

JANUARY, 2021

TAX Bulletin

★ ★ VOLUME - 80 ★ ★



THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

Statutory Body under an Act of Parliament

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

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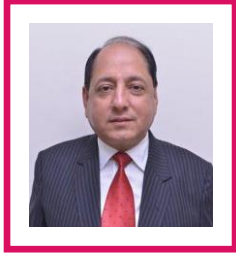
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CMA Rakesh Bhalla
Chairman, Direct Taxation Committee



CMA Chittaranjan Chattopadhyay
Chairman, Indirect Taxation Committee

FROM THE DESK OF CHAIRMAN

Dear Friends and Professional Colleagues,

Greetings from the Tax Research Department!!!

At the very outset, we would like to wish you a happy and prosperous Makar Sankranti, Poush Parbon, Magh Bihu, Lohri, Pongal. May you be blessed with a healthy and peaceful year ahead.

We gladly welcome all to the Webint Session on **Anti-dumping – An Insight** on 21st January, 2021 from 4.00 – 6.00 pm. The session would be having noteworthy speakers and moderators like:

- Shri Mithileshwar Thakur - Additional Director in DGTR Ministry of Commerce, GoI
- CMA B.B. Goyal - Former Addl. Chief Adviser (Cost), Ministry of Finance, GoI
- Shri Sanjeev Nandwani - Consultant – International Trade & Former Civil Servant, GoI
- CMA M K Anand - Director General - Forum for Trade Remedies (FFTR) and
- Shri A K Gupta, Founder and Managing Director of TPM

Your whole hearted participation is solicited in this enriching experience.

Last fortnight in the Taxation front:

- In GST Portal Aadhaar Authentication / e-KYC for Existing Taxpayers has been enabled and also Invoice Furnishing Facility (IFF) facility has been provided to taxpayers under QRMP Scheme (Quarterly filers of Form GSTR-1 and also of Form GSTR-3B returns), as per sub-rule (2) of Rule-59 of the CGST Rules, 2017.
- Recently CBDT has launched E-portal for filing complaints regarding tax evasion / Benami Properties/Foreign Undisclosed Assets

The Tax Research Department has requested for extension of due date of Income Tax Return for F.Y. 2019-20, A.Y. 2020-21.

The Taxation portal is also being updated on a regular basis.

Feedback is solicited from our readers for any improvement that may be made in the Bulletin.

Wish you all to take care of yourselves and your family members, and pray that 2021 would bring in new heights of glory.

Jai Hind.

Warm Regards

CMA Rakesh Bhalla
18th January 2021

CMA Chittaranjan Chattopadhyay
18th January 2021

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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



DEMYSTIFYING AADHAR AUTHENTICATION IN GST

CMA Bhogavalli Mallikarjuna Gupta
GST & Management Consultant

After the unlock has happened, we could see the green shoots in the economy, and the GST collections have touched the highest mark after the rollout of GST during December 2020. Simultaneously, the department has started enforcement and weeding out the black sheep from the system. As a part of the weeding out the black sheep, the registration process is being ratified to punish the errant taxpayers. As part of this, when the user logs on the GST portal, a pop up is being shown, and it asks for Aadhar Authentication. This facility is enabled on the GST portal from 6th January 2021 and the process of Aadhar Authentication. If Aadhar is not available, then the required persons can upload any of the specified documents.

1. Is it mandatory for every authorized signatory, promoter or partner, or director to do Aadhar Authentication?

No, it is not mandatory for every authorized signatory, promoter or partner, or director to do Aadhar Authentication.

2. In the case of the proprietor, who should take up Aadhar Authentication?

Proprietor & authorized signatory have to complete Aadhar Authentication.

3. In the partnership firm / Limited Liability Partnership firm, is it required to do Aadhar Authentication for all the partners?

Anyone partner and authorized signatory have to complete Aadhar Authentication.

4. In the case of Hindu Undivided Family (HUF), is it required to do Aadhar Authentication for all HUF members?

Karta and authorized signatory have to complete Aadhar Authentication.

5. In the case of Companies (Private, Public & Unlimited), is it required to do Aadhar Authentication for all the Directors?

Anyone director and authorized signatory have to complete Aadhar Authentication.

6. In the case of Society/Club/Trust/Association of Person, is it required to do Aadhar Authentication for all the Management Committee Members?

Any Management Committee Member and authorized signatory have to complete Aadhar Authentication.

7. Is any class of taxpayers exempted from completing Aadhar Authentication?

Aadhar Authentication is not required for the following class of taxpayers

- Government Department
- Public Sector Undertaking
- Local Authority
- Statutory Body

8. How do I need to complete Aadhar Authentication?

From January 6th, 2021, when the taxpayers log into the GST portal, a pop for Aadhar Authentication is being shown. It provides two options for the users, one to do the Authentication by navigating to the profile page, and the other is doing at a later period.

Aadhaar Authentication facility is available.Would you like to authenticate Aadhaar of Partner/Promoter and Primary Authorized Signatory?

YES, NAVIGATE TO MY PROFILE

REMIND ME LATER

NOTE : For future reference you can access this link again through [Dashboard>My Profile>Aadhaar Authentication Status](#)

9. What is the navigation path if I want to authenticate the Aadhar?

Users can navigate from the following path after logging in - For future reference, you can access this link again through [Dashboard>My Profile>Aadhaar Authentication Status](#)

10. What will I see if I click on “Yes, Navigate To My Profile” or go to my profile for Aadhar Authentication?

Once the user goes to the profile section or clicks on “Yes, Navigate To My Profile,” it will ask for two options

- i) Send Aadhar Authentication Link
- ii) Upload -eKYC documents.
- iii)

Would you like to Authenticate Aadhaar or Upload E-KYC Documents of Partner/Promoter and Primary Authorized Signatory?

SEND AADHAAR AUTHENTICATION LINK


UPLOAD E-KYC DOCUMENTS


11. What will happen when the user clicks on “Send Aadhar Authentication Link”?

Once the user clicks on the “Send Aadhar Authentication Link,” a link will be sent to the ed on GST registered mobile number and e-mail IDs of the Promoters/ Partners and Authorized Signatories. The link will be valid for valid only 15 days.

UPLOADER E-KYC

GSTIN / TRN	<input type="text"/>
Legal Name of the Business	<input type="text"/>
Name of the Primary Authorized Signatory	<input type="text"/>
Your Name given in the Registration Application	<input type="text"/>

Consent for Authentication : I, the holder of Aadhaar number to be mentioned below, hereby give my consent to Goods and Service Tax Network (GSTN) to obtain my Aadhaar number and Name for authentication with UIDAI. GSTN has informed me that my identity information would only be used for GST registration purpose as per Central Goods and Services Tax Act, 2017 and also informed that details will not be shared and will be submitted to Central Identities Data Repository (CIDR) only for the purpose of authentication. 

