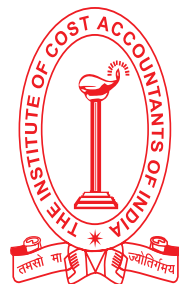




August, 2023

# TAX Bulletin

Volume - 141  
02.08.2023



**THE INSTITUTE OF COST ACCOUNTANTS OF INDIA**

**Statutory Body under an Act of Parliament**

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“

### VISION STATEMENT

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

”

### MISSION STATEMENT

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

## Objectives of Taxation Committees:

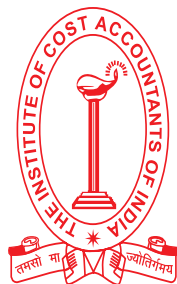
1. Preparation of Suggestions and Analysis of various Tax matters for best Management Practices and for the professional development of the members of the Institute in the field of Taxation.
2. Conducting webinars, seminars and conferences etc. on various taxation related matters as per relevance to 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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## FROM THE TAX RESEARCH DEPARTMENT

### MESSAGE

**T**he exam for all the Taxation Courses is scheduled to be held on 20<sup>th</sup> August, 2023. The students are provided with three consecutive attempts to clear the exam after the completion of the classes. Even non-application / non-appearance to any of the exam term would be counted as an attempt. Around 500 students appear for the exams every time PAN India in a centre based online location setup. Certificates are circulated to the successful candidates scoring 50 marks or more in the examinations. There is no negative marking. The exams mainly consist of MCQs and related case studies are also a part of the exams. We wish all the students good luck for their exams.

GST Course for college and universities special crash courses are also being conducted to introduce the students to the practical aspects of Taxation. These college course are much appreciated by the students and colleges as they get to learn more than their regular academic sessions.

With continuation of the earlier workshop on GST Search Seizer and Inspection, the department has schedule a workshop on "Workshop on 'Addressing the issues on GST return & notices'" to be held from the 17th of this month. The workshop is already gained momentum and is seeking good response from the learners across professions.

**Team - Tax Research Department**

02.08.2023

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

Please send the articles to

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



# Relooking Alternative Tax Regime



**CMA S. Venkanna**  
Practicing Cost Accountant

# T

The Finance Minister in the Budget 2023 revised the tax slabs and rates under the new regime and announced it as the Default Tax Regime for the taxpayers from FY 2023-24 onwards under section 115BAC of the Income Tax Act 1961. This statement is particularly relating to individual tax payers.

However, Alternative Tax Regime is introduced in the country first time for the corporate sector from the assessment year 2017-18 and later for the individuals and HUF from the assessment year 2021-22.

The new regime comes with reduced income tax rates with slab of Rs.2,50,000 upto Rs.15 lakhs. The new tax regime removes rebates, exemptions, and deductions keeping in view the progressive taxation in the country.

An attempt is made here to analyse the implications of new tax regime in the country. In this article, I am trying the analyse the impact of Alternative Tax Regime in respect of Individuals, i.e., personal taxation.

## **The Need for ATR**

The Alternate Tax Regime may be beneficial to those assesses belong to lower income groups without any tax planning for future life.

Since the tax rates are lower as compared to the maximum marginal rate of tax. However, it is true upto a certain level of income category only.

The purpose of alternative tax regime is introduced with an intention to increase the Tax Base under personal taxation.

The tax base in respect of tax revenue from Individuals, is in respect of income under the head salaries. The employees and the work force in the country is the major source of tax revenue under personal taxation.

The work force in the country is around 18% of the world population as per UN. Out of 1.4 billion population in the country. Only 1.5% of our population pays income tax in our country. This is in spite of that the worker population in our country is around 50 to 55% of the total population. But still the tax revenue from the income tax as compared to the total tax revenue is very less.

Any changes in the system of taxation is made keeping in view the tax revenue to the government. The tax revenue to the government depends upon the Tax Base. More the size of the tax base, results in

increased revenue. In respect of individual taxation, major tax base is under salary income. The increased work force in the country should result in increase in income tax revenue but that is not happening and the income tax base remains narrow.

Total number of Income Tax Returns filed upon 31st July 2023 relating to the assessment year 2023-24 is 6.82 crores as per the data published by the income tax department. It is hardly 5% of the total population of the country of 1.40 billion.

### **Impact of ATR**

Provisional figures issued by the Ministry of Finance showed that the net collection for the Financial year 2022-23 are at 16.61 lakh crore rupees, representing an increase of 17.63 percent, as compared to preceding Financial Year 2021-22, which was stood at 14.12 lakh crore rupees.

The gross Personal Income Tax collection for 2022-23 is at 9,60,764 crore rupees and has shown a growth of 24.23 percent over the gross Personal Income Tax collection of 7,73,389 crore rupees of the preceding year.

The above is after introduction of Alternative Tax Regime in non-corporate sector.

However, India's new tax regime has struggled to gain acceptance among taxpayers though it was introduced in the union budget three years ago. On analysis of the Income Tax Returns filed for the assessment year 2023-24, approximately 85% of the tax payers opted and filed the returns under Old Tax Regime.

As a result of most of the exemptions and deductions are taken out in the new tax regime, the scope for investment decreases in the country slowly. When exemptions are removed, the tax-saving investments losing their relevance, the urge to save for the future – even if it is for tax breaks – could go away.

The shift to the new tax regime could spell other potential effects on ground investments – for instance, regarding ELSS funds. The removal of deductions takes away the allure for investments.

The new tax regime does not require any elaborate tax planning and enables easy tax payments. The tax saving investments under Section 80C will lose its importance. There is no need to make any tax planning under the ATR.

- The old regime suits taxpayers in the low and middle-income group, provided the taxpayer makes sufficient tax-saving investments.
- With the application of deductions, the old regime saves substantially on the tax outgo.
- High-income taxpayers with an annual gross income of Rs.15 Lakhs and above gain over the tax outgo, and hence, the new regime appears beneficial.

The introduction of Section 115BAC with reduced tax slabs indicates life without any savings for future. However, without the deductions and exemptions, your tax liability computation is much more easy. On the other hand, low and middle-income taxpayers reap the benefits of old slab rates as they patronize tax savings investment by default.

Currently, as per the provisions, individuals can voluntarily decide which tax regime they would like to avail themselves of. Taxpayers with an annual income between Rs 5 lakh and Rs 10 lakh are taxed at 20 per cent under the old regime, and in the new regime, they are taxed at half that rate, i.e., 10 per cent.

However, deductions under Section 80C and Section 80D of the Income Tax Act make the old tax regime more attractive for many. Some of the issues are discussed that arises under ATR :

#### ◆ **No need to lock in funds in the prescribed instruments for the specified period:**

Under the new regime, the benefit of deduction/allowances would not be the criteria for availing the tax exemption. This may be helpful for those categories of taxpayers who may not subscribe to the specified modes of investments, as most of the investments have a lock-in period, before which it cannot be withdrawn. They can invest in open-ended mutual funds/instruments/deposits, which provides them with good returns as well as the flexibility of withdrawal as well.

#### ◆ **Increased liquidity in the hands of the taxpayer:**

- ➡ The reduced tax rate would provide more disposable income to the taxpayer, who could not invest in specified instruments due to certain financial or other personal reasons.





- ◆ The flexibility of customizing the investments:
  - ➔ The existing tax regime restricts the investment choices for the taxpayer as they have to make the investments only in the instruments specified. However, the new regime provides taxpayers with the flexibility of customizing their investment choices.

### Selection of suitable tax regime:

The selection depends upon on the total taxable income of a tax payer and also whether the tax payer plans savings and claim deductions under Section 80C, 80D, Contribution to New Pension Scheme, HRA exemptions and deduction of interest under section 24 relating to the housing loan and the house is self occupied.

### How to Select the Alternative

The Budget 2023 has made the new tax provision more attractive by extending the deduction of Standard Deduction of Rs.50,000 to the salaried class. Also the benefit of Sec.115BAC has also been extended to AOP.

### Analysis of Old Vs. New Tax Regime

If an assessee has total gross income of Rs.10,00,000 for the financial year 2023-24 (Assessment year 2024-25) allowed standard deduction of Rs.50,000 and deduction under the new tax regime in respect of an Assessee who

is below 60 years

For analysis of deductions that can be allowed under Chapter VIA under old tax regime is assumed as follows:

Deduction	Amount – Rs.
Sec.80C – Specified Savings	1,50,000
Sec.80TTA – Interest on SB Account	10,000
Sec.80D – Medical Insurance Premium	25,000
Sec.80CCD (IB) – Contribution to Pension Scheme	50,000
Total	2,35,000

As per Sec.115BAC the assessee gets standard deduction of Rs.50,000 and the Net Income is Rs.9,50,000 who is an employee. The Tax Liability amounted to Rs.54,600. Under old tax regime, the total total deduction is Rs.2,85,000 and the net income is Rs.7,15,000. The tax liability is Rs.57,720. Tax saving is marginal amounting Rs.3,120. Almost this level seems to be break even both under new and old tax regime.

In respect of assessee who is not employee it makes a difference of Rs.10,000 tax only on account of absence of standard deduction.

Another case of Gross Total Income of Rs.15,00,000 under both the tax regime in respect of Individual assessee is given below:

					New						Old
<b>Gross Total Income</b>					<b>1500000</b>	<b>Gross Total Income</b>					<b>1500000</b>
<b>Less: Standard Deduction (salary income)</b>					<b>50000</b>	<b>Chapter VI A Deductions</b>					<b>285000</b>
<b>Net Income</b>					<b>1450000</b>						<b>1215000</b>
Income		Amount	Rate	Tax	Income	Amount	Rate	Tax			
Upto Rs.3 lakhs		300000	0%	0%	Upto Rs.2.50 lakhs	250000	0%	0%			
Rs.3 lakhs to Rs.6 lakhs		300000	5%	15000	Rs.2.50 lakhs to Rs.5 lakhs	250000	5%	12500			
Rs.6 lakhs to Rs.9 lakhs		300000	10%	30000	Rs.5 lakhs to Rs.10 lakhs	500000	20%	100000			
Rs.9 lakhs to Rs.12 lakhs		300000	15%	45000	Rs.10 lakhs and above	215000	30%	64500			
Td.12 lakhs to Rs.15 lakhs		250000	20%	50000							
		<b>Total</b>		<b>140000</b>			<b>Total</b>				<b>177000</b>
		<b>Add: 4% HEC</b>		<b>5600</b>			<b>Add: 4% HEC</b>				<b>7080</b>
		<b>Total Tax payable</b>		<b>145600</b>			<b>Tax Payable</b>				<b>184080</b>

In this case, there is benefit by opting for new tax regime as there is tax saving of Rs.38,480. But upon considering HRA exemption under old tax regime, the old is beneficial.

However, any increase in come beyond this level, and the tax rate applicable is maximum marginal rate of tax at 30%, and with other deductions, the old tax tax regime is



still attractive. Considering other deductions like interest on Home Loan in respect of self occupied property, a senior citizen claiming interest on deposits under section 80TTB amounting to Rs.50,000, Donations under section 80G. etc., the old tax regime is advantages and one can have better tax planning.

The selection of the provisions depends upon case to case

situations and the tax payer is required to seek the advise for a better tax planning.

To conclude, the tax payer on a majority, patronize old tax regime until such time both the systems are continued to be available. This will also result in the savings economy of the country.





# Press Releases

## Recommendations of 51st meeting of GST Council

GST Council recommends certain amendments in CGST Act 2017 and IGST Act 2017, including amendment in Schedule III of CGST Act, 2017, to provide clarity on taxation of supplies in casinos, horse racing and online gaming

GST Council also recommends inserting a specific provision in IGST Act, 2017 to provide for liability to pay GST on supplier located outside India supplying online money gaming to a person in India

GST Council recommends GST on valuation of supply of online gaming and actionable claims in casinos at entry level

**Posted On: 02 AUG 2023 7:56PM by PIB Delhi**

The 51st GST Council met under the Chairpersonship of Union Minister for Finance & Corporate Affairs Smt. Nirmala Sitharaman via video conferencing in New Delhi today. The meeting was also attended by Union Minister of State for Finance Shri Pankaj Chaudhary besides Finance Ministers of States & UTs (with legislature) and senior officers of the Ministry of Finance & States/ UTs.

