cannot be sought to be justified on the ground that the quantity has been increased or that there was some scheme which justifies the increase in price. Such an approach would defeat the entire purpose of reduction of GST rates and the same cannot be permitted.

## **Rejection of appeal filed within extended period as per Notification No. 53/2023 was unsustainable: HC**

### **Facts of the Case :**

Esquire Electronics vs. State of Maharashtra - [2025] (Bombay)

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

The Bombay High Court in the case of Esquire Electronics v. State of Maharashtra has held that the benefit of the extended period of limitation can be granted to the assessee even if the order passed by the proper officer was beyond the date mentioned in the notification if the appeal was filed within the extended period of limitation. The High Court relied on the decisions of the Patna High Court and Orissa High Court in Nexus Motors Pvt. Ltd. and Swati Samantray, wherein it was held that there was no rationale for fixing the date of 31st March 2023 in the notification dated 02nd November 2023. The notification itself was released on 02nd November 2023, and in such circumstances, any order passed at least three months before that date, the time provided for filing an appeal, ought to have been considered for such beneficial treatment.

## **SLP dismissed against HC ruling that writ not maintainable against ITC disallowance as remedy u/s 107 existed**

### **Facts of the Case :**

Krupa Jewellers vs. Assistant Commissioner of State Tax - [2025] (SC)

The petitioner, a registered person under the Gujarat GST Act, challenged an order passed by the jurisdictional

officer under CGST disallowing input tax credit (ITC) on the ground of non-existent suppliers. Upon scrutiny of returns, the revenue authority concluded that ITC had been wrongly availed by reason of fraud, wilful misstatement, or suppression of facts. The petitioner filed a reply enclosing ledger copies, purchase invoices, and proof of payment to suppliers, contending that purchases were made prior to the suo moto cancellation of supplier registrations. It was further submitted that the impugned order violated principles of natural justice, as relevant documents were not furnished, and that the proceeding lacked jurisdiction in absence of fraud or suppression. The petitioner emphasized that the goods purchased were precious metals and that all statutory conditions for availing ITC under section 16 had been satisfied. The High Court had held that the jurisdictional officer had considered the petitioner's reply, including bank records and purchase ledgers, and specifically found that the petitioner failed to establish actual movement of goods, as required under Rule 138 of the CGST Rules. Citing the availability of a statutory appellate remedy, the court declined to entertain the writ petition. The petitioner then filed an SLP before the Supreme Court.

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

The Hon'ble Supreme Court held that it was not inclined to entertain the special leave petition and dismissed it accordingly, while granting liberty to the petitioner to raise all grounds before the appellate authority, which shall adjudicate the matter independently and uninfluenced by the High Court's observations.

## **Detention and penalty unjustified for non-filing of Part-B of e-way bill without intent to evade tax: HC**

### **Facts of the Case :**

Maa Vindhyavasini Tobacco Pvt Ltd vs. State of U.P. - [2025] (Allahabad)

The petitioner in this matter was the assessee whose goods and conveyance were detained on the ground that Part-B of the e-way bill was not generated during transit. The assessee submitted that all other requisite documents, including the tax invoice, L.R., and e-way bill, accompanied the goods, and that non-filing of



Part-B constituted only a technical breach with no intention to evade tax. The legal issue arose whether detention and penalty could be justified solely on account of non-filing of Part-B of the e-way bill when all other statutory requirements were satisfied. The matter was accordingly placed before the High Court.

#### Decision of the Case :

The High Court held that no adverse inference could

be drawn merely from the non-filing of Part-B of the e-way bill when all requisite documents such as the tax invoice, L.R., and e-way bill were available. The Court observed that the detention of goods and conveyance was unjustified and that the penalty imposed could not be sustained. Consequently, the impugned order was quashed, and the amount deposited under protest by the assessee was ordered to be refunded, applying Section 129 of CGST Act/Uttar Pradesh GST Act.