प्रमाणीकरण के लिए सहमति: मैं, आधार संख्या के प्रमाणीकरण के लिए UIDAI से मेरा नाम तथा विवरण प्राप्त करने हेतु “Goods and Services Tax Network (GSTN)” को सहमति देता हूँ। GSTN ने मुझे सूचित किया है, कि मेरी पहचान की जानकारी का उपयोग Central Goods and Service Tax Act, 2017 के अंतर्गत लिहित जीएसटी पंजीकरण में किया जायेगा तथा इसे साझा नहीं किया जाएगा किन्तु आधार प्रमाणीकरण के उद्देश्य हेतु Central Identities Data Repository (CIDR) को भेजा जाएगा। 

VID Aadhaar Number

Enter VID*

12. Where do I need to enter the Aadhar Number?

Once the taxpayer clicks on the link, it will take the taxpayer to a page where he has to enter the Aadhar Number and click on the Button “Validate Aadhar Number.” Once the taxpayer clicks on this button, OTP is sent to the registered mobile number and email id.

DO YOUR E-KYC

GSTIN / TRN	<input type="text"/>
Legal Name of the Business	<input type="text"/>
Name of the Primary Authorized Signatory	<input type="text"/>
Your Name given in the Registration Application	<input type="text"/>

Consent for Authentication : I, the holder of Aadhaar number to be mentioned below, hereby give my consent to Goods and Service Tax Network (GSTN) to obtain my Aadhaar number and Name for authentication with UIDAI. GSTN has informed me that my identity information would only be used for GST registration purpose as per Central Goods and Services Tax Act, 2017 and also informed that details will not be shared and will be submitted to Central Identities Data Repository (CIDR) only for the purpose of authentication.

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VID Aadhaar Number

Enter Aadhaar Number*

OTP Sent Successfully!!

Enter OTP*

13. Will I receive the same OTP on my registered mobile and email id?

Yes, you will receive a common OTP.

14. What is the second option, "Upload e-KYC Documents?"

This option is provided to taxpayers if they do not have an Aadhar card or their Aadhar card is not linked to the existing mobile number for any other reason. Such taxpayers can upload any of the following documents given in the list.

15. What are the documents I can upload?

The taxpayer can upload any one of the following documents

- a) Aadhar enrollment number
- b) Passport
- c) Voter ID Card
- d) KYC Form
- e) Certificate issued by Competent Authority
- f) Others.

Select for Aadhaar Authentication	Name	Citizen/Resident of India	Promoter/Partner	Primary Authorized Signatory	Designation	Documents Upload
<input checked="" type="checkbox"/>	<input type="text"/>	Yes	Yes	Yes	TA	Type of E-KYC Document <input type="text" value="Select"/> <input type="text" value="Select"/> Aadhaar Enrolment Number Passport EPIC (Voter ID Card) KYC Form Certificate Issued by Competent authority Others

16. What will happen when the taxpayer has uploaded e-KYC documents?

Once the taxpayer uploads the documents, ARN will be generated, and the same will be shown in the jurisdictional tax officer's queue. The tax officer has an option to approve or reject the uploaded documents.

17. What will happen when the tax officer approves the same?

Once the tax officer approves the same, the pop for Aadhar Authentication or Uploading of e-KYC documents will not be shown. It will be considered e-KYC authenticated.

18. What will happen when the tax officer rejects the same?

If the tax office rejects the uploaded documents for any reason, the taxpayer has to follow the same process for submission of the documents again.

19. Will I see the pop message for Aadhar Authentication or e-KYC authentication if the application is approved by the tax officer when I log into the portal?

Once it is approved, the taxpayer will not see the pop message when he logs into the portal.

Off late, we are seeing the news article on the day in and day out the fake invoicing and availing input tax credit fraudulently. To plug these things, the Government has introduced matching for availing input tax credit, e-invoicing to track the transactions on a real near-time basis. At the time of obtaining registration, Aadhar authentication is optional, and if they opt for authentication, physical verification of the premises is not being carried out. Now the same is being extended to the existing taxpayers to weed out the errant taxpayers.

Validation of the proprietor or partner or directors of the company will help the department to identify fictitious establishments and curb tax evasion. Though it is a tedious process, it is required to weed out the black sheep. Once weeding out the errant taxpayers is carried out, the GST collections will improve and minimize tax evasion. This can lead to the reduction of tax rates and improve the Tax GDP ratio of the country.

Disclaimer

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IMPORTANT CHANGES IN CGST RULES W.R.T REGISTRATION, RETURNS, INPUT TAX CREDIT AND E-WAY BILLS

CMA Rohit Kumar Singh
Founder – TaxMarvel Consulting Services LLP

CIC has issued **Notification No 94/2020 – Central Tax Dated 22nd December, 2020** for amendment in CGST rules vide Central Goods and Services Tax (Fourteenth Amendment) Rules, 2020. These rules amend the provisions relating to –

- A. GST Registration
- B. Power to suspend or cancel GST Registration
- C. Manner and extent of utilization of Input Tax Credit
- D. GST Return Related
- E. E-Way Bills.

The changes has been discussed below in lucid manner for better understanding:

A. Changes in GST Registration Process –

Earlier with effect from 21st August, 2020 several changes were brought into GST Registration process including Aadhar Authentication, time limits were fixed for granting of registration and grant of deemed registration on expiry of period for issuance of SCN by department (You may download the notification -**62/2020 – Central Tax dated 20th August 2020**)

Now, again the said process is modified and additional checks has been implemented in GST Registration process.

i. Grant of Registration (Rule 8) –

Category of person seeking registration	Opting for Aadhar Authentication	Not Opting for Aadhar Authentication
Individual or Karta, MD, whole time Director, Partners, Members of Managing Committee of Association, Board of Trustees, authorised representative or authorised signatory	Biometric based Aadhar authentication and taking photo	Biometric information, photograph and verification of other KYC documents

Category of person seeking registration	Process of Registration
Other than individual	<ul style="list-style-type: none"> - Apply for registration on GST Portal - Upload documents in support of registration - Get the uploaded documents verified with original at one of the facilitation centres Grant of registration only after following aforesaid process

ii. **Verification of Application and Approval (Rule 9) –**

a. **Time limit for Grant of Registration -**

Sl. No.	Category	Proposed time for grant of registration	Remarks
1	On Successful Authentication of Aadhar	Approval in 7 days	Earlier, the said time limit was 3 working days
2	On not opting for Authentication of Aadhar or failure to get Aadhar Authenticated	Approval in 30 days of submission of application after conducting physical verification of premises	Verification of premises if the officer deems fit to carry out physical verification

b. **Time limit for issuance of SCN –**

Tax Officer can issue SCN within the period specified for grant of registration

- (i) In case of successful Aadhar authentication - 07 working days (Earlier 3 working days)
- (ii) In cases when taxpayer do not opt or Aadhar authentication fails – 30days (Earlier 21 days)

c. **Deemed approval of GST registration –**

Application shall be deemed to have been approved in below cases on expiry of timelines –

Cases where physical verification is not to be conducted	Cases where physical verification is conducted	On receipt of clarification, information or documents
7 workings days	30 days	7 workings days

B. **Cancellation or suspension of Registration-**

I. **Additional clauses for cancellation of GST Registration (Rule 21) -**

Three (3) additional clause has been inserted for reasons for cancellation of Registration.

1. Availment of ITC in violation of Sec 16 of CGST Act, 2017 or Rules thereunder;
2. Furnishes the details in **FORM GSTR-1** for one or more tax periods which is in excess of the outward supplies declared by him in his valid return in **Form GSTR 3B** for the said tax periods;
3. Violates the provision of rule 86B – Restriction on use of ITC in Credit Ledger in excess of 99% (details in subsequent para)

Hence, mismatch of outward supplies reported in returns as well as excess availment of ITC over and above prescribed limit may lead to cancellation of registration.