The GST Council in the 50th meeting held on 11.07.2023 had deliberated on the Second Report of the Group of Ministers (GoM) on Casinos, Race Courses and Online Gaming and had recommended that the actionable claims supplied in Casinos, Horse racing and Online gaming may be taxed at the rate of 28% on full face value, irrespective of whether the activities are a game of skill or chance. The Council had also recommended that the law may be amended to provide clarity in the matter.

Accordingly, the GST Council in its 51st meeting recommended certain amendments in the CGST Act 2017 and IGST Act 2017, including amendment in Schedule III of CGST Act, 2017, to provide clarity on the taxation of supplies in casinos, horse racing and online gaming. The Council also recommended to insert a specific provision in IGST Act, 2017 to provide for liability to pay GST on the supply of online money gaming by a supplier located outside India to a person in India, for single registration in India for the said supplier through a simplified registration

scheme and also for blocking of access by the public to any information generated, transmitted, received or hosted in any computer resource used for supply of online money gaming by such supplier in case of failure to comply with provisions of registration and payment of tax.

The Council also recommended that valuation of supply of online gaming and actionable claims in casinos may be done based on the amount paid or payable to or deposited with the supplier, by or on behalf of the player (excluding the amount entered into games/ bets out of winnings of previous games/ bets) and not on the total value of each bet placed. The Council recommended that CGST Rules, 2017 may be amended to insert specific provisions for valuation of supply of online gaming and supply of actionable claims in casino accordingly. The Council also recommended issuance of certain notifications/ amendment in notification related to the issue.

It was also decided by the Council that effort will be made to complete the process of making amendments in the Act at the earliest and bring the amendments into effect from 1st October 2023.

**Note:** *The recommendations of the GST Council have been presented in this release containing major item of decisions in simple language for information of the stakeholders. The same would be given effect through the relevant circulars/ notifications/ law amendments which alone shall have the force of law.*

# Direct Tax

## **Hon'ble Union Finance Minister Smt Nirmala Sitharaman presides over the 164th Income Tax Day celebrations at Delhi**

Posted On: 24 JUL 2023 11:15PM by PIB Delhi

The 164th anniversary of Income Tax Day was observed by Central Board of Direct Taxes (CBDT) and all its field offices across India today. The main function was held at the Plenary Hall, Vigyan Bhavan, New Delhi. Union Minister of Finance & Corporate Affairs Smt. Nirmala Sitharaman presided over the event. Union Minister of State (Finance) Shri Pankaj Choudhury also graced the occasion with his presence. Shri Sanjay Malhotra, Secretary, Revenue and Shri Nitin Gupta, Chairman, CBDT, were also present on the occasion apart from other officers and officials of the Department.

In her keynote address, Union Minister of Finance & Corporate Affairs Smt. Nirmala Sitharaman expressed appreciation for the outstanding performance of the CBDT and its field formation in every sphere of work. The Finance Minister also appreciated the Department's continued efforts in implementing the 3 'R's viz. Return processing, Refund issue and Redressal of grievances emphasised by her earlier.

Smt. Sitharaman also appreciated the contribution made by taxpayers, tax practitioners/professionals and stakeholders for having been instrumental in driving India's economic growth and prosperity. The Finance Minister observed that increase in tax collection has been achieved in the recent years without any increase in tax rates. It has been made possible through increase in efficiency of the Department.

Smt. Sitharaman noted that systemic changes in the Direct tax administration like prefilling of forms, instant PAN, faceless assessment have boosted the taxpayer's trust and made compliance easy, leading to growth in revenue. The Finance Minister underlined the various reforms brought in by the Union Government in the Finance Act 2023 to provide relief to salaried class, start-ups, MSME and cooperative societies. Smt. Sitharaman stressed upon the necessity to work on widening the tax base while making the tax administration transparent, objective and taxpayer friendly. The Finance Minister called upon the

officers/officials of the income tax department to work in this Kartavya Kaal towards achieving the goal of making india a developed country by the year 2047.

Union Minister of State (Finance), Shri Pankaj Choudhary, in his address, lauded the Finance Minister for her leadership in the difficult time of Covid, Ukraine Conflict and challenges of supply chain. Shri Choudhary commended the efforts of officers and employees of the Department for working tirelessly to ensure a fair and transparent tax administration. Shri Choudhary noted that faceless regime, as launched by the Prime Minister, has brought about change in the mindset of the people towards the Department. Shri Choudhary lauded the Department's efforts to make compliance easy for the taxpayers by introducing Annual Information Statement (AIS), E-verification, Updated returns and alerting the taxpayers continuously. He observed that the introduction of technology-driven initiatives have simplified and streamlined tax procedures and made them more taxpayer-friendly. He hoped that the simplification of tax processes would continue in future.

Secretary Revenue, Shri Sanjay Malhotra, while extending best wishes to the officers and officials of the Department, expressed appreciation for the Department for robust tax collection increase in tax base and ease of compliance. He further reiterated that the Department should continue to focus on the 3 'I's (Industry, Innovation, Integrity). Citing the example of sportspersons, he underscored the importance of small wins for happiness and urged the Department to continue to progress in that direction. He stressed upon the need to focus more on taxpayer services and increased automation.

Shri Nitin Gupta, Chairman, CBDT, welcomed the dignitaries on behalf of the Income Tax Department. Observing that over the years the focus of the Department has been on enhancing taxpayer services and leveraging technology to ease compliances, he gave an overview of some of the remarkable achievements in the last fiscal, including a growth of 17.6% achieved in net collections and an increase of 6.5% in the number of ITRs filed over the previous year. He noted that the motto of 3 R's - quicker processing of returns, issue of refunds and redressal of grievances - outlined by the Finance Minister during the FM Award Ceremony of 2022 has been the focus of the



Department's functioning. The average processing time for returns is now just 16 days, with more than 42% of ITRs having been processed in 1 day in the last fiscal. Quicker processing has also resulted in quicker issue of refunds, which is reflected in the fact that in the last year refunds issued aggregated to Rs. 3.07 lakh crore, being higher by 37% over the previous year. Extensive efforts have been made on the 3rd R too, as grievances are being redressed expeditiously, with rigorous monitoring as also by using multiple channels for grievance redressals, viz. helpdesks, call centres, social media, Webex etc. He stated that the Department's achievements reflect the collective efforts of its personnel as well as the contribution of the taxpayers, tax professionals and other stakeholders.

As part of the celebrations, several taxpayers from diverse economic and industrial fields were invited, both as a gesture of recognition of the contribution made by them in their respective spheres and as first-hand witnesses to the transformational changes and improvements made in the tax procedures. They shared their experience of dealing with various service touchpoints with the Income Tax Department, the quality of taxpayer services, and the ease of compliance with tax procedures. Among the taxpayers/stakeholders who shared their experience were Shri Mohit Sahney (MD &CEO, Finova Capitals), Shri Aniket Sunil Talati (President, ICAI) and Ms. Supriya Paul (CEO, Josh Talks).

Further, Shri Ravikant, IRS (Retd) 1962 batch, ex-Chairman, CBDT shared his views on the evolution of the Income Tax Department over the years from his wealth of experience of serving in different capacities in the Income Tax Department. He observed that while growth in tax collection can be measured in quantitative terms, the training and technology cannot be measured in quantitative terms and he appreciated the improvement in training and technology in the Department. Among the serving officers/officials, Smt G.G. Kamei, IRS, Ms. Neha D Desai, IRS and Shri Manish Dhama, Inspector of Income tax shared their experience of working in the Department.

The function ended with a vote of thanks proposed by Smt Subashree Anant krishnan, Member, CBDT. She thanked the Union Finance Minister for gracing the occasion and inspiring with her words of wisdom. She also thanked all the other dignitaries present on the occasion.

### **Relief to 137 MSMEs provided under "Vivad Se Vishwas I - Relief to MSMEs" scheme**

Posted On: 25 JUL 2023 5:41PM by PIB Delhi

As on 1st June 2023, relief to 137 Micro, Small and Medium Enterprises (MSMEs) has been provided under the "Vivad Se Vishwas I- Relief to MSMEs" scheme. This was stated by Union Minister of State for Finance Shri Pankaj Chaudhary in a written reply to a question in Rajya Sabha today.

The Minister stated that since the scheme was launched on 17.04.2023, no funds were provided for in the last year.

Giving more information, the Minister stated that claims of 1103 MSMEs were pending under the scheme as on 01.06.2023.

### **New record of over 6.77 crore Income Tax Returns (ITRs) filed till 31st July, 2023; record growth of 16.1% Year-on-Year**

**64.33 lakh ITRs filed on 31st July, 2023**

**53.67 lakh ITRs from first time filers indicates widening of tax base**

**5.63 crore ITRs already e-verified, with more than 3.44 crore (61%) ITRs for AY 2023-24 processed by 31st July, 2023**

Posted On: 01 AUG 2023 8:13PM by PIB Delhi

The Income-tax Department appreciates the taxpayers and tax professionals for making compliances in time, leading to a surge in filing of Income-tax Returns (ITRs), resulting in a new record of ITRs filed. The total number of ITRs for AY 2023-24 filed till 31st July, 2023 are more than 6.77 crore, which is 16.1% more than the total ITRs for AY 2022-23 (5.83 crore) filed till 31st July 2022.

The filing of ITRs peaked on 31st July, 2023 (due date for salaried taxpayers and other non-tax audit cases) with over 64.33 lakh ITRs being filed on a single day i.e. on 31st July, 2023. The e-filing portal also observed its highest per hour rate of 4,96,559 of ITR filing between 5 PM to 6 PM on 31st July, 2023, with highest per second rate of ITR filing of 486 (31-Jul-2023: 16:35:06) and highest per minute rate of ITR filing of 8,622 (31-Jul-2023: 17:54).

The Department also received 53.67 lakh ITRs till 31st July, 2023 from first time filers, a fair indication of widening of tax base.

Campaigns on Social media along with targeted e-mail

and SMS campaigns were launched to encourage the taxpayers to file their ITRs early. Such concerted efforts led to fruitful results with taxpayers filing their ITRs for AY 2023-24 relatively earlier compared to the corresponding period of the preceding year. The following data corroborates the same:

ITR filing milestone	AY 2022-23	AY 2023-24
1 crore	8 <sup>th</sup> July 2022	26 <sup>th</sup> June 2023
2 crore	20 <sup>th</sup> July 2022	11 <sup>th</sup> July 2023
3 crore	25 <sup>th</sup> July 2022	18 <sup>th</sup> July 2023
4 crore	28 <sup>th</sup> July 2022	24 <sup>th</sup> July 2023
5 crore	30 <sup>th</sup> July 2022	27 <sup>th</sup> July 2023
5.83 crore	31 <sup>st</sup> July 2022	30 <sup>th</sup> July 2023
6 crore	---	30 <sup>th</sup> July 2023
6.77 crore	---	31 <sup>st</sup> July 2023

Out of the 6.77 crore ITRs filed for AY 2023-24, 49.18% of ITRs are ITR-1 (3.33 crore), 11.97% are ITR-2 (81.12 lakh), 11.13% are ITR-3 (75.40 lakh), 26.77% are ITR-4 (1.81 crore) and 0.94% are ITR-5 to 7 (6.40 lakh). Over 46% of these ITRs have been filed using the online ITR utility available on the e-filing portal and the balance have been filed using offline ITR utilities.

During the peak filing period, e-filing portal successfully handled huge traffic providing a seamless experience to taxpayers for filing of ITRs. During the period from 1st July, 2023 to 31st July, 2023, there were more than 32 crore successful logins on the e-filing portal. On 31st July, 2023 itself, successful logins stood at 2.74 crore.

It is heartening to note that a large number of taxpayers did their due diligence by comparing data of their financial transactions by viewing their Annual Information Statement (AIS) and Taxpayer Information Summary (TIS). A substantial portion of the data for ITR-1,2,3 and 4 was already prefilled with data pertaining to salary, interest,

dividend, personal information, tax payment including TDS related information, brought forward losses, MAT credit etc to further ease compliance for taxpayers. The taxpayers used this facility extensively, resulting in smoother and faster filing of ITRs.