## DIRECT TAXATION

### ED can inspect documents filed before Magistrate by IT Dept. to carry out investigation: HC

#### Facts of the Case :

Amarinder Singh vs. Income-tax Department - [2025] (Punjab & Haryana)

The Director General of Income Tax (Inv.) received information from the competent authority of France that the assessee and his family members were associated with certain foreign entities. The information was in the form of master-sheets and was received in Paris (France) by the Competent French Authority as per the provisions of Article 28 of the Double Taxation Avoidance Convention (DTAC) between India and France.

The said information was placed on record by the Income Tax Department in the criminal proceedings initiated against the assessee. During the pendency of the proceedings, the Enforcement Directorate (ED) moved an application for inspection of the information/documents. The application was allowed by the Magistrate, and the assessee filed a revision to the Sessions Court.

The Sessions Court dismissed the revision petition. Aggrieved by the order, the assessee filed a petition under Section 482 of the Code of Criminal Procedure before the High Court

#### Decision of the Case :

The High Court ruled that the information was protected

under the Agreement for the Avoidance of Double Taxation with France and could not be disclosed to any third person or authority. The information or documents placed on record before the Magistrate by the complainant have been sought by another government Department/E.D. for the purpose of investigation. It is not the case that the information has been demanded for public dissemination; rather, it is intended solely for the purpose of conducting the investigation against the petitioner.

The Government of India has entered into this Agreement with the French Republic, whereunder the information has been handed over to the complainant. In the event that the disclosure of information causes a violation of the Agreement's terms, it is the Department's responsibility to oppose it on that ground, not that of the petitioners. The Department had no objection to sharing the information for investigation, nor can such an objection be raised on its behalf in the light of the law.

### Notice under section 148 sent by speed post without acknowledgment is invalid; presumption of service applies only to registered post: HC

#### Facts of the case:

Mahesh Gautam v. Commissioner of Income-tax - [2025] (Allahabad)

The assessee filed the return of income for the relevant assessment year. The Assessing Officer (AO) issued a notice for the assessment year 2003-04 under section 148 of the Income-tax Act, 1961 (the Act) in response

to the information received from the Central Excise Department. The notice was sent via speed post, but it was returned unserved as the assessee was untraceable. AO proceeded with reassessment proceedings and passed the order under section 147.

The assessee preferred an appeal to CIT(A). The CIT(A) allowed the appeal and held that the reassessment proceedings were invalid in law due to the absence of valid service. Aggrieved by the order, an appeal was filed to the Agra Tribunal. The Tribunal reversed the order of CIT(A) and held that the notice was validly served upon the assessee.

The matter then reached the Allahabad High Court.

### ■ Decision of the Case :

The High Court held that from perusal of section 148, it is clear that notice has to be served on the assessee personally and as per section 282, notice required under the Act, 1961, may be served on a person either by post or as a summons issued by the court under the Code of Civil Procedure, 1908.

The term 'post' has not been defined in the Act or in the Indian Post Office Act, 1898, the Post Office Act, 2023, the Indian Post Office Rules, 1933, the Post Office Rules, 2024, but it has been defined in Section 2(1)(k) of the Post Office Regulation, 2024. As per this definition, any system for collection, dispatching, conveyance and delivery of items by the postal network is 'post'.

In view of the above-mentioned definition of post, registered post or speed post, both come within the definition of post. However, the procedure of sending and serving the summons issued by the court under the Code of Civil Procedure includes not only sending the notice through registered post but also personal service and in the absence thereof, affixing the notice at the house of the assessee. However, if there is no proof of service of notice sent through post to the addressee, then the presumption of service of registered post can be invoked as per Section 27 of the General Clauses Act, 1897.

But for invoking the presumption of service of notice through post upon the addressee, the condition mentioned under Section 27 of the General Clauses Act, 1897 should be fulfilled which requires a proper address, pre-paying and posting by registered post.

Therefore, the legal presumption of service under Section 27 of the General Clauses Act, 1897 and Section 114(f) of the Indian Evidence Act, 1872, can only be applied when notice is sent via registered post, not by speed post. Therefore, for the purpose of deemed service under Section 27 of the General Clauses Act, 1897 for the notice under section 148, speed post cannot be considered equivalent to registered post.