II. **Suspension of Registration (Rule 21A Sub Rule 2) -**

i. **Suspension of GST Registration without providing opportunity of being heard -**

Omission of the words – **“after affording the said person a reasonable opportunity of being heard”**

Now the proper officer may suspend the registration **without providing an opportunity of being heard** to the taxpayer on grounds mentioned in Section 29 of CGST Act, 2017 or CGST Rules, 2017

Grounds for cancellation **under Section 29** of CGST Act, 2017

- a. Business has been discontinued
- b. transferred fully on death of proprietor
- c. Amalgamated, demerged or disposed of
- d. Change in constitution of business

- e. Person no longer liable to be registered
- f. Contravention of provisions of the Act or the Rules
- g. Non furnishing of returns
- h. Obtained voluntary registration and not commenced business within 6 months
- i. Registration obtained by fraud, wilful misstatement or suppression of facts

Grounds for cancellation **under Rule 21** of CGST Rules, 2017

- a. Does not conduct any business from declared place of business
- b. issues invoice or bill without supply of goods or services of both in violation of the provisions of this Act, or the rules made thereunder
- c. violates the provisions of section 171 of the Act (Anti profiteering provisions)
- d. Violates the provision of rule 10A Contravention of provisions of the (furnishing of details of bank account on GST Portal)
- e. Availment of ITC in violation of Sec 16 of CGST Act, 2017 or Rules thereunder;
- f. Furnishes the details in **FORM GSTR-1** for one or more tax periods which is in excess of the outward supplies declared by him in his valid return in **Form GSTR 3B** for the said tax periods;
- g. Violates the provision of rule 86B – Restriction on use of ITC in Credit Ledger in excess of 99%

Sweeping powers have been granted to the authorities for suspension of registration. More so, the opportunity of being heard is well enshrined in the principals of natural justice which is being curtailed here. Department action may disrupt business operations by suspending the GST Registration of even the genuine taxpayers.

ii. **Suspension of GST Registration on Comparison of returns or Significant differences or anomalies indicating contravention of provisions (Sub Rule 2A in Rule 21A of CGST Rules, 2017) –**

- a. On comparison of Outward supplies reported by Taxpayer in Form GSTR 1 and GSTR 3B; or
- b. Details populated in GSTR 2A and ITC availed in GSTR 3B; or
- c. such other analysis, as may be carried out

which show significant differences or anomalies indicating contravention of the GST provisions, leading to cancellation of registration of the said person, his registration shall be suspended

The person shall be intimated in FORM GST REG-31, or by sending a communication to his e-mail address, highlighting the said differences and anomalies and asking him to explain, within a period of thirty days, as to why his registration shall not be cancelled

III. **No Refund during period of Suspension of GST Registration (Sub Rule 3A in Rule 21A of CGST Rules, 2017)**

A registered person, whose registration has been suspended shall not be granted any refund during the period of suspension of his registration.

IV. **Revocation of suspension (Proviso to Rule 4 in Rule 21A of CGST Rules, 2017)**

Suspension of registration may be revoked by the proper officer, anytime during the pendency of the proceedings for cancellation, **if he deems fit**.

C. **Manner and extent of utilization of Input Tax Credit**

- I. **Changes in Rule 36(4)** of the CGST Rules, 2017 **with effect from 1st January, 2021-**
 - a. **ITC only on invoices for which return has been filed and not uploaded** (the word **“uploaded”** replaced by the word **“furnished”**).

- b. **Invoices reported through Invoice Furnishing Facility (IFF)** – to accommodate the mechanism of availment of ITC for invoices reported through Invoice Furnishing Facility (IFF) this amendment has been made.
- c. **Reduction of margin of availment of ITC from 10% to 5%** - Now, ITC in excess of 5% in addition to ITC appearing in GSTR 2A can only be availed w.e.f. 1st January 2021. The restriction has been gradually reduced from 20% to 10% and now 5%.

II. **Extent of Utilization of Electronic Credit Ledger - Rule 86B with effect from 1st January 2021-**

Restriction has been placed on usage of amounts available in electronic credit ledger(ECL) to discharge liability towards output tax in excess of **ninety-nine per cent. (99%)** of such tax liability, where the value of taxable supply (other than exempt supply and zero-rated supply), in a month **exceeds fifty lakh rupees (Rs 50 Lakhs)**

Aforesaid restriction of usage shall not apply in below cases -

1. Value of Taxable supply (other than exempt supply and zero-rated supply), in a month **does not exceed** fifty lakh rupees (Rs 50 Lakhs)
2. Payment of more than One Lakh rupees as Income tax in in each of the last two financial years by the Registered person or the proprietor or karta or the managing director or any of its two partners, whole-time Directors, Members of Managing Committee of Associations or Board of Trustees.
3. Receipt of Refund amount of more than one lakh rupees in the preceding FY on account of unutilised input tax credit for ZERO rated supplies without payment of tax or under Inverted Duty Structure.
4. Discharge liability through the electronic cash ledger for an amount which is in excess of 1% of the total output tax liability, applied cumulatively, upto the said month in the current FY
5. Registered person is
 - a. Government Department; or
 - b. a Public Sector Undertaking; or
 - c. a local authority; or
 - d. a statutory body

D. **GST Return Related Changes (Insertion of Sub Rule 5 in Rule 59)-**

I. Blocking of facility to file GSTR 1 in certain cases -

- a. **Monthly filers** – GSTR 1 shall not be allowed to be furnished if the person has not furnished the return in FORM GSTR-3B for **preceding two months**
- b. **Quarterly Filers** - GSTR 1 or Invoice Furnishing Facility (IFF) shall not be allowed to be furnished if the person has not furnished the return in FORM GSTR-3B for **preceding tax period.**
- c. a registered person, who is **restricted from using the Electronic Credit Ledger under rule 86B**, shall not be allowed to furnish FORM GSTR-1 or using the invoice furnishing facility IFF), if he has not furnished the return in FORM GSTR-3B for preceding tax period.

E. **E-Way Bill related changes (Rule 138) -**

1. **Enhancement of distance for computing validity of E-way bill (with effect from 1st Jan 2021) -** The earlier limit per day of 100 Kms has been enhanced to 200 kms per day with effect from 1st Jan 2021. It means per day validity of any e-way bill generated from 1st Jan 2021, shall be computed for 200 Kms.
2. **Restriction on usage of E-Way Bill facility** – Any person whose registration has been suspended under the provisions of rule 21A shall not be allowed to use E-Way Bill facility



CITIZENSHIP BASED TAXATION IN INDIA

CMA S. Venkanna
Practicing Cost Accountant
Past Chairman: Bengaluru Chapter

Tax incidence on a taxpayer in India depends upon his residential status. Whether an income earned by an individual, in or outside India, is taxable in India depends on the residential status of the individual rather than on his citizenship. People are often under the wrong impression that taking up foreign citizenship helps obtain tax benefits. The Income Tax Act, 1961 (Act) does not provide tax benefits on the basis of a person's citizenship.

In the Finance Act 2020, an important amendment to the Income Tax Act 1961 is made to levy tax on Individuals based on the Citizenship rather than on the residential status. Under the existing provisions of Income Tax Act 1961, Section 6 lays down the conditions for determining the residential status of Individual and accordingly, the individual is classified as Resident, Resident and Not Ordinarily Resident and Non Resident depending up his presence in India during the previous year and the income is charged to tax in accordance with the provisions of section 9.