The process of e-verification through Aadhaar OTP and other methods is important for the Department to commence processing of the ITR and to issue refunds, if any. It is encouraging to note that 5.63 crore returns have been e-verified, out of which more than 5.27 crore are through Aadhaar based OTP (94%). Of the e-verified ITRs, more than 3.44 crore ITRs for AY 2023-24 have been processed (61%) by 31st July, 2023.

Further, a new e-pay tax payment platform TIN 2.0 was made available on the e-filing portal, replacing the earlier Protean (NSDL) based OLTAS payment system. This enabled provision of more user-friendly options for e-payment of taxes and making available more number of options for mode of payments such as Internet Banking, NEFT/RTGS, OTC, Debit Card, payment gateway and UPI. TIN 2.0 platform has enabled real time credit of taxes to taxpayers which made ITR filing easier and faster. Over 1.26 crore challans have been received through TIN 2.0 payment system in the month of July, 2023 itself, while total challans filed through TIN 2.0 since 1st April, 2023 stands at 3.56 crore.

The e-filing Helpdesk team has handled approximately 5 lakh queries from taxpayers in the month of July, 2023 supporting the taxpayers proactively during the peak filing period. The support from the helpdesk was provided to taxpayers through inbound calls, outbound calls, live chats, webex and co-browsing sessions. Helpdesk team also supported resolution of queries received on the Twitter handle of the Department through Online Response Management (ORM), by proactively reaching out to the taxpayers/ stakeholders and assisting them for different issues on near real-time basis.

The Department is thankful for the support in timely compliances and requests all taxpayers to verify their ITRs within 30 days of filing. The Department also urges taxpayers, who for any reason, missed the due date, to complete their filing immediately.





# Indirect Tax

## Monthly average gross GST collection for the FY 2021-22 & FY 2022-23 have shown 30% and 22% year-on-year growth respectively

Posted On: 31 JUL 2023 7:00PM by PIB Delhi

The monthly average gross GST collection for the FYs 2021-22 & 2022-23 have shown 30% and 22% year on year growth respectively. This was stated by Union Minister for State for Finance Shri Pankaj Chudhary in a written reply to a question in Lok Sabha today.

The details of gross Goods and Services Tax collection on supply of goods and services (Domestic + Imports) for the FY 2020-21, 2021-22 & 2022-23 are as under:

FY	Collection	Average monthly collection
2020-21	11,36,805	94,734
2021-22	14,83,291	1,23,608
2022-23	18,07,680	1,50,640

The Minister further stated that GST is paid on self-assessment basis and tax administration at Central and State level is empowered to take action against cases where GST is not paid and short paid. Detection of such cases and recovery of taxes not paid or short paid is a continuous process.

Giving more details, the Minister stated that the Government, on the recommendations of the GST Council, has been bringing several reforms in GST. These measures would improve the GST compliance and increase the GST collection. These inter-alia include: -

- (i) Structural changes like calibration of GST rates for correcting inverted duty structure and pruning of exemptions;
- (ii) Measures for improving tax compliance such as mandating e-way bill, ITC matching, mandating e-invoice, deployment of artificial intelligence and machine-based analytics, aadhaar authentication for registration, calibrated action on non-filers, stop

filers, targeted assessment-based action on risky tax payer, integration of e-way bill with fast tag etc.

- (iii) System based analytical tools and system generated red flag reports are being shared with Central as well as State Tax authorities to take action against tax evaders.

## Roadmap to making India a \$5 trillion economy

Posted On: 01 AUG 2023 5:23PM by PIB Delhi

The Government's roadmap for making India a \$5 trillion economy comprises focussing on growth at the macro level and complementing it with all-inclusive welfare at the micro level, promoting digital economy and fintech, technology-enabled development, energy transition and climate action and relying on a virtuous cycle of investment and growth. The Government's Road Map was put into effect in 2014. This was stated by Union Minister of State for Finance Shri Pankaj Chaudhary in written reply to a question in Rajya Sabha today.

The Minister stated that major reforms including Goods and Services Tax (GST), Insolvency and Bankruptcy Code (IBC), a significant reduction in the corporate tax rate, the Make in India and Start-up India strategies, and Production Linked Incentive Schemes, among others, have been implemented.

Giving out more information, the Minister stated that the Government has also focused on a capex-led growth strategy to support economic growth and attract investment from the private sector, increasing its capital investment outlay substantially during the last three years. Central Government's capital expenditure has increased from 2.15 per cent of GDP in 2020-21 to 2.7 per cent of GDP in 2022-23.

The Minister further stated that the Union Budget 2023-24 has taken further steps to sustain the high growth of India's economy. These include a substantial increase in capital investment outlay for the third year in a row by 33 per cent to ₹10 lakh crore (3.3 per cent of GDP). Direct capital investment by the Centre is also complemented by Grants-in-Aid to States for the creation of capital assets.

The 'Effective Capital Expenditure' of the Centre was accordingly budgeted at 13.7 lakh crore (4.5 per cent of GDP) for 2023-24. This strong push given by the government is also expected to crowd in private investment and propel economic growth, the Minister stated.

**₹ 1,65,105 crore gross GST revenue collected for July 2023; records 11% Year-on-Year growth**

Gross GST collection crosses ₹ 1.6 lakh crore mark for 5th time since inception of GST

Revenues from domestic transactions (including import of services) are 15% higher Year-on-Year

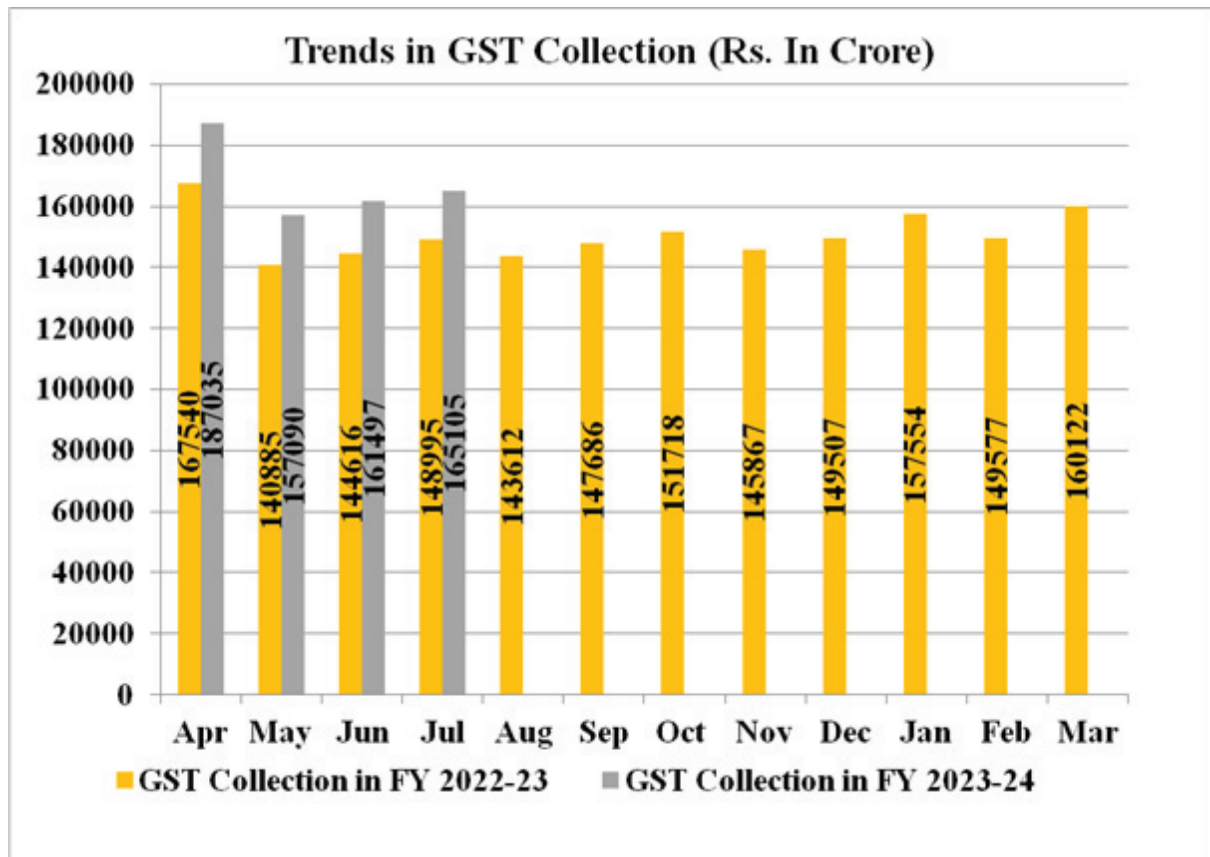
Posted On: 01 AUG 2023 2:08 PM by PIB Delhi

The gross GST revenue collected in the month of July, 2023 is ₹ 1,65,105 crore of which CGST is ₹ 29,773 crore, SGST is ₹ 37,623 crore, IGST is ₹ 85,930 crore (including ₹ 41,239 crore collected on import of goods) and cess is ₹ 11,779 crore (including ₹ 840 crore collected on import of goods).

The government has settled ₹39,785 crore to CGST and ₹33,188 crore to SGST from IGST. The total revenue of Centre and the States in the month of July 2023 after regular settlement is ₹69,558 crore for CGST and ₹ 70,811 crore for the SGST.

The revenues for the month of July 2023 are 11% higher than the GST revenues in the same month last year. During the month, the revenues from domestic transactions (including import of services) are 15% higher than the revenues from these sources during the same month last year. It is for the fifth time, the gross GST collection has crossed ₹ 1.60 lakh crore mark.

The chart below shows trends in monthly gross GST revenues during the current year. The table-1 shows the state-wise figures of GST collected in each State during the month of July 2023 as compared to July 2022 and table-2 shows the SGST and CGST portion of the IGST received/settled to the States/UTs in July'2023.







### State-wise growth of GST Revenues during July 2023<sup>(1)</sup> (Rs. in crore)

State/UT	July'22	July'23	Growth(%)
Jammu and Kashmir	431	549	27
Himachal Pradesh	746	917	23
Punjab	1733	2000	15
Chandigarh	176	217	23
Uttarakhand	1390	1607	16
Haryana	6791	7953	17
Delhi	4327	5405	25
Rajasthan	3671	3988	9
Uttar Pradesh	7074	8802	24
Bihar	1264	1488	18
Sikkim	249	314	26
Arunachal Pradesh	65	74	13
Nagaland	42	43	3
Manipur	45	42	-7
Mizoram	27	39	47
Tripura	63	78	23
Meghalaya	138	175	27
Assam	1040	1183	14
West Bengal	4441	5128	15
Jharkhand	2514	2859	14
Odisha	3652	4245	16
Chhattisgarh	2695	2805	4
Madhya Pradesh	2966	3325	12
Gujarat	9183	9787	7
Daman and Diu	313	354	13
Dadra and Nagar Haveli			
Maharashtra	22129	26064	18
Karnataka	9795	11505	17
Goa	433	528	22
Lakshadweep	2	2	45



State/UT	July'22	July'23	Growth(%)
<b>Kerala</b>	2161	2381	<b>10</b>
<b>Tamil Nadu</b>	8449	10022	<b>19</b>
<b>Puducherry</b>	198	216	<b>9</b>
<b>Andaman and Nicobar Islands</b>	23	31	<b>32</b>
<b>Telangana</b>	4547	4849	<b>7</b>
<b>Andhra Pradesh</b>	3409	3593	<b>5</b>
<b>Ladakh</b>	20	23	<b>13</b>
<b>Other Territory</b>	216	226	<b>4</b>
<b>Center Jurisdiction</b>	162	209	<b>29</b>
Grand Total	<b>106580</b>	<b>123026</b>	<b>15</b>

[1] Does not include GST on import of goods

**Amount of SGST & SGST portion of IGST settled to States/UTs in July'2023 (Rs. in crore)**

State/UT	SGST collection	SGST portion of IGST	Total
<b>Jammu and Kashmir</b>	234	429	663
<b>Himachal Pradesh</b>	233	285	518
<b>Punjab</b>	727	1138	1865
<b>Chandigarh</b>	57	133	190
<b>Uttarakhand</b>	415	210	625
<b>Haryana</b>	1610	1256	2866
<b>Delhi</b>	1221	1606	2827
<b>Rajasthan</b>	1380	1819	3199
<b>Uttar Pradesh</b>	2751	3426	6176
<b>Bihar</b>	718	1469	2187
<b>Sikkim</b>	30	53	83
<b>Arunachal Pradesh</b>	37	113	150
<b>Nagaland</b>	18	70	88
<b>Manipur</b>	23	58	80
<b>Mizoram</b>	22	57	79
<b>Tripura</b>	40	86	125
<b>Meghalaya</b>	50	99	149



State/UT	SGST collection	SGST portion of IGST	Total
Assam	451	696	1146
West Bengal	1953	1531	3483
Jharkhand	721	330	1051
Odisha	1300	416	1716
Chhattisgarh	627	382	1009
Madhya Pradesh	1045	1581	2626
Gujarat	3293	1917	5210
Dadra and Nagar Haveli and Daman and Diu	56	29	85
Maharashtra	7958	4167	12124
Karnataka	3181	2650	5831
Goa	173	146	320
Lakshadweep	2	13	14
Kerala	1093	1441	2534
Tamil Nadu	3300	2119	5419
Puducherry	41	57	99
Andaman and Nicobar Islands	11	25	37
Telangana	1623	1722	3345
Andhra Pradesh	1199	1556	2755
Ladakh	11	47	58
Other Territory	19	55	75
<b>Grand Total</b>	<b>37623</b>		

TB

# NOTIFICATIONS & CIRCULARS

## Indirect Tax

### Notifications

#### Central Tax

#### **Notification No. 26/2023-Central Tax**

**Dated 17th July 2023**

The Central Government Seeks to extend amnesty for  
GSTR-10 non-filers.