## Transportation of passengers through third-party carriers under code-sharing arrangement is covered under Article 8 of India-US DTAA: ITAT

### ■ Facts of the Case :

Deputy Commissioner Income-tax(International Taxation) v. Delta Air Lines - [2025] (Mumbai - Trib.)

The assessee was a foreign airline and a tax resident of the USA. It was engaged in the business of operating aircraft in international traffic. The assessee had obtained approval from the DGCA to undertake scheduled air services in India on routes specified under the India-US Air Transport Agreement (ATA).

During the relevant assessment year, the assessee earned income from operating aircraft in international traffic through its own aircraft, as well as through a combination of its own aircraft and third-party aircraft. The assessee filed its return of income, reporting income from business operations as nil and interest income.

Assessment for the year under consideration was completed after denying a claim for exemption under Article 8 of the India-USA Double Tax Avoidance Agreement (DTAA) with respect to income from transportation involving third-party carriers, pursuant to the code-sharing arrangement. The matter reached the Mumbai Tribunal.

### ■ Decision of the Case :

The Tribunal held that in the assessee's own case for AY 2018-19, the decision was held in favour of the assessee, whereby it was held that income from transportation of passengers and cargo in international traffic, using third-party airlines either entirely or for a part of the journey under the code-sharing arrangement,



is not taxable in India, as per Article 8 of the India-USA DTAA. In holding so, the Coordinate Bench, inter alia, held that the transportation of passengers and cargo through a third-party carrier falls within the ambit of the word ‘charterer’. The transportation under code-sharing is on a principal-to-principal basis and falls within the ambit of ‘operation of aircraft’ in international traffic.

The decision of the Coordinate Bench in the assessee’s own case for the Assessment Year 2018-19 is squarely applicable to the year under consideration, as there has been no material change in the factual matrix or the applicable law. The revenue brought nothing on record to demonstrate any variation to this effect.

Accordingly, there was no reason to interfere with the findings arrived at by the CIT(A), whereby the entire receipts, including those in relation to transportation undertaken entirely using third-party carriers, were held to be covered under Article 8 for exemption.

Accordingly, the exemption claimed by the assessee under Article 8 of the India-US DTAA in respect of code share revenue was to be allowed.

## **CBDT must extend return filing due date to maintain statutory gap if audit report deadline u/s 44AB is extended: HC**

### **Facts of the Case :**

Income-tax Bar Association vs. Union of India - [2025] (Gujarat)

The Gujarat High Court has directed the CBDT to issue a circular extending the due date for filing income-tax returns to November 30, 2025, for assessee who are required to file audit reports under clause (a) of Explanation 2 to Section 139(1) for Assessment Year 2025-26.

Section 139(1) of the Income Tax Act, 1961, prescribes the due dates for filing the return of income. It provides that—

- (a) The due date shall be 31st October of the assessment year in the case of a company or a person whose accounts are required to be audited under this Act or under any other law; and
- (b) 31st July of the assessment year in the case of any other assessee.

In exercise of its powers under Section 119 of the Act, the CBDT extended the due date for furnishing the tax audit report for assessee referred to in clause (a) of Explanation 2 to Section 139(1) up to 31st October 2025. However, the due date for filing the ITR continued to remain 31st October 2025, thereby eliminating the one-month gap ordinarily prescribed between the two compliances.

As per Explanation (ii) to Section 44AB, the specified date for furnishing the tax audit report must be one month prior to the due date for filing the return of income. The Court observed that the expressions “specified date” under Section 44AB and “due date” under Section 139(1) are inextricably interlinked, forming part of a single statutory scheme. The legislative intent, made explicit by the Finance Act, 2020, is to ensure that the tax audit report precedes the filing of the return by a clear one-month interval.

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

Accordingly, the Court held that the CBDT’s circular extending only the specified date for filing the tax audit report, without a corresponding extension of the ITR due date, is contrary to the provisions of the Act and therefore ultra vires and invalid in law.

## **ITAT rightly refused to admit additional evidence as assessee had declared cash as income in original return: HC**

### **Facts of the Case :**

Shravan Kumar Neela v. Assistant Commissioner of Income-tax - [2025] (Kerala)

The assessee, Shravan Kumar Neela, was one of the three passengers travelling in a private bus. During an operation at the instance of the excise officials at the check post, an amount of ₹. 2.39 crores was seized from the possession of three passengers. Later, two of the passengers submitted letters declaring the entire cash seized from them as their income from other sources for the financial year 2016-17. The returns were also filed accordingly.