Now the focus is on increasing the tax base so as to enable levy tax on source of income rather than the residential status. The source of income is place of accrual.

Present amendment is sought to increase the tax base thereby resulting in increased tax revenue to the government in the category of individual by focusing the citizenship or nationality.

Indians are migrating outside India for employment and business. The trend is increasing in the country resulting in not only brain drain but also resulting in loss of tax revenue to the country as the tax revenue is diverted to other countries.

High Net Worth Individuals (HNI) are planning their affairs in such a way that they are not liable to be taxed in any country or territory. Under the existing provisions of residential status, it is possible to avoid taxes.

The amendment speaks as

"The issue of stateless persons has been bothering the tax world for quite some time. It is entirely possible for an individual to arrange his affairs in such a fashion that he is not liable to tax in any country or jurisdiction during a year. This arrangement is typically employed by high net worth individuals (HNI) to avoid paying taxes to any country/jurisdiction on income they earn. Tax laws should not encourage a situation where a person is not liable to tax in any country. The current rules governing tax residence make it possible for HNIs and other individuals, who may be Indian citizen to not to be liable for tax anywhere in the world"

The second proviso of Sec. 6 (1)(b) is amended by The Finance Act, 2020, w.e.f., Assessment Year 2021-22 to provide that the period of 60 days shall be substituted with 120 days

The Finance Act, 2020 has introduced new section 6(1A) to the Income-tax Act, 1961. The new provision provides that an Indian Citizen shall be *deemed to be resident in India* if his total income, other than income from foreign sources, exceeds Rs. 15 lakhs during the previous year. For this provision, income from foreign sources means income which accrues or arises outside India (except income derived from a business controlled in or a profession set up in India).

From the Assessment Year 2021-22, an Indian Citizen earning total income in excess of Rs. 15 lakhs (other than from foreign sources) shall be deemed to be resident in India if he is not liable to pay tax in other country.

Most of the countries in the world levy personal tax based on the residential status. There are some countries which levy tax based on citizenship of the individual. The countries levy tax on foreign income of their non-residents. One of the country adopting the citizenship based taxation is United States.

This proposal has created confusion among Indian expatriates working in other countries.

Introducing citizenship-based taxation in India is in line with India's intent to increase its tax base and to increase the tax revenue. This makes an individual to plan the physical stay in India v/s overseas.

In view of this, Indian citizens who qualify as deemed residents and who have foreign income from business need to determine business income and declare and chargeable to tax in India, if the specified conditions are met.

We have already have Double Taxation Avoidance Agreements with around 85 countries. Tax Payers allowed to claim the relief either as per Section 90 or Section 91. But with the new amendment, there are chances of taxing the income in both the countries. As per the amendment the foreign income is taxed *if he is not liable to pay tax*. Since the method of personal taxation varies across the world, the amendment may create confusion.

It is imperative that the country is required to increase the tax base in respect of personal taxation. The tax authorities will have to continuously required to function in order to get the information from various countries.

Already the Government has introduced two tax regimes – old and new from the Assessment Year 2021-22 which has created ambiguity among the tax payers. Adding, the new provision, i.e., citizenship based taxation will create further confusion for the NRIs.

The move towards taxing the income on citizenship rather than on source of will make the non-residents to reduce their relationship with the country and may resort to permanently renounce the citizenship of the country.

India with a population of 130 crores, only around 6 crores file tax returns and around 1.5% to 2.00 % pay income tax.

The number of individual tax payers who have disclosed income above Rs 5 crore in the whole of the country is only around 8,600 during the previous assessment year.

Around 2200 professionals disclosed annual income of more than Rs.1 crores excluding other incomes like rental, interest, capital gains among others in the returns filed in the ongoing fiscal.

The above indicates that there is a need to increase the tax payers by increasing the tax base. The tendency is higher among the individuals to evade tax among the individuals other than salaried people. In the US, a single person starts paying income tax at an income level of about \$12,000 (approx. Rs 8.6 lakh), which closely parallels the level of the poverty line for an individual.

USA is the only country taxing its worldwide nonresident citizens. Under the Double Taxation Treaties they may get credit for the tax paid. But they are required to file the income tax returns.

It is high time to think about the progressive taxation, i.e., increase the tax base and reduce the tax rates and also the income increases, the rate also increases. In a country like India, this is the alternative to increase the tax revenue.

In the FY 2019-20, the personal tax revenue to Government was Rs. 5.55 lakh crores constituting around 26.30% of the total tax revenue. There is need for enhancing this figure in view of the population in the country. But taxing Non Residents based on Citizenship is not a solution.

Most of the countries has the tax limit below the average of the people. But in India the tax limit is much higher than the average income.

According to CBDT, there is an improvement in the tax base. The introduction of Citizenship Based Taxation in the country, may result in reversal of the trend of increasing the tax base in personal taxation segment.

There are instances, where, some countries after introducing the citizenship based taxation has withdrawn. For example Phillipines.

Instead, Government may require to resort to other provisions of the tax law to bring the tax evaders into the tax net. Even there is increase in personal taxation to the extent of 1%, it will result in substantial amount of tax revenue.

RECENT UPDATES IN DIRECT AND INDIRECT TAX

Team TRD

Direct Tax

E-filing website has enabled the public to file information on Tax Evasion under the link 'Submit Tax Evasion Petition or Benami Property holding

For more details, please follow- <https://www.incometaxindiaefiling.gov.in/eFiling/Portal/StaticPDF/Press-Release-CBDT-launches-e-portal-for-filing-complaints-regarding-dated-12-01-2021.pdf>

The facility to file rectification for Asst Year 2020-21 on the 143(1) intimations issued by CPC Bengaluru, is now enabled for "Return data correction" & "Only Reprocess the return". The rectification facility for "Tax credit mismatch correction" will be enabled soon.

TDS FVU version 7.0 related changes have been enabled in e-filing portal

Indirect Tax

Invoice Furnishing Facility (IFF) for Taxpayers under QRMP Scheme by GSTIN

For more details, please follow- <https://www.gst.gov.in/newsandupdates/read/437>

CBIC has facilitated Aadhaar Authentication / e-KYC for Existing Taxpayers on GST Portal

For more details, please follow- <https://www.gst.gov.in/newsandupdates/read/438>

CBIC has facilitated Auto-population of e-invoice details into GSTR-1

For more details, please follow- <https://www.gst.gov.in/newsandupdates/read/439>

CBIC has declared due dates for filing of Form GSTR-3B for the Tax Period of December, 2020

For more details, please follow- <https://www.gst.gov.in/newsandupdates/read/440>