S.O.....(E).—In exercise of the powers conferred by section 128 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, the Ministry of Finance (Department of Revenue), No. 08/2023—Central Tax, dated the 31st March, 2023 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 1563(E), dated the 31st March, 2023, namely:

In the said notification, for the words, letter and figure “30th day of June, 2023” the words, letter and figure “31st day of August, 2023” shall be substituted.

2. This notification shall be deemed to have come into force with effect from the 30th day of June, 2023.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009780/ENG/Notifications>

### Notifications

#### Central Tax

#### **Notification No. 25/2023-Central Tax**

**Dated 17th July 2023**

The Central Government Seeks to extend amnesty for  
GSTR-9 non-filers.

G.S.R.....(E).—In exercise of the powers conferred by section 128 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, the Ministry of Finance (Department of Revenue), No. 07/2023—Central Tax,

dated the 31st March, 2023 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 250(E), dated the 31st March, 2023, namely:—

In the said notification, in the proviso, for the words, letter and figure “30th day of June, 2023” the words, letter and figure “31st day of August, 2023” shall be substituted.

2. This notification shall be deemed to have come into force with effect from the 30th day of June, 2023.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009779/ENG/Notifications>

### Notifications

#### Central Tax

#### **Notification No. 24/2023-Central Tax**

**Dated 17th July 2023**

The Central Government Seeks to extend amnesty  
scheme for deemed withdrawal of assessment orders  
issued under Section 62.

G.S.R.....(E). In exercise of the powers conferred by section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, here by makes the following further amendments in the notification of the Government of India, the Ministry of Finance (Department of Revenue), No. 06/2023—Central Tax, dated the 31st March, 2023 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 249(E), dated the 31st March, 2023, namely: —

In the said notification, for the words, letter and figure “30th day of June, 2023” the words, letter and figure “31st day of August, 2023” shall be substituted.

2. This notification shall be deemed to have come into force with effect from the 30th day of June, 2023.

**For more details, please follow,**



<https://taxinformation.cbic.gov.in/view-pdf/1009778/ENG/Notifications>

**Notifications  
Central Tax**

**Notification No. 23/2023-Central Tax  
Dated 17th July 2023**

The Central Government Seeks to extend time limit for application for revocation of cancellation of registration

G.S.R..... (E). —In exercise of the powers conferred by section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, the Ministry of Finance (Department of Revenue), No. 03/2023–Central Tax, dated the 31st March, 2023 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 246(E), dated the 31st March, 2023, namely: —

In the said notification, for the words, letter and figure “30th day of June, 2023” the words, letter and figure “31st day of August, 2023” shall be substituted.

2. This notification shall be deemed to have come into force with effect from the 30th day of June, 2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009777/ENG/Notifications>

**Notifications  
Central Tax**

**Notification No. 22/2023-Central Tax  
Dated 17th July 2023**

The Central Government Seeks to extend amnesty for GSTR-4 non-filers.

G.S.R.....(E).—In exercise of the powers conferred by section 128 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, the Ministry of Finance (Department of Revenue), No. 73/2017–Central Tax, dated the 29th December, 2017 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 1600(E), dated the 29th December, 2017, namely:—

In the said notification, in the seventh proviso, for the words, letter and figure “30th day of June, 2023” the words, letter and figure “31st day of August, 2023” shall be substituted.

2. This notification shall be deemed to have come into force with effect from the 30th day of June, 2023.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009776/ENG/Notifications>

**Notifications  
Central Tax**

**Notification No. 21/2023-Central Tax  
Dated 17th July 2023**

The Central Government Seeks to extend the due date for furnishing FORM GSTR-7 for April, May and June, 2023 for registered persons whose principal place of business is in the State of Manipur

G.S.R.....(E).—In exercise of the powers conferred by sub-section (6) of section 39 read with section 168 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Commissioner hereby makes the following further amendment in notification of the Government of India in the Ministry of Finance (Department of Revenue), No.26/2019 –Central Tax, dated the 28th June, 2019, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R.452(E), dated the 28th June, 2019, namely:—

In the said notification, in the first paragraph, in the fifth proviso: -

for the words, letter and figure “months of April 2023 and May 2023” the words, letter and figure “months of April 2023, May 2023 and June 2023” shall be substituted;

for the words, letters and figure “thirtieth day of June, 2023”, the words, letter and figure “thirty-first day of July, 2023” shall be substituted.

2. This notification shall be deemed to have come into force with effect from the 30th day of June, 2023.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009775/ENG/Notifications>

**Notifications  
Central Tax**

**Notification No. 20/2023-Central Tax  
Dated 17th July 2023**

The Central Government Seeks to extend the due date for furnishing FORM GSTR-3B for quarter ending June, 2023 for registered persons whose principal place of business is in the State of Manipur

G.S.R.....(E).—In exercise of the powers conferred by sub-section (6) of section 39 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Commissioner, on the recommendations of the Council, hereby extends the due date for furnishing the return in FORM GSTR-3B for the quarter ending June, 2023 till the thirty-first day of July, 2023, for the registered persons whose principal place of business is in the State of Manipur and are required to furnish return under proviso to sub-section (1) of section 39 read with clause (ii) of sub-rule (1) of rule 61 of the Central Goods and Services Tax Rules, 2017.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009774/ENG/Notifications>

**Notifications  
Central Tax**

**Notification No. 19/2023-Central Tax  
Dated 17th July 2023**

The Central Government Seeks to extend the due date for furnishing FORM GSTR-3B for April, May and June, 2023 for registered persons whose principal place of business is in the State of Manipur

G.S.R..... (E).—In exercise of the powers conferred by sub-section (6) of section 39 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Commissioner, on the recommendations of the Council, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 12/2023 –Central Tax, dated the 24th May, 2023, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 385(E), dated the 24th May, 2023, namely: —

- (i) for the words, letter and figure “months of April, 2023 and May, 2023” the words, letter and figure “months of April, 2023, May, 2023 and June, 2023”

shall be substituted;

- (ii) for the words, letters and figure “thirtieth day of June, 2023”, the words, letter and figure “thirty-first day of July, 2023” shall be substituted.

2. This notification shall be deemed to have come into force with effect from the 30th day of June, 2023.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009773/ENG/Notification>

**Notifications  
Central Tax**

**Notification No. 18/2023-Central Tax  
Dated 17th July 2023**

The Central Government Seeks to extend the due date for furnishing FORM GSTR-1 for April, May and June, 2023 for registered persons whose principal place of business is in the State of Manipur

G.S.R. ....(E).—In exercise of the powers conferred by the proviso to sub-section (1) of section 37 read with section 168 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Commissioner, on the recommendations of the Council, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 83/2020 –Central Tax, dated the 10th November, 2020, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 699(E), dated the 10th November, 2020, namely: —

In the said notification, in the fourth proviso: -

for the words, letter and figure “tax periods April 2023 and May 2023”, the words, letter and figure “tax periods April 2023, May 2023 and June 2023” shall be substituted;

for the words, letters and figure “thirtieth day of June, 2023”, the words, letter and figure “thirty-first day of July, 2023” shall be substituted.

2. This notification shall be deemed to have come into force with effect from the 30th day of June, 2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009772/ENG/Notifications>





**Notifications**  
**Customs**  
**Notification No. 54/2023-CUSTOMS (N.T)**  
**Dated 20th July 2023**

The Central Government Fixes Exchange rate Notification  
No. 54/2023-Cus (NT) dated 20.07.2023-reg

In exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and in supersession of the Notification No. 50/2023-Customs(N.T.), dated 6th July, 2023 except as respects things done or omitted to be done before such supersession, the Central Board of Indirect Taxes and Customs hereby determines that the rate of exchange of conversion of each of the foreign currencies specified in column (2) of each of Schedule I and Schedule II annexed hereto, into Indian currency or vice versa, shall, with effect from 21st July, 2023, be the rate mentioned against it in the corresponding entry in column (3) thereof, for the purpose of the said section, relating to imported and export goods.

**Schedule I**

Sl. No.	Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees	
		(a)	(b)
1	2	3	
		(For Imported Goods)	(For Export Goods)
1.	Australian Dollar	57.35	54.90
2.	Bahraini Dinar	224.55	211.15
3.	Canadian Dollar	63.50	61.40
4.	Chinese Yuan	11.60	11.30
5.	Danish Kroner	12.55	12.15
6.	EURO	93.75	90.55
7.	Hong Kong Dollar	10.70	10.35
8.	Kuwaiti Dinar	276.40	259.40
9.	New Zealand Dollar	53.10	50.70
10.	Norwegian Kroner	08.35	08.10
11.	Pound Sterling	108.10	104.55
12.	Qatari Riyal	23.25	21.85
13.	Saudi Arabian Riyal	22.60	21.20
14.	Singapore Dollar	63.10	61.10

Sl. No.	Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees	
		(a)	(b)
1	2	3	
15.	South African Rand	04.75	04.45
16.	Swedish Kroner	08.15	07.90
17.	Swiss Franc	97.70	94.00
18.	Turkish Lira	03.15	02.95
19.	UAE Dirham	23.05	21.65
20.	US Dollar	82.95	81.20

**Schedule II**

Sl. No.	Foreign Currency	Rate of exchange of 100 unit of foreign currency equivalent to Indian rupees	
		(a)	(b)
1	2	3	
		(For Imported Goods)	(For Export Goods)
1.	Japanese Yen	59.90	58.00
2.	Korean Won	06.70	06.30

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009781/ENG/Notifications>

**Notifications**  
**Central Tax**  
**Notification No. 6/2023-Central Tax (Rate)**  
**Dated 26th July 2023**

The Central Government Seeks to amend notification No. 11/2017- Central Tax (Rate) so as to notify change in GST with regards to services as recommended by GST Council in its 50th meeting held on 11.07.2023.