However, the assessee submitted additional evidence in the form of financial/bank statements of a partnership firm, as well as the income tax returns of some

family members, to explain the source of the income. Unsatisfied with the explanation, the Assessing Officer (AO) treated the cash seized as unexplained income under section 69A and taxed it accordingly.

On appeal, the CIT(A) confirmed the additions made by the AO. The Tribunal also upheld the order. Aggrieved by the order, the assessee filed an appeal to the Kerala High Court.

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

The High Court held that Rule 29 of the ITAT Rules provides that the Tribunal is required to accept such additional evidence only in a situation where the assessee was prevented from adducing such evidence by the Assessing Authority. In the instant case, the assessee produced additional evidence in the form of affidavits of various persons to explain the source of income.

However, such affidavits were not produced before the CIT(A). The assessee relied solely on certain financial/bank statements of specific partnership businesses and income tax returns of some family members.

Since the assessee has already filed returns declaring the relevant amounts as income from other sources, accepting the assessee's claim at this belated stage of the appeal before the Tribunal would, in effect, amount to revising the voluntarily filed returns, which is not permissible under the statute.

This is all the more so when one of the appellants claims that the cash actually belonged to a person who has never attempted to claim it at the original stage. Accordingly, the High Court held that the additional evidence produced before the Tribunal was the result of an afterthought alone. The Tribunal was justified in refusing to act on the same.





# TAX CALENDAR

## INDIRECT TAX

<b>18th October</b>	CMP – 08 (Jul-Sep'25)
<b>20th October</b>	GSTR-5A (Sept'25)
<b>25th October</b>	GSTR-3B (Sept'25)
	GSTR-3B (Jul-Sep'25)
	ITC-04 (Apr-Sept'25)
<b>28th October</b>	GSTR-11 (Sept'25)

## DIRECT TAX

<b>Due Date</b>	<b>Return</b>
<b>October 30th 2025 -</b>	Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA, 194IB, 194M, 194S in the month of September, 2025
	Quarterly TCS certificate (in respect of tax collected by any person) for the quarter ending September 30, 2025
<b>October 31th 2025 -</b>	Intimation by a designated constituent entity, resident in India, of an international group in Form no. 3CEAB for the accounting year 2024-25
	Quarterly statement of TDS deposited for the quarter ending September, 2025
	Due date for furnishing of Annual audited accounts for each approved programmes under section 35(2AA)
	Quarterly return of non-deduction of tax at source by a banking company from interest on time deposit in respect of the quarter ending September, 2025
	Copies of declaration received in Form No. 60 during April 1, 2025 to September 30, 2025 to the concerned Director/Joint Director
	Due date for filing of return of income for the assessment year 2025-26 if the assessee (not having any international or specified domestic transaction) is (a) corporate-assessee or (b) non-corporate assessee (whose books of account are required to be audited)
	Audit report under section 44AB for the assessment year 2025-26 in the case of an assessee who is also required to submit a report pertaining to international or specified domestic transactions under section 92E
	Report to be furnished in Form 3CEB in respect of international transaction and specified domestic transaction
	Due date for e-filing of report (in Form No. 3CEJ) by an eligible investment fund in respect of arm's length price of the remuneration paid to the fund manager (if the assessee is required to submit return of income on October 31, 2025)