TAX UPDATES, NOTIFICATIONS AND CIRCULARS

INDIRECT TAX

GST NOTIFICATIONS & CIRCULARS

Central Tax

Notification No. 1/2021 – Central Tax

Dated – 1st January, 2021

Seeks to make amendment (2021) to CGST Rules, 2017

Central Government, on the recommendations of the Council, has made amendments

- (a) a registered person shall not be allowed to file **GSTR 1** under section 37, if he has not furnished the return in **FORM GSTR-3B** for preceding two months;
- (b) (b) a registered person, required to furnish return for every quarter under the proviso to sub-section (1) of section 39, shall not be allowed to furnish the details of outward supplies of goods or services or both under section 37 in **FORM GSTR-1** or using the invoice furnishing facility, if he has not furnished the return in **FORM GSTR-3B** for preceding tax period;
- (c) (c) a registered person, who is restricted from using the amount available in electronic credit ledger to discharge his liability towards tax in excess 99% of such tax liability under rule 86B, shall not be allowed to furnish the details of outward supplies of goods or services or both under section 37 in **FORM GSTR-1** or using the invoice furnishing facility, if he has not furnished the return in **FORM GSTR-3B** for preceding tax period.”.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/gst/notfctn-01-central-tax-english-2021.pdf>

Notification No. 2/2021 – Central Tax

Dated – 12th January, 2021

Seeks to make amendment (2021) to CGST Rules, 2017

Government, has made further amendment in the Notification No. 2/2017-Central Tax, dated the 19th June, 2017.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/gst/notfctn-02-central-tax-english-2021.pdf>

CUSTOMS

Non-Tariff Notification

Notification No. 1/2021-Customs (NT)

Dated – 4th January, 2021

To notify Customs Authority for Advance Rulings Regulations, 2021

Board has made regulations and it may be called the Customs Authority for Advance Rulings Regulations, 2021.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-nt2021/csnt01-2021.pdf>

Notification No. 2/2021-Customs (NT)
Dated – 4th January, 2021
To rescind the Customs (Advance Rulings) Rules 2002

Central Government has rescinded the Customs (Advance Rulings) Rules 2002, made vide notification No. 55/2002-Customs (NT) which was issued on 23rd August, 2002, except as respects things done or omitted to be done before such rescission.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-nt2021/csnt02-2021.pdf>

Notification No. 3/2021-Customs (NT)
Dated – 4th January, 2021
Exchange rate Notification

CBIC has determined the rate of exchange of conversion of each of the foreign currencies into Indian currency or vice versa which is specified in Schedule I and Schedule II and has effected from 8th January, 2021.

SCHEDULE-I

Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees	
	For Imported Goods	For Exported Goods
Australian Dollar	58.30	55.90
Bahraini Dinar	200.35	188.05
Canadian Dollar	58.75	56.70
Chinese Yuan	91.80	88.60
EURO	91.10	87.90
US Dollar	74.00	72.30

SCHEDULE-II

Foreign Currency	Rate of exchange of one unit of foreign currency equivalent to Indian rupees	
	For Imported Goods	For Exported Goods
Japanese Yen	72.30	69.60
Korean Won	6.95	6.50

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-nt2021/csnt03-2021.pdf>

ANTI-DUMPING DUTY

Notification No. 1/2021-Customs (ADD)
Dated – 6th January, 2020

Seeks to further amend notification No. 2/2016-Customs (ADD) dated 28th Jan, 2016 to extend the levy of Anti-Dumping duty on Melamine originating in or exported from China PR, up to and inclusive of 28th Feb, 2021

Central Government has made the further amendment in the Notification No. 2/2016- Customs (ADD), dated the 28th January, 2016. In this notification, after paragraph 2 and before the Explanation, the following paragraph shall be inserted:

“3. Notwithstanding anything contained in paragraph 2, the anti-dumping duty imposed under this notification shall remain in force up to and inclusive of the 28th February, 2021, unless revoked, superseded or amended earlier.”

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-add2021/csadd01-2021.pdf>

CIRCULARS - CUSTOMS

Circular No. 1/2021-Customs
Dated – 14th January, 2021

Transshipment of Import & Export Cargo via Sri Lanka and Bangladesh-Waiver of bank guarantee

Representations have been received that Customs authorities at some ports are insisting that ship owners provide Bank Guarantee for carriage of EXIM containers for transshipment from East Coast to West Coast ports, via Colombo.

Carriers of containerized cargo, who are handling more than 1000 TEUs as import containers in a financial year. This waiver would apply not only to shipping lines but also to ICDs/CFSs/other carriers and for carriage in all modes of transshipment, irrespective of their movement by road, coastal shipping or rail. Further, jurisdictional Commissioners of Customs in deserving cases have been empowered to exempt the requirement of furnishing Bank Guarantee in respect of carriers having annual transshipment volume below the limit of 1000 TEUs, but having good track record.

Further vide Circular No.8/2019-Cus, dated 26.02.2019 movement of coastal goods through foreign territory of Sri Lanka and Bangladesh has been provided for, with a view to promote the movement of coastal goods through foreign territory.

In view of the above, Board has decided to extend the exemption from requirement of furnishing of Bank Guarantee by the carriers for carriage of EXIM cargo for transshipment through foreign territories of Sri Lanka and Bangladesh. This relaxation would apply, if the carrier fulfils the requirement of waiver of Bank Guarantee in a like manner, as provided for by Circular No. 45/2005-Customs, dated 24.11.2005.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2021/Circular-No-01-2021-new.pdf>

DIRECT TAX

Notification No. 1/2021 **Dated - 06th January, 2020**

Central Government, in consultation with the Chief Justice of the High Court of Tripura, has designated the Court of Chief Judicial Magistrate, West Tripura Judicial District, Agartala as the Special Court for the State of Tripura for the purposes of the said sub-section.

For more details, please follow:

https://www.incometaxindia.gov.in/communications/notification/notification_1_2021.pdf

Notification No. 2/2021 **Faceless Penalty Scheme, 2021** **Dated - 06th January, 2020**

Central Government has made the following Scheme:

This Scheme may be called the Faceless Penalty Scheme, 2021.

Scope of the Scheme. - The penalty under this Scheme shall be imposed in respect of such territorial area, or persons or class of persons, or income or class of income or cases or class of cases, or penalties or class of penalties as may be specified by the Board.

Faceless Penalty Centers - For the purposes of this Scheme, the Board may set up National Faceless Penalty Centers, Regional Faceless Penalty Centers, penalty units, penalty review units.

For more details, please follow:

https://www.incometaxindia.gov.in/communications/notification/notification_no_2_2021.pdf

Notification No. 3/2021 **Directions on Faceless Penalty Scheme** **Dated - 06th January, 2020**

Central Government made the following directions:

The provisions of section 2, section 120, section 127, section 129, section 131, section 133, section 133C, section 136 and Chapter XXI of the said Act shall apply to the procedure for imposing penalty in accordance with the said Scheme subject to the exceptions, modifications and adaptations.

For more details, please follow:

https://www.incometaxindia.gov.in/communications/notification/notification_no_3_2021.pdf

PRESS RELEASE

Extension of time limits 30thDecember, 2020

In view of the challenges faced by taxpayers in meeting the statutory and regulatory compliances due to the outbreak of COVID-19, the Government brought the Taxation and Other laws (Relaxation of Certain Provisions) Ordinance, 2020 ('the Ordinance') on 31st March, 2020 which, inter alia, extended various time limits. The Ordinance has since been replaced by the Taxation and Other laws (Relaxation and Amendment of Certain Provisions) Act.