G.S.R.....(E).- In exercise of the powers conferred by sub-section (1), sub-section (3) and sub-section (4) of section 9, sub-section (1) of section 11, sub-section (5) of section 15, sub-section (1) of section 16 and section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, hereby makes the following further amendments



in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 11/2017-Central Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 690(E), dated the 28th June, 2017, namely:

In the said notification, -

(A) in the Table,

- (i) against serial number 3, in column (3), in item (ie), following explanation shall be inserted, namely: -

“Explanation. –This item refers to sub-items of the item (iv), (v) and (vi), against serial number 3 of the Table as they existed in the notification prior to their omission vide notification No. 03/2022-Central Tax (Rate) dated the 13th July,2022.”;

- (ii) against serial number 9, in column (3), in item (iii), in sub-item (b), in the entries under column (5), in condition (2), -

(a)for the words, figures and letters “on or before the 15th March of the preceding Financial Year”, the words, figures and letters “on or after the 1st January of the preceding Financial Year but not later than 31st March of the preceding Financial Year” shall be substituted;

(b)after the fourth proviso, the following proviso shall be inserted, namely: -

“Provided also that the option exercised by GTA to itself pay GST on the services supplied by it during a Financial Year shall be deemed to have been exercised for the next and future financial years unless the GTA files a declaration in Annexure VI to revert under reverse charge mechanism on or after the 1st January of the preceding Financial Year but not later than 31st March of the preceding Financial Year.”; (iii) against serial number 24, in column (3), in item (i), in the Explanation, in clause(i) , sub-clause(h) shall be omitted

2.This shall come into force from 27th July 2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009783/ENG/Notifications>

## Notifications

### Central Tax

#### Notification No. 7/2023-Central Tax (Rate) Dated 26th July 2023

The Central Government Seeks to amend notification No. 12/2017- Central Tax (Rate) so as to notify change in GST with regards to services as recommended by GST Council in its 50th meeting held on 11.07.2023.

G.S.R. ----(E). -In exercise of the powers conferred by sub-sections (3) and (4) of section 9, sub-section (1) of section 11, sub-section (5) of section 15 and section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, hereby makes the following amendment further to amend the notification of the Government of India, Ministry of Finance (Department of Revenue), No.12/2017-Central Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 691(E), dated the 28th June, 2017, namely:— In the said notification, in the Table, against serial number 19C, for the entry in column (3), the following entry shall be substituted.

(3)
“Satellite launch services.”

2. This notification shall come into force with effect from 27th July,2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009784/ENG/Notifications>

## Notifications

### Central Tax

#### Notification No. 8/2023-Central Tax (Rate) Dated 26th July 2023

The Central Government Seeks to amend notification No. 13/2017- Central Tax (Rate) so as to notify change in GST with regards to services as recommended by GST Council in its 50th meeting held on 11.07.2023.

GSR.....(E).-In exercise of the powers conferred by sub-section (3) of section 9 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, in the Ministry of Finance





(Department of Revenue), No.13/2017-Central Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 692(E), dated the 28th June, 2017, namely: -

In the notification, in Annexure III, for the words and figures “during the Financial Year \_\_\_\_ under forward charge”, the words and figures “from the Financial Year \_\_\_\_ under forward charge and have not reverted to reverse charge mechanism” shall be substituted.

2. This notification shall come into force with effect from 27th July, 2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009785/ENG/NotificationsNotifications>

**Central Tax  
Notification No. 9/2023-Central Tax (Rate)  
Dated 26th July 2023**

The Central Government Seeks to amend No. 01/2017-Central Tax (Rate) to implement the decisions of 50th GST Council.

G.S.R.....(E).-In exercise of the powers conferred by sub-section (1) of section 9 and sub-section (5) of section 15 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.1/2017-Central Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 673(E), dated the 28th June, 2017, namely: -

In the said notification, -

A.in Schedule I –2.5%,

(i) after S. No. 99A and entries relating thereto, the following S. No. and entries shall be inserted, namely

(1)	(2)	(3)
“99B	1905	Un-fried or un-cooked snack pellets, by whatever name called, manufactured through process of extrusion”

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009786/ENG/Notifications>

**Notifications**

**Central Tax**

**Notification No. 10/2023-Central Tax (Rate)  
Dated 26th July 2023**

The Central Government Seeks to amend No. 26/2018-Central Tax (Rate) to implement the decisions of 50th GST Council.

G.S.R.(E).-In exercise of the powers conferred by sub-section (1) of section 11 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, on being satisfied that it is necessary in public interest so to do, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.26/2018-Central Tax (Rate), dated the 31st December, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 1263 (E), dated the 31st December, 2018, namely: -

In the said notification, -

(A)in the opening paragraph, for the phrase “paragraph 4.41”, the phrase “paragraph 4.40”, shall be substituted;

(B)in the Explanation, -

(i) for clause (a), the following clause shall be substituted, namely: —

“(a) “Foreign Trade Policy” means the Foreign Trade Policy, 2023, notified by the Government of India in the Ministry of Commerce and Industry vide notification No. 1/2023 dated the 31st March, 2023, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section (ii) vide S.O. 1565 (E). dated the 31st March, 2023;

”(ii)for clause (b), the following clause shall be substituted, namely: —

“(b) “Handbook of Procedures” means the Handbook of Procedure, notified by the Government of India in the Ministry of Commerce and Industry vide Public Notice No. 01/2023 dated the 1st April, 2023, Extraordinary, Part-I, Section 1 vide F. No. 01/75/171/00016/AM-23/FTP Cell dated the 1st April, 2023;”



2.This notification shall come in to force on the 27th July, 2023.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009787/ENG/Notification>

**Notifications  
Central Tax**

**Notification No. 7/2023 - Integrated Tax (Rate)  
Dated 26th July 2023**

The Central Government Seeks to amend notification No. 09/2017- Integrated Tax (Rate) so as to notify change in GST with regards to services as recommended by GST Council in its 50th meeting held on 11.07.2023.

G.S.R.....(E).-In exercise of the powers conferred by sub-section (3) and sub-section (4) of section 5, subsection (1) of section 6 and clause (xxv) of section 20 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), read with sub-section (5) of section 15 and section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, hereby makes the following further amendment in the notification of the Government of India, Ministry of Finance (Department of Revenue) No.9/2017-Integrated Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3,Sub-section (i) vide number G.S.R. 684 (E), dated the 28th June, 2017, namely:

In the said notification, in the Table, against serial number 20C, for the entry in column (3), the following entry shall be substituted.

(3)
"Satellite launch services."

2. This notification shall come into force with effect from 27th July,2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009789/ENG/Notifications>

**Notifications  
Central Tax**

**Notification No. 8/2023-Integrated Tax (Rate)**

**Dated 26th July 2023**

The Central Government Seeks to amend notification No. 10/2017- Integrated Tax (Rate) so as to notify change in GST with regards to services as recommended by GST Council in its 50th meeting held on 11.07.2023.

GSR.....(E).-In exercise of the powers conferred by sub-section (3) of section 5 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No.10/2017-Integrated Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 685(E), dated the 28th June, 2017, namely:

In the notification, in Annexure III, for the words and figures “during the Financial Year \_\_\_\_ under forward charge”, the words and figures “from the Financial Year \_\_\_\_under forward charge and have not reverted to reverse charge mechanism” shall be substituted.

2. This notification shall come into force with effect from 27th July,2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009790/ENG/Notifications>

**Notifications  
Central Tax**

**Notification No. 9/2023 - Integrated Tax (Rate)  
Dated 26th July 2023**

The Central Government Seeks to amend No. 01/2017- Integrated Tax (Rate) to implement the decisions of 50th GST Council.

G.S.R. (E).-In exercise of the powers conferred by sub-section (1) of section 5 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017) read with sub-section (5) of section 15 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.1/2017-Integrated Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide



number G.S.R. 666(E), dated the 28th June, 2017, namely

In the said notification, -

A.in Schedule I –5%,

(i) after S. No. 99A and entries relating thereto, the following S. No. and entries shall be inserted, namely

(1)	(2)	(3)
“99B	1905	Un-fried or un-cooked snack pellets, by whatever name called, manufactured through process of extrusion”

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009791/ENG/Notifications>

### Notifications

#### Central Tax

#### **Notification No. 10/2023-Integrated Tax (Rate) Dated 26th July 2023**

The Central Government Seeks to amend No. 27/2018-Integrated Tax(Rate) to implement the decisions of 50th GST Council.

G.S.R.(E).-In exercise of the powers conferred by sub-section (1) of section 6 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), the Central Government, on the recommendations of the Council, on being satisfied that it is necessary in public interest so to do, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.27/2018-Integrated Tax (Rate), dated the 31st December, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 1266 (E), dated the 31st December, 2018, namely:

In the said notification, -

(A) in the opening paragraph, for the phrase “paragraph 4.41”, the phrase “paragraph 4.40”, shall be substituted;

(B) in the Explanation, -

(i) for clause (a), the following clause shall be substituted, namely: —

“(a) “Foreign Trade Policy” means the Foreign Trade Policy, 2023, notified by the Government of India in the Ministry of Commerce and Industry vide notification No. 1/2023 dated the 31st March, 2023, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section (ii) vide S.O. 1565 (E). dated the 31st March, 2023;

“(ii) for clause (b), the following clause shall be substituted, namely: —

“(b) “Handbook of Procedures” means the Handbook of Procedure, notified by the Government of India in the Ministry of Commerce and Industry vide Public Notice No. 01/2023 dated the 1st April, 2023, Extraordinary, Part-I, Section 1 vide F. No. 01/75/171/00016/AM-23/FTP Cell dated the 1st April, 2023;”

2. This notification shall come in to force on the 27th July, 2023.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009792/ENG/Notifications>

### Notifications

#### Central Tax

#### **Notification No. 6/2023-Union Territory Tax (Rate) Dated 26th July 2023**

The Central Government Seeks to amend notification No. 11/2017- Union Territory Tax (Rate) so as to notify change in GST with regards to services as recommended by GST Council in its 50th meeting held on 11.07.2023.

G.S.R.....(E).-In exercise of the powers conferred by sub-sections (1), (3) and (4) of section 7, sub-section (1) of section 8, clause (iv), clause (v) and clause (xxvii) of section 21 of the Union Territory Goods and Services Tax Act, 2017 (14 of 2017), read with sub-section (5) of section 15, sub-section (1) of section 16 and section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, and on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No.11/2017-Union Territory Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 702(E), dated the 28th June, 2017, namely:-



In the said notification, -

(A) in the Table,

- (i) against serial number 3, in column (3), in item (ie), following explanation shall be inserted, namely: -

“Explanation. –This item refers to sub-items of the item (iv), (v) and (vi), against serial number 3 of the Table as they existed in the notification prior to their omission vide notification No. 03/2022-Central Tax (Rate) dated the 13th July,2022.”;

- (ii) against serial number 9, in column (3), in item (iii), in sub-item (b), in the entries under column (5), in condition (2), -
  - (a) for the words, figures and letters “on or before the 15th March of the preceding Financial Year”, the words, figures and letters “on or after the 1st January of the preceding Financial Year but not later than 31st March of the preceding Financial Year” shall be substituted;

- (b) after the fourth proviso, the following proviso shall be inserted, namely: -

“Provided also that the option exercised by GTA to itself pay GST on the services supplied by it during a Financial Year shall be deemed to have been exercised for the next and future financial years unless the GTA files a declaration in Annexure VI to revert under reverse charge mechanism on or after the 1st January of the preceding Financial Year but not later than 31st March of the preceding Financial Year.”; (iii) against serial number 24, in column (3), in item (i), in the Explanation, in clause(i) , sub-clause(h) shall be omitted

2.This shall come into force from 27th July 2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009793/ENG/NotificationsNotifications>

**Central Tax**

**Notification No. 7/2023- Union Territory Tax (Rate) Dated 26th July 2023**

The Central Government Seeks to amend notification No. 12/2017- Union Territory Tax (Rate) so as to notify change in GST with regards to services as recommended by GST Council in its 50th meeting held on 11.07.2023.

G.S.R.....(E).-In exercise of the powers conferred by sub-sections (3) and (4) of section 7, sub-section (1) of section 8 and clause (iv) and clause (xxvii) of section 21 of the Union territory Goods and Services Tax Act, 2017 (14 of 2017), read with sub-section (5) of section 15 and section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on being satisfied that it is necessary in the public interest so to do, on the recommendations of the Council, hereby makes the following amendment further to amend the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No.12/2017-Union Territory Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 703 (E), dated the 28th June, 2017, namely:

In the said notification, in the Table, against serial number 19C, for the entry in column (3), the following entry shall be substituted.

(3)
“Satellite launch services.”