Due Date	Return
	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 October 31, 2025)
	Submit copy of audit of accounts to the Secretary, Department of Scientific and Industrial Research in case company is eligible for weighted deduction under section 35(2AB) [if company does not have any international/specified domestic transaction]
	Intimation in Form 10BBB by a pension fund in respect of each investment made in India for quarter ending September, 2025
	Intimation in Form II by Sovereign Wealth Fund in respect of investment made in India for quarter ending September, 2025
	Furnishing of statement for exercising the option to pay tax at a concessional rate under section 115BBF for income in the nature of royalty arising from patent developed and registered in India (if the assessee is required to submit return of income by October 31, 2025)
	Exercising the option to opt out from the new tax regime under section 115BAC (if assessee is required to submit return of income by October 31, 2025)
	Exercising the option to opt for alternative tax regime under section 115BAD by co-operative society (if assessee is required to submit return of income by October 31, 2025)
	Exercising the option to opt for alternative tax regime under section 115BAE by co-operative society (if assessee is required to submit return of income by October 31, 2025)
	Furnishing of declaration by a taxpayer claiming deduction under section 80GG in respect of the rent paid for residential accommodation (if the assessee is required to submit return of income by October 31, 2025)
	Reporting of details of funds received from eligible persons (either directly or through Alternative Investment Fund) in the previous year 2024-25 (if the assessee is required to submit return of income by October 31, 2025)
	Furnishing of certificate by a resident individual being an author (including a joint author) claiming deduction under section 80QQB in respect of royalty income (if the assessee is required to submit return of income by October 31, 2025)
	Furnishing of certificate by a resident individual being a patentee claiming deduction under section 80RRB in respect of royalty income on patents (if the assessee is required to submit return of income by October 31, 2025)
	Furnishing of audit report along with particulars forming part of its Annexure by electoral trust
	Furnishing of particulars for claiming relief under section 89 (if assessee is required to submit return of income by October 31, 2025)



Due Date	Return
	Furnishing of statement for exercising the option to claim relief under section 89A for income arising from retirement benefit account maintained in a notified country at the time of withdrawal or redemption (if assessee is required to submit return of income by October 31, 2025)
	Furnishing of an annual statement of income exempt under section 10(4D) (if assessee is required to submit return of income by October 31, 2025)
	Furnishing of an annual statement of income taxable at concessional rate under section 115AD (if assessee is required to submit return of income by October 31, 2025)
	Furnishing of annual statement of exempt income under section 10(23FF) by specified fund, being a category-III AIF (if assessee is required to submit return of income by October 31, 2025)
	Exercising the option to opt for alternative tax regime under section 115BA by a domestic company (if due date of submission of return of income is October 31, 2025)
	Exercising the option to opt for alternative tax regime under section 115BAA by a domestic company (if due date of submission of return of income is October 31, 2025)
	Exercising the option to opt for alternative tax regime under section 115BAB(1) by a domestic company (if due date of submission of first return of income is October 31, 2025)
	Furnishing of details of attribution of capital gain taxable under section 45(4) to the capital asset remaining with the firm, AOP or BOI after reconstitution (if the firm, AOP or BOI is required to furnish return of income by October 31, 2025)
	Furnishing of the audit report by a trust or institution registered under section 12AB or approved under Section 10(23C)(iv)/(v)/(vi)/(via)
	Furnishing audit report in Form no. 10B/10BB by a fund or trust or institution or any university or other educational institution or any hospital or other medical institution (extended from 30-09-2025 to 31-10-2025 via Circular No. 14/2025)
	Furnishing audit report in Form 3AC by assessee claiming deduction under section 33AB for the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing audit report in Form 3AD by assessee claiming deduction under section 33ABA for the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing of report of audit of the accounts of an assessee, other than a company or a co-operative society, in Form No. 3AE under section 35D(4) for the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing of statement containing the particulars of expenditures specified under section 35D(2)(a) (if the assessee is required to submit return of income by November 30, 2025)

Due Date	Return
	Furnishing of audit report in Form 3CE under section 44DA by non-resident and foreign company for the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing report relating to computation of capital gains in case of slump sale during the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing of report of a Chartered Accountant in Form No. 10CCF certifying that the amount of deduction has been correctly claimed during the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing report certifying the claim for additional employee cost under section 80JJAA during the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing report under section 115JB for computing the book profits of the company during the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing report under section 115JC for computing Adjusted Total Income and Alternate Minimum Tax of the person other than company during the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing of Audit Report under clause (ii) of section 115VW for the previous year 2024-25 (if the assessee is required to submit return of income on November 30, 2025)
	Furnishing of audit report by the specified fund, being the investment division of an offshore banking unit, for the purpose of exemption under section 10(4D) (if assessee is required to submit return of income by November 30, 2025)
	Furnishing of certificate issued by Chartered Accountant certifying annual statement of exempt income of specified fund, being a category-III AIF, under section 10(23FF) (if assessee is required to submit return of income by November 30, 2025)
	Furnishing of Audit report in Form no. 10B/10BB by a fund or trust or institution or any university or other educational institution or any hospital or other medical institution
	<b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025
	Furnishing audit report in Form 3AC by assessee claiming deduction under section 33AB for the previous year 2024-25 (if the assessee is required to submit return of income on October 31, 2025)
	<b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025