2. The Government issued a Notification on 24th June, 2020 under the Ordinance which, inter alia, extended the due date for all Income Tax Returns for the FY 2019-20 (AY 2020-21) to 30th November, 2020. Hence, the returns of income which were required to be filed by 31st July, 2020 and 31st October, 2020 were required to be filed by 30th November, 2020. Consequently, the date for furnishing various audit reports including tax audit report under the Income Tax Act, 1961 (the Act) was also extended to 31st October, 2020.
3. In order to provide more time to taxpayers for furnishing of Income Tax Returns, the due date was further extended vide notification No 8812020/F. No. 37014213512020-TPI dated 29th October, 2020:
 - (A) The due date for furnishing of income Tax Returns for the taxpayers (including their partners) who are required to get their accounts audited (for whom the due date (i.e. before the said extension) as per the Act was 31st October, 2020) was extended to 31st January, 2021.
 - (B) The due date for furnishing of Income Tax Returns for the taxpayers who are required to furnish report in respect of international/specified domestic transactions (for whom the due date (i.e. before the said extension) as per the Act was 30th November, 2020) was extended to 31st January, 2021.
 - (C) The due date for furnishing of Income Tax Returns for the other taxpayers (for whom the due date (i.e. before the said extension) as per the Act was 31st July, 2020) was extended to 31st December, 2020.
 - (D) Consequently, the date for furnishing of various audit reports under the Act including tax audit report and report in respect of international/specified domestic transaction was also extended to 31st December, 2020.
4. Considering the problems being faced by the taxpayers, it has been decided to provide further time to the taxpayers for furnishing of Income Tax Returns, tax audit reports and declaration under Vivad Se Vishwas Scheme. Further, in order to provide more time to taxpayers to comply under various ongoing proceedings, the dates of completion of proceedings under various Direct Taxes & Benami Acts have also been extended. These extensions are as under:
 - a. The due date for furnishing of Income Tax Returns for the Assessment Year 2020-21 for the taxpayers (including their partners) who are required to get their accounts audited and companies [for whom the due date, as per the provisions of section 139(1) of the Income-tax Act, 1961, was 31st October, 2020 and which was extended to 30th November, 2020 and then to 31st January, 2021) has been further extended to 15th February, 2021.
 - b. The due date for furnishing of Income Tax Returns for the Assessment Year 2020-21 for the taxpayers who are required to furnish report in respect of international specified domestic transactions [for whom the due date, as per the provisions of section 139(1) of the Income- tax Act, 1961, was 30th November, 2020 and which was extended to 31st January, 2021] has been further extended to 15th February, 2021.
 - c. The due date for furnishing of Income Tax Returns for the Assessment Year 2020-21 for the other taxpayers [for whom the due date, as per the provisions of section 139(1) of the Income- tax Act, 1961, was 31st July, 2020 and which was extended to 30th November, 2020 and then to 31st December, 2020) has been further extended to 10th January, 2021.

- d. The date for furnishing of various audit reports under the Act including tax audit report and report in respect of international specified domestic transaction for the Assessment Year 2020-21 has been further extended to 15th January, 2021.
 - e. The last date for making a declaration under Vivad Se Vishwas Scheme has been extended to 31 11 January, 2021 from 31st December, 2020.
 - f. The date for passing of orders under Vivad Se Vishwas Scheme, which are required to be passed by 30th January, 2021 has been extended to 31 st January, 2021.
 - g. The date for passing of order or issuance of notice by the authorities under the Direct Taxes & Benami Acts which are required to be passed! issued! made by 30th March, 2021 has also been extended to 31st March, 2021.
5. Further, in order to provide relief for the third time to small and middle class taxpayers in the matter of payment of self-assessment tax, the due date for payment of self-assessment tax date is hereby again being extended. Accordingly, the due date for payment of self-assessment tax for taxpayers whose self-assessment tax liability is up to Rs. 11akh has been extended to 15111 February, 2021 for the taxpayers mentioned in para 4(a) and para 4(b) and to 10" January, 2021 for the taxpayers mentioned in para 4(c).
 6. The Government has also extended the due date of furnishing of annual return under section 44 of the Central Goods and Services Tax Act, 2017 for the financial year 2019-20 from 3111 December, 2020 to 28111 February, 2021.
 7. The necessary notifications in this regard shall be issued in due course.

Income Tax Department conducts searches in Kolkata
31stDecember, 2020

The Income Tax Department carried out search and seizure action on two Kolkata based Groups engaged in manufacturing & trading of Steel, trading of marbles & stones, food grains etc.

The search action has resulted in unearthing of incriminating evidences revealing various shell entities being used for raising bogus share capital/unsecured loans, discrepancies in stock and out of the books cash transactions. The Groups have accepted that they used paper/shell companies to route back their own unaccounted money. A total concealment of income amounting to Rs. 178 crore has been detected so far including excess stock of Rs. 38 crore.

The search action has resulted in seizure of unaccounted cash of Rs. 1 crore and jewellery worth Rs. 1.42 crore.

Further investigations are in progress.

Income Tax Department conducts searches in Kolkata
8th January, 2021

The Income Tax Department carried out search and seizure action on three real estate and stock broking groups of Kolkata on 05.01.2021. The search operation was conducted based on the available data in the departmental database, analysis of their financial statements, on market intelligence and field enquiries.

The search action has resulted in unearthing of incriminating evidences revealing various shell entities being used for raising bogus share capital/unsecured loans. Evidences of out of the books cash transactions have also been found. Further, significant amount of un-booked revenue on account of sale of flats was detected. During the course of search proceedings, as a result of enquiries conducted, it has been established that the persons of the group have used paper/shell companies to route back their own unaccounted money. A total concealment of income amounting to Rs. 365 crore has been detected so far. The assesseees have made an admission of undisclosed income amounting to Rs. 111 crore.

The search action has resulted in seizure of unaccounted cash of Rs. 3.02 crore and jewellery worth Rs. 72 lakh.

Further investigations are in progress.

Income Tax Department conducts searches in Hyderabad

12th January, 2021

The Income Tax Department carried out a search and seizure action on 07.01.2021 based on investigation in income tax evasion using bogus subcontractor's/shell entities along with enquiries made relating to entities flagged for providing fake Input Tax credit.

The search was carried out on a prominent civil contractor working in Telangana, generating cash through the use of bogus sub-contracts and bogus billers. The search has been conducted on 19 premises across Hyderabad. The search has also covered a network of individuals running the racket of entry operation and generation of huge cash through fake billing.

Several shell entities/firms were used by the searched entry operators for layering of unaccounted money and cash withdrawals against fake bills issued wherein bogus Input Tax Credit(ITC) was passed on. Statements of such entry operators, their dummy partners/employees, the cash handlers of the beneficiaries have also been recorded, clearly validating the entire money trail.

The search has led to seizure of evidences of bogus sub-contracts being given through intermediaries operating shell entities. Evidence of the use of this modus to generate huge unaccounted cash was found along with details of the entire network of the entry operators, intermediaries, cash handlers, beneficiaries and the firms and companies involved. Forensic analysis of digital data including pen drive, retrieved mails has given clinching evidences in this regard.

So far, documents evidencing accommodation entries of more than Rs. 160 crore have already been found and seized. The assessee company has also admitted the same in its statement. Further investigations are in progress.

Income Tax Department conducts searches in Assam

12th January, 2021

The Income Tax Department carried out search and survey action on 08/01/2021 in the cases of renowned Doctors/Medical professionals of Assam. The search and survey actions were carried out at 29 locations in Guwahati, Nalbari and Dibrugarh in Assam.