2. This notification shall come into force with effect from 27th July,2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009794/ENG/NotificationsNotifications>

**Central Tax**

**Notification No. 8/2023- Union Territory Tax (Rate)**

**Dated 26th July 2023**

The Central Government Seeks to amend notification No. 13/2017- Union Territory Tax (Rate)so as to notify change in GST with regards to services as recommended by GST Council in its 50th meeting held on 11.07.2023.

GSR.....(E).-In exercise of the powers conferred by sub-section (3) of section 7 of the Union Territory Goods and Services Tax Act, 2017 (14 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), No.13/2017-Union Territory Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 704(E), dated the 28th June, 2017,



namely: -

In the notification, in Annexure III, for the words and figures “during the Financial Year \_\_\_ under forward charge”, the words and figures “from the Financial Year \_\_\_ under forward charge and have not reverted to reverse charge mechanism” shall be substituted.

2. This notification shall come into force with effect from 27th July, 2023.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009795/ENG/NotificationsNotifications>

**Central Tax  
Notification No. 9/2023- Union Territory Tax  
(Rate)  
Dated 26th July 2023**

The Central Government Seeks to amend No. 01/2017- Union Territory Tax (Rate) to implement the decisions of 50th GST Council.

G.S.R. (E).-In exercise of the powers conferred by sub-section (1) of section 7 of the Union Territory Goods and Services Tax Act, 2017 (14 of 2017) read with sub-section (5) of section 15 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.1/2017-Union Territory Tax (Rate), dated the 28th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 710(E), dated the 28th June, 2017, namely

In the said notification, -

A.in Schedule I –2.5%,

(i) after S. No. 99A and entries relating thereto, the following S. No. and entries shall be inserted, namely

(1)	(2)	(3)
“99B	1905	Un-fried or un-cooked snack pellets, by whatever name called, manufactured through process of extrusion”

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009796/ENG/NotificationsNotifications>

**Central Tax  
Notification No. 10/2023-Union Territory Tax  
(Rate)  
Dated 26th July 2023**

The Central Government Seeks to amend No. 26/2018- Union Territory Tax (Rate) to implement the decisions of 50th GST Council.

G.S.R.(E).-In exercise of the powers conferred by sub-section (1) of section 8 of the Union Territory Goods and Services Tax Act, 2017 (14 of 2017), the Central Government, on the recommendations of the Council, on being satisfied that it is necessary in public interest so to do, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No.26/2018-Union Territory Tax (Rate), dated the 31st December, 2018, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 1269 (E), dated the 31st December, 2018, namely:

In the said notification, -

(A)in the opening paragraph, for the phrase “paragraph 4.41”, the phrase “paragraph 4.40”, shall be substituted;

(B)in the Explanation, -

(i) for clause (a), the following clause shall be substituted, namely: —

“(a) “Foreign Trade Policy” means the Foreign Trade Policy, 2023, notified by the Government of India in the Ministry of Commerce and Industry vide notification No. 1/2023 dated the 31st March, 2023, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section (ii) vide S.O. 1565 (E). dated the 31st March, 2023;

“(ii)for clause (b), the following clause shall be substituted, namely: —

“(b) “Handbook of Procedures” means the Handbook of Procedure, notified by the Government of India in the Ministry of Commerce and Industry vide Public



Notice No. 01/2023 dated the 1st April, 2023, Extraordinary, Part-I, Section 1 vide F. No. 01/75/171/00016/AM-23/FTP Cell dated the 1st April, 2023;”

2.This notification shall come in to force on the 27th July, 2023.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009797/ENG/Notifications>

**Notifications  
Customs**

**Notification No. 56/2023-CUSTOMS (N.T)  
Dated 31st July, 2023.**

The Central Government fixes of Tariff Value of Edible Oils, Brass Scrap, Areca Nut, Gold and Silver- Reg.

S.O. ... (E).– In exercise of the powers conferred by sub-section (2) of section 14 of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes & Customs, being satisfied that it is necessary and expedient to do so, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 36/2001-Customs (N.T.), dated the 3rd August, 2001, published in the Gazette of India, Extraordinary, Part-II, Section-3, Sub-section (ii), vide number S. O. 748 (E), dated the 3rd August, 2001, namely: -

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

**TABLE - I**

Sl. No.	Chapter/head- ing/ sub-head- ing/tariff item	Description of goods	Tariff value (US \$Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	896
2	1511 90 10	RBD Palm Oil	925
3	1511 90 90	Others – Palm Oil	911
4	1511 10 00	Crude Palmolein	936
5	1511 90 20	RBD Palmolein	939
6	1511 90 90	Others – Pal- molein	938
7	1507 10 00	Crude Soya bean Oil	1014

Sl. No.	Chapter/head- ing/ sub-head- ing/tariff item	Description of goods	Tariff value (US \$Per Metric Tonne)
8	7404 00 22	Brass Scrap (all grades)	4886

2. This notification shall come into force with effect from the 01st August 2023.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009801/ENG/Notifications>

**Notifications  
Central Tax**

**Notification No. 27/2023-Central Tax  
Dated 31st July 2023**

The Central Government Seeks to notify the provisions of section 123 of the Finance Act, 2021 (13 of 2021)

S.O. .... (E). —In exercise of the powers conferred by clause (b) of sub-section (2) of section 1 of the Finance Act, 2021 (13 of 2021), the Central Government hereby appoints the 1st day of October, 2023, as the date on which the provisions of section 123 of the said Act shall come into force.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009805/ENG/Notifications>

**Notifications  
Central Tax**

**Notification No. 28/2023-Central Tax  
Dated 31st July 2023**

The Central Government Seeks to notify the provisions of sections 137 to 162 of the Finance Act, 2023 (8 of 2023).

S.O. .... (E). —In exercise of the powers conferred by clause (b) of sub-section (2) of section 1 of the Finance Act, 2023 (8 of 2023), the Central Government hereby appoints, —

(a) the 1st day of October, 2023, as the date on which the provisions of sections 137 to 162 (except sections 149 to 154) of the said Act shall come into force;

(b) the 1st day of August, 2023, as the date on which the provisions of sections 149 to 154 of the said Act shall come into force.

**For more details, please follow**



<https://taxinformation.cbic.gov.in/view-pdf/1009806/ENG/Notifications>

**Notifications**  
**Central Tax**  
**Notification No. 29/2023-Central Tax**  
**Dated 31st July 2023**

The Central Government Seeks to notify special procedure to be followed by a registered person pursuant to the directions of the Hon'ble Supreme Court in the case of Union of India v/s Filco Trade Centre Pvt. Ltd., SLP(C) No.32709-32710/2018.

S.O.(E).—In exercise of the powers conferred by section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017) (hereinafter referred to as the said Act), the Central Government, on the recommendations of the Council, hereby notifies the following special procedure to be followed by a registered person or an officer referred to in sub-section (2) of Section 107 of the said Act who intends to file an appeal against the order passed by the proper officer under section 73 or 74 of the said Act in accordance with Circular No. 182/14/2022-GST, dated 10th of November, 2022 pursuant to the directions of the Hon'ble Supreme Court in the case of Union of India v/s Filco Trade Centre Pvt. Ltd., SLP(C) No.32709-32710/2018.

2. An appeal against the order shall be made in duplicate in the Form appended to this notification at ANNEXURE-1 and shall be presented manually before the Appellate Authority within the time specified in sub-section (1) of section 107 or sub-section (2) of section 107 of the said Act, as the case may be, and such time shall be computed from the date of issuance of this notification or the date of the said order, whichever is later:

Provided that any appeal against the order filed in accordance with the provisions of section 107 of the said Act with the Appellate Authority before the issuance of this notification, shall be deemed to have been filed in accordance with this notification.

3. The appellant shall not be required to deposit any amount as referred to in sub-section (6) of section 107 of the said Act as a pre-condition for filing an appeal against the said order.

4. An appeal filed under this notification shall be accompanied by relevant documents including a self-certified copy of the order and such appeal and relevant

documents shall be signed by the person specified in sub-rule (2) of rule 26 of Central Goods and Services Tax Rules, 2017.

5. Upon receipt of the appeal which fulfils all the requirements as provided in this notification, an acknowledgement, indicating the appeal number, shall be issued manually in FORM GST APL-02 by the Appellate Authority or an officer authorised by him in this behalf and the appeal shall be treated as filed only when the aforesaid acknowledgement is issued.

6. The Appellate Authority shall, along with its order, issue a summary of the order in the Form appended to this notification as ANNEXURE-2

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009807/ENG/Notifications>

**Notifications**  
**Central Tax**  
**Notification No. 30/2023-Central Tax**  
**Dated 31st July 2023**

The Central Government Seeks to notify special procedure to be followed by a registered person engaged in manufacturing of certain goods.

S.O.(E).—In exercise of the powers conferred by section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017) (hereinafter referred to as the said Act), the Central Government, on the recommendations of the Council, hereby notifies the following special procedure to be followed by a registered person engaged in manufacturing of the goods, the description of which is specified in the corresponding entry in column (3) of the Schedule appended to this notification, and falling under the tariff item, sub-heading, heading or Chapter, as the case may be, as specified in the corresponding entry in column (2) of the said Schedule, namely:—

1. Details of Packing Machines (1) All the existing registered persons engaged in manufacturing of the goods mentioned in Schedule to this notification shall furnish the details of packing machines being used for filling and packing of pouches or containers in FORM SRM-I, within 30 days of issuance of this notification, electronically on the common portal.

**For more details, please follow**

<https://taxinformation.cbic.gov.in/view-pdf/1009808/ENG/Notifications>

**Notifications  
Central Tax  
Notification No. 31/2023-Central Tax  
Dated 31st July 2023**

The Central Government Seeks to amend Notification No. 27/2022 dated 26.12.2022.

G.S.R....(E).—In pursuance of the powers conferred by sub-rule (4B) of rule 8 of the Central Goods and Services Tax Rules, 2017, the Central Government, on the recommendations of the Council, hereby makes the following further amendments in the notification of the Government of India, the Ministry of Finance (Department of Revenue) No. 27/2022-Central Tax, dated the 26th December, 2022 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 903(E), dated the 26th December, 2022, namely:-

In the said notification, after the words, “State of Gujarat”, the words “and the State of Puducherry” shall be inserted.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009809/ENG/Notifications>

**Notifications  
Central Tax  
Notification No. 32/2023-Central Tax  
Dated 31st July 2023**

The Central Government Seeks to exempt the registered person whose aggregate turnover in the financial year 2022-23 is up to two crore rupees, from filing annual return for the said financial year.

G.S.R.....(E) In exercise of the powers conferred by the first proviso to section 44 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Commissioner, on the recommendations of the Council, here by exempts the registered person whose aggregate turnover in the financial year 2022-23 is up to two crore rupees, from filing annual return for the said financial year.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009810/ENG/Notifications>

**Notifications  
Central Tax  
Notification No. 33/2023-Central Tax  
Dated 31st July 2023**

The Central Government Seeks to notify “Account Aggregator” as the systems with which information may be shared by the common portal under section 158A of the CGST Act, 2017.

G.S.R....(E).—In exercise of the powers conferred by section 158A of the Central Goods and Services Tax Act, 2017 (12 of 2017) and section 20 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), the Central Government, on the recommendations of the Council, hereby notifies “Account Aggregator” as the systems with which information may be shared by the common portal based on consent under Section 158A of the Central Goods and Services Tax Act, 2017 (12 of 2017).

2. This notification shall come into force with effect from the 1st day of October, 2023.

Explanation: For the purpose of this notification, “Account Aggregator” means a non-financial banking company which undertakes the business of an Account Aggregator in accordance with the policy directions issued by the Reserve Bank of India under section 45JA of the Reserve Bank of India Act, 1934 (2 of 1934) and defined as such in the Non-Banking Financial Company -Account Aggregator (Reserve Bank) Directions, 2016.

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009811/ENG/Notifications>

**Notifications  
Central Tax  
Notification No. 34/2023-Central Tax  
Dated 31st July 2023**

The Central Government Seeks to waive the requirement of mandatory registration under section 24(ix) of CGST Act for person supplying goods through ECOs, subject to certain conditions.