Due Date	Return
	<p>Furnishing audit report in Form 3AD by assessee claiming deduction under section 33ABA for the previous year 2024-25 (if the assessee is required to submit return of income on October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing of report of audit of the accounts of an assessee, other than a company or a co-operative society, in Form No. 3AE under section 35D(4) for the previous year 2024-25 (if the assessee is required to submit return of income on October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing of report of audit of the accounts of an assessee, other than a company or a co-operative society, in Form No. 3AE under section 35E(6) for the previous year 2024-25 (if the assessee is required to submit return of income on October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing of statement containing the particulars of expenditures specified under section 35D(2)(a) (if the assessee is required to submit return of income by October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the statement has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing of audit report in Form 3CE under section 44DA by non-resident and foreign company for the previous year 2024-25 (if the assessee is required to submit return of income on October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing of audit report relating to computation of capital gains in case of slump sale (if the assessee is required to submit return of income on October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>





Due Date	Return
	<p>Furnishing of report in Form No. 10CCF certifying that the amount of deduction under section 80LA has been correctly claimed during the previous year 2024-25 (if the assessee is required to submit return of income on October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing report certifying the claim for additional employee cost under section 80JJAA during the previous year 2024-25 (if the assessee is required to submit return of income on October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing report under section 115JB for computing the book profits of the company during the previous year 2024-25 (if the assessee is required to submit return of income on October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing report under section 115JC for computing Adjusted Total Income and Alternate Minimum Tax of the person other than company during the previous year 2024-25 (if the assessee is required to submit return of income on October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing of Audit Report under clause (ii) of section 115VW for the previous year 2024-25</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>
	<p>Furnishing of audit report by the specified fund, being the investment division of an offshore banking unit, for the purpose of exemption under section 10(4D) (if assessee is required to submit return of income by October 31, 2025)</p> <p><b>Note:</b> The due date for furnishing the report has been extended from 30-09-2025 to 31-10-2025 vide Circular No. 14/2025, dated 25-09-2025</p>

# E-PUBLICATIONS

## Of

### TAX RESEARCH DEPARTMENT

**Guide Book for GST Professionals**

**Handbook for Certification for difference between GSTR-2A & GSTR - 3B**

**Impact of GST on Real Estate**

**Insight into Customs-Procedure & Practice**

**Input Tax Credit and In depth Discussion**

**Taxation on Co-operative Sector**

**Guidance notes on Preparation and Filing of Form GSTR 9 and 9C**

**Guidance Note on Anti Profiteering**

**Handbook on GST on Service Sector**

**Handbook on Works Contract under GST**

**Handbook on Impact of GST on MSME Sector**

**Assessment under the Income Tax Law**

**Impact on GST on Education Sector**

**International Taxation and Transfer Pricing**

**Handbook on E-Way Bill**

**Handbook on Filing of Returns**

**Handbook on Special Economic Zone and Export Oriented Units**

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# TAXATION COMMITTEES - PLAN OF ACTION

## Proposed Action Plan:

1. Successfully conduct all Taxation Courses.
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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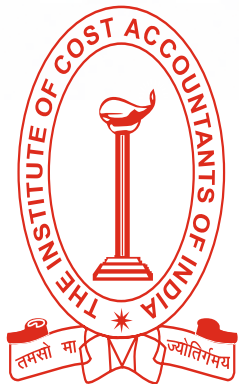
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# ICMAI

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(Under the Jurisdiction of Ministry of Corporate Affairs)

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