The main allegations against the groups were that they had grossly understated their medical receipts both in their individual capacities and the turnovers in their hospitals/nursing homes, diagnostic centres and pharmaceutical business.

During the course of the search & seizure operation, it has been established that the groups engage in out-of-books transactions. Many documents and cash receipt slips were found which highlight the hugely suppressed turnover in the case of medical professionals and their hospitals/clinics. The quantum of suppressed turnover detected in few cases alone appears to be upward of Rs. 50-60 crore. Further, the net profit shown in the medical/pharma business is also extremely low.

Total cash of approximately Rs. 7.54 crore was seized by the Department from various residential and business premises of the medical professionals and their allied business, with an amount of Rs. 1.76 crore cash seizure from a distant town of Nalbari in Assam. The cash seized was found to be unexplained in the hands of various hospitals and medical professionals. Papers of huge parcels of land/immovable assets purchased in cash were also seized. Hand written notes/diaries of investments made in immovable assets in cash of around Rs. 20 crore were also seized. The cash generated was found to be diverted in building of new hospitals, reconstruction of nursing homes and acquisition of undisclosed assets.

During the course of the search action, it was found that huge amount of Kachha Cash receipts and transaction were made outside the regular books of accounts, In one such case, it was found that an amount close to Rs. 20 crore was undisclosed.

Further, daily receipts were found to be digitally maintained in Excel/hard disk at Medical clinics that had not been recorded in the books of accounts. In the case of another assessee, the annual receipts were approximately Rs. 15-20 crore, while in the audited books, he had shown the gross receipt of around Rs.5 crore only. Hence, it is apparent that in the case of this particular assessee, suppression for each year should be around Rs.10-15 crore.

In all, unexplained investment/receipts/expenses exceeding Rs. 100 crore has been unearthed due to the search & seizure action.

Further investigations are in progress.

CBDT launches e-portal for filing complaints regarding tax evasion/Benami Properties/Foreign Undisclosed Assets
12th January, 2021

Taking another step towards e-governance and encouraging participation of citizen as stakeholders in curbing tax evasion, the Central Board of Direct Taxes has launched an automated dedicated e-portal on the e-filing website of the Department to receive and process complaints of tax evasion, foreign undisclosed assets as well as complaints regarding benami properties.

The public can now file a Tax Evasion Petition through a link on the e-filing website of the Department <https://www.incometaxindiaefiling.gov.in/> under the head "File complaint of tax evasion/undisclosed foreign asset/ benami property". The facility allows for filing of complaints by persons who are existing PAN/Aadhaar holders as well as for persons having no PAN /Aadhaar. After an OTP based validation process (mobile and/or email), the complainant can file complaints in respect of violations of the Income Tax Act, 1961, Black Money (Undisclosed Foreign Assets and Income) Imposition of Tax Act, 1961 and Prevention of Benami Transactions Act (as amended) in three separate forms designed for the purpose.

Upon successful filing of the complaint, the Department will allot a unique number to each complaint and the complainant would be able to view the status of the complaint on the Department's website. This e-portal is yet another initiative of the Income Tax Department to bring about enhanced ease of interaction with the Department, while strengthening its resolve towards e-governance.

EMPANELMENT OF SPECIAL AUDITORS - INCOME TAX DEPARTMENT KERALA
13th January, 2021
NOTICE

The Income Tax Department Kerala invites application from qualified Chartered Accountants firms (w within the meaning of the Chartered Accountants Act, 1949) for empanelment as Special Auditors to carry out audit in accordance with the provisions of sec. 142(2A) of I.T. Act, 1961. The remuneration for the Special Audit is governed by Rule 14B of the I.T. Rules, 1962.

(A) Eligibility Conditions: (i) The applicant should be a reputed partnership firm or proprietary concern or a company, having its office in the area(s) falling within the territorial jurisdiction of Principal Chief Commissioner of Income Tax, Kerala and, primarily engaged in the profession of accountancy, having a staff strength of at least 10, including a minimum of 2 Chartered Accountants (other than the partners/proprietor in the case of partnership firm/proprietary concern).(Adequate evidences supporting the claim of staff strength and strength of CAs to be enclosed with the application and marked as Annexure-A)

(ii) The applicant should have auditing experience of minimum period of 10 years as on 31.03.2019. (Supporting evidences need to be added with application and to be marked as Annexure-B)

(iii) The applicant should not have been charged with any professional misconduct and no complaint u/s 21 of the Chartered Accountants Act, 1949 for any irregularity should have been filed against the applicant, with the Institute of Chartered Accountants.

(iv) The applicant should have filed returns of income regularly upto A.Y. 2019-20 and the total returned income should be at least Rs. 20 lakhs in at least 2 of the last 5 years or gross professional receipts of Rs. 1. crore or more in at least two of the last five years. (1) Evidence supporting claim in this respect needs to be enclosed with the application and to be marked as Annexure-c. (2) PANs, AO details of the applicant concern/firm and those of the partners need to be specified in the application)

(v) No prosecution should have been launched under Chapter XXII of the Income Tax Act or under any other statute, against the firm or its partners or against the proprietary concern or against the company or its director or manager or secretary or any other officer as the case may be.

(vi) There should not be any Income Tax dues outstanding, against the applicant partnership firm or its partner's or proprietary concern or company on the date of making the application.

(vii) The applicant should not have indulged/found indulged in any unethical or professional practices;

(viii) The applicant should not be facing any investigation/inquiry for tax evasion on the date of making the application.

(Declaration by the applicant in the form of affidavit of Rs. 100 stamp Papers in respect of fulfilment of clauses iii, v, vi and viii as above needs to be enclosed with the application and to be marked as Annexure-D).

(ix) The Panel will amend and replace the earlier Panel drawn in 2010 with effect from the date of constitution of the fresh Panel.

(x) The decision of the Department as regards the empanelment of CAs will be final and binding.

(xi) The PCCIT, Kerala, reserves the right to reject any application without showing any reason at any point of time.

(B) Terms and conditions:

(i) The remuneration including expenses of and incidental to any special audit shall be decided on a case-to-case basis in accordance with Rule 14B of the LT. Rules, 1962, and shall be paid by the Department.

(ii) The empanelment of CAs shall be made at the discretion of the Department, and the decisions made shall be final. Apart from the above criteria, the general reputation of the applicant firm or proprietary concern or company as gathered from Departmental sources, including the facts of any penalty levied under the Income Tax Act or by any other statutory authority shall be taken into account.

(iii) Application should be submitted in the format given in the notice. Any application which is not in the format, will not be entertained.

Chartered Accountant firms, proprietary concerns and companies fulfilling the above eligibility conditions may submit their applications for empanelment, along with the relevant details and specifying how the eligibility conditions are satisfied, to the Office of Pr. Chief Commissioner of Income Tax, Kerala, 2nd Floor, CR.Building, I.S.Press Road, Kochi-18, for processing the same for empanelment for Special Audit u/s 142(2A) of the IT. Act. 1961. The applications may be submitted personally or may be sent through post so as to reach in the Office of Pr.Chief Commissioner of Income Tax, Kerala, 2nd Floor, CR.Building, I.S.Press Road, Kochi-18 on or before the last date as specified below.

The applicant should state PAN No. and particulars of Income Tax assessments (Le. Ward/Circle/Place) in respect of proprietary concern/CA. firm as well as in respect of its partners/company as well as in respect of its directors in the application.