G.S.R. ....(E).—In exercise of the powers conferred by sub-section (2) of section 23 of the Central Goods and Services Tax Act, 2017 (12 of 2017) (hereafter referred to as the said Act), the Central Government, on the recommendations of the Council, hereby specifies the persons making supplies of goods through an





electronic commerce operator who is required to collect tax at source under section 52 of the said Act and having an aggregate turnover in the preceding financial year and in the current financial year not exceeding the amount of aggregate turnover above which a supplier is liable to be registered in the State or Union territory in accordance with the provisions of sub-section (1) of section 22 of the said Act, as the category of persons exempted from obtaining registration under the said Act, subject to the following conditions, namely:—(i) such persons shall not make any inter-State supply of goods;(ii) such persons shall not make supply of goods through electronic commerce operator in more than one State or Union territory;(iii) such persons shall be required to have a Permanent Account Number issued under the Income Tax Act, 1961 (43 of 1961);(iv) such persons shall, before making any supply of goods through electronic commerce operator, declare on the common portal their Permanent Account Number issued under the Income Tax Act, 1961 (43 of 1961), address of their place of business and the State or Union territory in which such persons seek to make such supply, which shall be subjected to validation on the common portal;(v) such persons have been granted an enrolment number on the common portal on successful validation of the Permanent Account Number declared as per clause (iv);(vi) such persons shall not be granted more than one enrolment number in a State or Union territory;(vii) no supply of goods shall be made by such persons through electronic commerce operator unless such persons have been granted an enrolment number on the common portal; and

(viii) where such persons are subsequently granted registration under section 25 of the said Act, the enrolment number shall cease to be valid from the effective date of registration.

2. This notification shall come into force with effect from the 1st day of October, 2023

**For more details, please visit**

<https://taxinformation.cbic.gov.in/view-pdf/1009812/ENG/Notifications>

### Notifications

#### Central Board of Indirect Taxes and Customs

#### Notification No. 35/2023-Central Tax

Dated 31st July 2023

The Central Government Seeks to appoint common adjudicating authority in respect of show cause notices in favour of against M/s BSH Household Appliances Manufacturing Pvt Ltd.

S.O.—..In exercise of the powers conferred by section 5 of the Central Goods and Services Tax Act, 2017 (12 of 2017) and section 3 of the Integrated Goods and Services Tax Act, 2017 (13 of 2017), the Board, hereby appoint officers mentioned in column (5) of the Table below to act as the Authority to exercise the powers and discharge the duties conferred or imposed on officers mentioned in column (4) of the said Table in respect of noticees mentioned in column (2) of the said Table for the purpose of adjudication of notices mentioned in column (3) of the said Table, namely

Sl No.	Name of Noticees and Address	Notice Number and Date	Name of Adjudicating Authorities	Name of the Authority
(1)	(2)	(3)	(4)	(5)
1.	BSH Household Appliances Manufacturing Pvt. Ltd, Situated 2ndFloor, Arena House, Plot No. -103, Road No. -12, MIDC, Andheri (East), Mumbai-400093	03/CGST/ME/Div-X/ Supdt/BSH/2022-23 dated 16.03.2023 issued vide F.No. CGST-A2/MUM/G-29/BSH/5693/5335/2021/9893 to 9896 Dt. 16.03.2023	Superintendent, Division-X, CGST and Central Excise Mumbai East Commissionerat	Joint or Additional Commissioner of Central Tax, Bengaluru South Central Excise and GST Commissionerate
2.	BSH Household Appliances Manufacturing Pvt. Ltd, 4thFloor, South Tower KRM Plaza No. 2, Harrington Road, Chetpet, Chennai-600031	02/2023-GST CH.N (ADC) dated 27.03.2023 issued vide C.NoGEXCOM/ADJN/GST/ADC/684/2022 Dt. 27.03.202	Additional Commissioner, CGST and Central Excise Chennai North Commissionerat	
3.	BSH Household Appliances Manufacturing Pvt. Ltd, No-8, GF & FF, 15thCross, JP Nagar, 6thPhase, Bengaluru Urban, Karnataka-560078	58/2022-23 dated 03.03.2023 issued vide C.No.GEXCOM/ADJN/GST/ADC/721/2022-ADJN Dt. 03.03.2023	Joint or Additional Commissioner of Central Tax, Bengaluru South Central Excise and GST Commissionerat	

**For more details, please follow,**

<https://taxinformation.cbic.gov.in/view-pdf/1009813/ENG/Notifications>



# JUDGEMENT INDIRECT TAX

*GST is also leviable on amount reimbursed for fuel charges for providing motor vehicle hire services: AAR*

**Facts of the case -**

**Authority for Advance Ruling, Uttarakhand  
Uttarakhand Public Financial Strengthening Project,  
(AAR- UTTARAKHAND)**

The applicant was receiving motor vehicle hire services including fuel charges from service providers. It entered into a contract with provider of services wherein liability to arrange fuel and maintenance of vehicle, so deployed would lie with service provider and the applicant would reimburse such expenses. It filed an application for advance ruling to whether service provider can charge GST on whole amount of bill or only on monthly rental excluding night charges and fuel on mileage basis.

**Decision of the case :**

- ◆ The Authority for Advance Ruling observed that that motor vehicle hire services have integral component of running/ operating vehicle from one place to another for transportation. The actual transportation without fuel can't be possible. Hence, any reimbursement of expenses for providing vehicle hiring services under any head would be nothing but additional consideration for provision of services and it would attract GST on total value of bill.
- ◆ Therefore, it was held that the service provider would be liable to charge GST on whole amount of bill which in the instant case would be monthly rental and fuel charges on mileage basis.

*SCN which fails to provide material information/ statement containing details of ITC under question to be set aside: HC*

**Facts of the case :**

**Balaji Electricals v. Appellate Authority & Joint  
Commissioner State Tax [2023] (Madhya Pradesh)**

A show cause notice was issued to assessee under section 74(1) of Central Goods and Service Tax Act (the Act), 2017. It was submitted by the assessee that the said show cause notice did not satisfy the requirement of Rule 142 as it was vague to the extent of not communicating the relevant information and material. Therefore, it filed writ petition and contended that the final order passed by authority was vitiated in law since it was not able to respond to the show cause notice.

**Decision of the case :**

- ◆ The Honorable High Court noted that as per Section 74 of the Act, the Revenue must ensure show cause notice to be speaking enough to enable assessee to respond to same. In the instant case, the bare reading of show cause notice revealed that it neither contained material and information nor statement containing details of ITC transaction under question.
- ◆ The Court noted that the Statute itself prescribes for affording reasonable opportunity and it is incumbent upon Revenue to afford same and any deficiency in that regard vitiates the end result. Therefore, the Court held that the impugned orders and show cause notice were liable to be quashed.

*HC granted statutory benefit of stay and directed petitioner to file appeal once tribunal is constituted*

**Facts of the case -**

**Flipkart India (P.) Ltd. v. Additional Commissioner  
of State Tax (Appeal) [2023] (Patna)**

The assessee had intended to avail statutory remedy of appeal and benefit of stay of recovery of balance amount of tax against the order passed before the Appellate Tribunal. However, due to non-constitution of the Tribunal, the assessee was unable to avail such statutory remedies and therefore, it filed writ petition before the High Court to avail the statutory benefit of appeal and stay of recovery of



balance amount of tax.

#### **Decision of the case :**

- ◆ The Honorable High Court noted that the assessee can't be deprived of the benefit of stay due to non-constitution of the Tribunal. The Court noted that the department has already issued notification which provides that period of limitation for the purpose of preferring an appeal before the Tribunal under Section 112 shall start only after the date on which the Tribunal is constituted.
- ◆ Therefore, the Court held that the assessee must be granted statutory benefit of stay after depositing 20% amount of tax in dispute in addition to amount already deposited. The Court also directed the assessee to file appeal under Section 112 once the Tribunal is constituted and made functional.

#### **Order passed against driver of vehicle would not be prejudicial to rights of consigner or consignee to appeal: HC**

#### **Facts of the case -**

**Delhivery Limited v. State of U.P. - [2023]**  
(Allahabad)

A vehicle was intercepted during transit by the department and documents were verified. It was found that all documents required for the transit of goods were accompanied, however the vehicle's number was wrongly recorded in the transit document, inadvertently. Therefore, order under section 129(3) was passed against the driver. The assessee filed writ petition and contended that since the order was passed against the driver, it would not be open for the consigner or the consignee to challenge such order before the appropriate forum.

#### **Decision of the case :**

- ◆ The Honorable High Court noted that the consigner or the consignee can always challenge the impugned order claiming ownership of the goods on the basis of documents evidencing their ownership. The Court further noted that merely because the order had been addressed to the driver of the vehicle, it would not be prejudicial to the rights and contentions of the consigner or the consignee. Therefore, the Court held that the petition was liable to be dismissed.

#### **Provisions of Section 13(8)(b) and Section 8(2) of**

#### **IGST Act are legal, valid and constitutional: HC**

#### **Facts of the case -**

**Dharmendra M. Jani v. Union of India - [2023]**  
(Bombay)

The petitioner was engaged in providing marketing and promotion services to customers located outside India. It was providing services only to the principal located outside India and in lieu thereof receiving consideration in convertible foreign currency from the principal located outside India.

The petitioner contended that the transaction entered into by it with the foreign customers would be one of export of service from India earning valuable convertible foreign exchange for the country by an intermediary. However due to deeming fiction by Section 13(8)(b) of IGST Act, the place of supply shall be the location of the supplier of services which is in India and levy of CGST and SGST would arise. It filed writ petition assailing the constitutional validity of section 13(8)(b) of the IGST Act.

#### **Decision of the case :**

- ◆ The coram of Division Bench Bombay High Court was of two judges. One Judge of Division Bench Bombay High Court observed that Section 13(8)(b) of IGST Act not only falls foul of overall scheme of CGST Act and IGST Act but also offends Articles 245, 246A, 269A and 286(1)(b) of Constitution.
- ◆ Thus, as per one opinion, the provision is unconstitutional, other has expressed his disagreement and has rendered his separate opinion. Therefore, in view of such difference in opinion, the matter was placed before the Hon'ble Chief Justice for an administrative order and the Chief Justice referred these matters for the opinion of third Judge.
- ◆ The third Judge held that that provisions of Section 13(8)(b) and Section 8(2) of IGST Act are legal, valid and constitutional and are confined in their operation to provisions of IGST Act only and same cannot be made applicable for levy of tax on services under CGST and State GST Acts. Therefore, the Hon'ble Chief Justice held that the provisions of Section 13(8)(b) and Section 8(2) of the IGST Act are legal, valid and constitutional. TB

# JUDGEMENT DIRECT TAX

## *Benefit of Rule 6DD not available if assessee wasn't primary responsible to make cash payments: ITAT*

### *Facts of the case -*

*R.K. Powergen (P.) Ltd. v. ACIT - [2023] (Chennai - Trib.)*

A search operation was conducted on the business premises of the assessee. During the course of search, loose sheets and books were seized. The case was taken up for scrutiny, and during the course of assessment proceedings, it was noticed that the assessee made cash payment in excess of Rs. 20,000/- in violation of provisions of section 40A(3).

In response, the assessee explained that there was an urgent requirement for cash payments to transporters of bio-mass waste as the assessee was procuring bio-mass waste from local persons. Not satisfied with the explanation provided by the assessee, the Assessing Officer (AO) made additions to the income of the assessee under section 40A(3).

On appeal, CIT(A) upheld the additions made by AO, considering that the payments were also not covered under rule 6DD. Aggrieved by the order, an appeal was made to the Chennai Tribunal.

### *Decision of the case :*

- ◆ The Tribunal held that the responsibility to make payments to transporters was on the suppliers. In fact, the assessee had also made payments to transporters but debited to the supplier's account. It is very clear that primary responsibility to make payments to transporters wasn't on the assessee but on supplier.
- ◆ Further, there was no dispute with regard to the fact that sum paid by the assessee in a single day to one person was in excess of prescribed limit provided in section 40A(3). Also, the assessee could not make

out a case that the cash payment made was covered under any exception as provided under rule 6DD of Income-tax Rules, 1962.

- ◆ Concerning the transport charges allowed in earlier years, the assessee paid cash towards transportation costs, such as fuel expenses, driver expenses, etc., which were to be settled then and there in cash.
- ◆ Therefore, the assessee cannot claim that there was an urgent requirement to make payment in cash considering business exigency, and there was no error in the reasons given by the AO to disallow cash payment in excess of the prescribed limit under section 40A(3).
- ◆ SC remanded matter back to HC to consider TP issue following observation made in SAP Labs ruling.

## *Error of sending demand notice along with draft assessment order couldn't be cured under sec. 292B: HC*

### *Facts of the case -*

*CIT (International Taxation) v. Cisco Systems Services B.V. - [2023] (Karnataka)*

Assessee-Company was incorporated and registered in Amsterdam. It had its branch office in India and provided technical advanced professional engineering and consultancy services. For the relevant assessment years, the assessee received a notice of demand under section 156 along with a draft assessment order under section 143(3) passed by the Assistant Commissioner.

Subsequently, the case was taken up for reassessment based on the information collected during the survey and Assessing Officer (AO) passed the final assessment order under section 147 read with section 144C by making certain addition.

On appeal, the Tribunal deleted the additions, and the matter reached Karnataka High Court.



### **Decision of the case :**

- ◆ The Court held that assessment is one integrated process involving the assessment of total income and the determination of the tax. In this case, at the stage of passing the draft order, the Assistant Commissioner had assessed the tax, passed a final order, and issued a demand notice.
- ◆ Section 144C lays down a detailed procedure. Under section 144C(1), the AO is required to forward a draft of the proposed order of assessment to the assessee. Assessee may file its acceptance or objection before the DRP and the AO. The AO shall complete the assessment if the assessee confirms its acceptance or no objections are received within 30 days.
- ◆ Where the DRP receives any objection from the assessee, it shall issue necessary directions to the Assessing Officer to enable him to complete the assessment after considering the documents/material mentioned in section 144C(6)(a) to (g), which includes the draft order. Before issuing the directions, the DRP may also make such further enquiry by any Income-tax Authority.
- ◆ Further, upon receipt of the directions from DRP under section 144C(5), the AO shall complete the assessment within the prescribed time limit.
- ◆ After that, a notice of demand under section 156 may be issued after completion of the assessment under section 144C(13).
- ◆ It is settled that the demand notice stems from an order of assessment and is enforceable, and it meets the assessee with civil consequences. The argument raised by the AO that the demand notice was not enforced was fallacious and noted only to be rejected. Further, the argument that any mistake or defect shall not invalidate the draft assessment order as per Section 292B and it was a curable defect also rejected.

***Additional evidence can't be admitted without explaining issue that was adjudicated by way of additional ground: ITAT***

### **Facts of the case -**

***ITO (International Taxation) v. Smt. Shehnaz***

### **Nurdin Ajanía - [2023] (Surat-Trib.)**

During the year under consideration, the assessee made investments in mutual funds. Despite repeated opportunities vide various statutory notices, no efforts were made by the assessee to explain the source of said investment. Afterwards, the Assessing Officer (AO) completed the assessment under section 144 and held that it was proved beyond doubt that the assessee had invested in various mutual funds out of his undisclosed investment. Therefore, an addition under section 69 was made by the AO.

On appeal, the assessee filed additional evidence regarding the source of investment and contended that investments made in mutual funds were joint investments by the assessee and her spouse. The CIT(A) deleted the additions based on the additional evidence.

Aggrieved by the order, an appeal was filed by the revenue to Tribunal, contending that additional evidence was admitted in violation of Rule 46A.

### **Decision of the case :**

- ◆ The Tribunal held that the assessee only furnished additional evidence and did not raise any additional ground. There was merit in the contention of the revenue that the CIT(A) erred in admitting additional evidence. Further, the CIT(A) also did not write reasons for admitting additional evidence.
- ◆ The CIT(A) has not explained in his order which issue he had adjudicated by way of additional ground. Further, he did not explain in his order the exceptional clauses (a) to (d) of rule 46A, which are:
  - a) AO has refused to admit evidence(s); or
  - b) Assessee was prevented by sufficient cause from producing the evidence which he was called upon by the Assessing Officer; or
  - c) Assessee was prevented by sufficient cause from producing before the Assessing Officer which is relevant to any ground of appeal; or
  - d) AO made the order without giving sufficient opportunity to the assessee to adduce evidence relevant to any ground of appeal.



- ◆ Since the CIT(A) accepted the additional evidence in violation of rule 46A of the rules as he did not deal with these exceptions of rule 46A, the order he passed wasn't tenable in law.
- ◆ Therefore, the prayer of the revenue was accepted, and the order of CIT(A) was set aside. Further, the assessee raised various issues on the grounds of appeal before CIT(A) was remanded back to AO for fresh consideration.

### *Individual can't be held as a beneficial owner of investments made by foreign Co.: ITAT*

#### *Facts of the case -*

*Shri Krishna Das Agarwal vs. DDIT/ADIT(Inv.) - [2023] (Jaipur - Trib.)*

Assessee-an individual, along with other groups of persons, formed a company in UAE. Due to certain circumstances, the business became unprofitable and started investing its funds in some investment products.

A search operation was conducted on the premises of the assessee, whereby certain documents concerning the transactions of a non-resident foreign company were found. Based on such documents, additions to the assessee's income were made, contending that the assessee had undisclosed foreign assets and a signatory authority of a foreign bank.

Aggrieved assessee filed an appeal to the CIT(A). The CIT(A) upheld the additions, and the matter reached the Jaipur Tribunal.

#### *Decision of the case :*

- ◆ The Tribunal held assessee had made due disclosure of all his financial interest in a fiduciary capacity and as a signatory authority of a foreign bank account for and on behalf of the company while filing returns of income for the assessment years wherein in schedule FA, due disclosure has been made by the assessee in his return.
- ◆ Further, it was not disputed that the investment or the assets found during the course of the search belonged to the foreign company and not to the assessee. The foreign entity has undeniably a separate legal entity, having an independent identity,

capable of holding assets in its own name for the furtherance of its own objectives and purposes.

- ◆ Further, the term "beneficial owner" is not defined in the Black Money Act but is defined in Explanation 4 to Section 139(1) of the Income-tax Act, 1961. On perusal of the definition of the term "Beneficial owner", it is evident that a beneficial owner in respect of an asset would be a person who provides consideration for the asset for the immediate or future benefit of himself or any other person.
- ◆ In the instant case, foreign investments were the foreign company's assets and consideration for the same assets flew from the bank account of the Foreign Company itself. Thus, the assessee does not fall in the ambit of the term "beneficial owner" as he was not the provider of the consideration of the asset.
- ◆ Accordingly, the order of the CIT(AO) confirming that the assessee was the "beneficial owner" of the assets of the Foreign Company was misconceived, against the law and deserved to be annulled.

### *'Bitumen' isn't 'valuable article'; No Sec. 69A addition if transporter doesn't deliver it to Govt.: SC*

#### *Facts of the case -*

*D. N. Singh v. Commissioner of Income-tax, Central - [2023] (SC)*

Assessee carried on business as a carriage contractor for bitumen. It was involved in a scam of misappropriating the bitumen and not delivering the quantity lifted to the various Divisions of the Road Construction Department of the Government of Bihar. Finding out that the actual quantity was not delivered, the Assessing Officer (AO) invoked section 69A and made additions on account of the short supply of bitumen.

The matter reached the Supreme Court of India.

#### *Decision of the case :*

- ◆ The Apex court held that the instant case was short delivery of bitumen by the transporter (assessee) to Govt. Department. The ownership right over the bitumen, that wasn't delivered, wasn't claimed by



the assessee at any point. It was also not a case where the assessee exercising rights available in law entitling it to possess goods as of right or pass on the title to another under law as permitted.

- ◆ At best, the assessee's possession was a shade better than that of a thief as the possession had its origin under a contract of bailment.
- ◆ It would be straining the law beyond justification if the court recognised a thief as the property owner within the meaning of Section 69A. Recognising a thief as the property owner would also mean that the owner would cease to be recognised as the owner, which would indeed be the most startling result.
- ◆ When the facts are clear that the assessee is not the owner and somebody else is the owner, then treating the assessee as the owner may produce the most illegal results apart from being unjust.
- ◆ The intention of the law-giver in introducing Section 69A was to get at income which has not been reflected in the books of account but found to belong to the assessee. Not only must it belong to the assessee, but it must be other valuable articles.

- ◆ Applying the Principle of Ejusdem Generis, bitumen would stand out as a strange bedfellow in the company of its immediate predecessor words, viz., money, bullion, and jewellery. Bitumen is a clear misfit and could not have been the legislative intention to treat it as another valuable article.
- ◆ Bitumen is a residual product in petroleum refineries and is usually used in road construction. It may be found in small quantities or large quantities. If the 'article' is to be found 'valuable', then in small quantity, it must not just have some value, but it must be 'worth a good price' or 'worth a great deal of money'. If this is so, Section 69A would then stand attracted.
- ◆ But if treating it as a 'valuable article' requires ownership in large quantity and multiplying the value in large quantity, a 'good price' or 'great deal of money' is arrived at, then it would not be a valuable article.
- ◆ Thus, the AO acted illegally in holding that assessee was the 'owner' and made the addition under section 69A on the said basis.

TB

# Tax calendar Indirect

Due Dates	Returns
Aug 10th, 2023	GSTR-8 (Jul, 2023)
Aug 10th, 2023	GSTR-7 (Jul, 2023)
Aug 11th, 2023	GSTR-1 (Jul, 2023)
Aug 13th, 2023	GSTR-5 (Jul, 2023)
Aug 13th, 2023	GSTR-6 (Jul, 2023)
18 Months after the end of quarter for which refund is to be claimed	RFD-10

# Tax calendar Direct

Due Dates	Returns
7 August 2023	Due date for deposit of Tax deducted/collected for the month of July, 2023. However, all sum deducted/collected by an office of the government shall be paid to the credit of the Central Government on the same day where tax is paid without production of an Income-tax Challan.
<b>14 August 2023</b>	Due date for issue of TDS Certificate for tax deducted under section 194-IA in the month of June, 2023
<b>14 August 2023</b>	Due date for issue of TDS Certificate for tax deducted under section 194-IB in the month of June, 2023
<b>14 August 2023</b>	Due date for issue of TDS Certificate for tax deducted under section 194M in the month of June, 2023
<b>14 August 2023</b>	Due date for issue of TDS Certificate for tax deducted under section 194S in the month of June, 2023 Note: Applicable in case of specified person as mentioned under section 194S
<b>15 August 2023</b>	Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of July, 2023 has been paid without the production of a challan
<b>15 August 2023</b>	Due date for furnishing statement in Form no. 3BB by a stock exchange in respect of transactions in which client codes been modified after registering in the system for the month of July, 2023
<b>15 August 2023</b>	Quarterly TDS certificate (in respect of tax deducted for payments other than salary) for the quarter ending June 30, 2023  Note: Due to extension of due date of TDS statement vide Circular no. 9/2023, dated 28-06-2023, the revised due date for furnishing TDS certificate shall be October 15, 2023





## E-PUBLICATIONS OF TAX RESEARCH DEPARTMENT

Impact of GST on Real Estate	Handbook on GST on Service Sector
Insight into Customs - Procedure & Practice	Handbook on Works Contract
Input Tax Credit & In depth Discussion	Handbook on Impact of GST on MSME Sector
Exemptions under the Income Tax Act, 1961	Insight into Assessment including E-Assessment
Taxation on Co-operative Sector	Impact on GST on Education Sector
Guidance Note on GST Annual Return & Audit	Addendum_Guidance Note on GST Annual Return & Audit
Sabka Vishwas-Legacy Dispute Resolution Scheme 2019	An insight to the Direct Tax- Vivad se Vishwas Scheme 2020
Guidance Note on Anti Profiteering	International Taxation and Transfer Pricing
Advance Rulings in GST	Handbook on E-Way Bill
Handbook on Special Economic Zone and Export Oriented Units	Taxation on Works Contract

For E-Publications, Please visit Taxation Portal -

<https://icmai.in/TaxationPortal/>

# Notes

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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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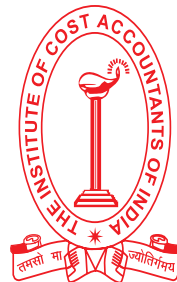
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