The application must reach in the office of Office of Pr.Chief Commissioner of Income Tax, Kerala, 2nd Floor, CR. Building, I.S.Press Road, Kochi-18 within fifteen days from the date of publication of this Notice.

JUDGEMENTS

INDIRECT TAX

ITC available on Works Contract Service to Kolkata Municipal Corporation for Construction of Immovable Property: AAR

Fact of the Case

- The applicant, Sital Kumar Poddar is supplying works contract service to Kolkata Municipal Corporation to construct buildings for various projects.
- The applicant submits that the question has roots in the provisions of section 17(5) (c) & (d) of the GST Act. It states that the input tax credit shall not be available on (i) works contract service when supplied for construction of an immovable property (other than plant and machinery) except where it is an input service for further supply of works contract service [section 17(5)(c)] or on (ii) the goods or services or both received by a taxable person for construction of an immovable property (other than plant and machinery) on his own account including when such goods or services or both are used in the course or furtherance of business [section 17(5)(d)].
- The applicant submits that the prohibition under section 17(5)(c) of the GST Act applies to the input tax credit on the inward supply of works contract service for the construction of immovable property other than plant and machinery. However, the input tax credit on the inward supply of works contract service shall be available if the outward supply is also works contract service.
- The applicant argues that the credit of input tax on the inputs, including input services, for the outward supply of works contract is not blocked by the above provisions of section 17(5)(c) of the GST Act. Such outward supply of works contract service to a municipal corporation is neither an exempted supply under Entry No. 3 of Notification No. 12/2017 – CT (Rate) dated 28/06/2017 and, therefore, the input tax credit cannot be denied under section 17(2) of the GST Act either.

The applicant sought the advance ruling on the issue whether he is eligible to claim the input tax credit on the inward supplies of the goods and services procured for supplying the works contract service.

Decision of the Case

- The dispute has a narrow ambit. It arises from the conflicting interpretation about the scope of section 17(5) of the GST Act. The concerned officer from the revenue has interpreted the applicability of the prohibition differently for clause (c) from clause (d) of section 17(5) of the GST Act. He argues that clause (c) refers to the supply of works contract service to construct an immovable property. Therefore, the prohibition from claiming input tax credit applies to the inputs and input services used for the outward supply of works contract service for the aforesaid construction. Clause (d), however, clearly refers to the inputs and input services that a taxable person uses to construct an immovable property on his own account.
- The Coram held that the applicant is supplying works contract service to the Kolkata Municipal Corporation, therefore, making an outward supply of works contract service and is not prohibited from claiming input tax credit either under clause (c) or clause (d) of section 17(5) of the GST Act.

The West Bengal Authority of Advance Ruling (AAR) ruled that the Input Tax Credit (ITC) is available on works contract service to Kolkata Municipal Corporation for the construction of the immovable property.

5% GST on manufacturing and Supply of “Organic Manure”: AAR

Fact of the Case

- The applicant, M/s GB Agro Industries has stated that they are engaged in the manufacture of different types of fertilizers viz. Chemical fertilizers, Organic fertilizers and Bio- fertilizers.

- They are manufacturing “Organic Manure”, “Bio- fertilizers”, “Granulated Nutrient Mixture” and “Phosphatic Rich Fertilizers”. At present, they are classifying their products, “Organic Manure”, “Bio-fertilizers” and “Granulated Nutrient Mixture” under Chapter 31 under tariff item 3101 and 3102. Further, they proposed to manufacture “Phosphatic Rich Fertilizers” classifying the same under Chapter 31 in tariff item 3103. **But they are not sure whether the classification of the products done by them is correct.**

The applicant has sought advance ruling on the classification of “Organic Manure”, “Bio-fertilizers”, “Granulated Nutrient Mixture” and “Phosphatic Rich Fertilizers” manufactured by them and its HSN code.

Decision of the Case

- The Coram held that the “Organic Manure” manufactured and supplied by the applicant, classifiable under Chapter sub-heading No.31059090 of the First Schedule to the Customs Tariff Act, 1975. If said products are clearly used as fertilizers, it will be taxable under 5% GST in terms of Sl. No. 182D of Schedule I of Notification No.1/2017-Central Tax (Rate) dated June 28, 2017, as amended.
- The AAR further ruled that “Bio-fertilizers” manufactured and supplied by the applicant are classifiable under Chapter sub-heading No.30029030 of the First Schedule to the Customs Tariff Act, 1975 and will be taxable under 12% GST in terms of Sl. No.61 of Schedule-II of the Notification No.1/2017-Central Tax (Rate) dated June 28, 2017, as amended.
- “The goods, viz. “Nitrogenous Mixture Fertilizers” manufactured and supplied by the applicant are classifiable under Chapter sub- heading No.31029090 of the First Schedule to the Customs Tariff Act, 1975. If said products are clearly used as fertilizers, it will be taxable under 5% GST in terms of Sl. No. 182A of Schedule I of Notification No.1/2017-Central Tax (Rate) dated 28.06.2017, as amended,” the AAR ruled.
- Lastly, the AAR said ‘Mixtures of Fertilizers’ manufactured and supplied by the applicant are classifiable under Chapter sub-heading No.31059090 of the

First Schedule to the Customs Tariff Act, 1975. If said products are clearly used as fertilizers, it will be taxable under 5% GST in terms of Sl. No. 182D of Schedule I of Notification No.1/2017-Central Tax (Rate) dated June 28, 2017, as amended.

The Gujarat Authority of Advance Ruling (AAR) ruled that 5% GST on manufacturing and Supply of “Organic Manure”.

5% GST not applicable to the bulk drug Danuorubicin, Epirubicin, Idarubicin and Zoledronin Acid: AAR

Fact of the Case

- The applicant, M/s. Sterling Biotech Ltd. is engaged in the manufacture of pharmaceutical products viz. Bulk Drugs located at Village masar, DistJambusar in the state of Gujarat. Masa plants mainly manufacture bulk drugs which are consumed in manufacture of life saving drugs and medicaments for treatment of cancer, etc. The applicant submitted that they are manufacturing bulk drugs namely Danuorubicin, Epirubicin, Idarubicin and Zoledronin Acid and supplying presently under general heading at Sr. No. 40 covered under chapter 29 of Schedule-III of the Not. No. 01/2017-Ct (rate) dated June 28, 2017 as well as State Notification and Integrated Tax Notification.
- The applicant sought the advance ruling on the issue whether the applicant is eligible to claim the benefit of lower rate of 5% (CGST- 25.% and SGST-2.5%) under Sr. No. 180 of Schedule I of the rate schedule for goods under Not. No. 01/2017-CT (Rate) dated June 28, 2017 as well as of State Tax Notification.

Decision of the Case

- The coram ruled that the concessional rate of GST is applicable only to the medicine or drugs, which are ready for administering in the human being or person. In the instant case, the applicant supplies bulk drugs to their customers and hence the said bulk drug becomes raw material to the said customers.
- Therefore, AAR held that 5% GST is not applicable to the bulk drug Danuorubicin, Epirubicin, Idarubicin and Zoledronin Acid,

in terms of List I to Entry No. 180 of Schedule I to the Notification No. 1/2017-Central Tax (Rate), dated June 28, 2017.

The Gujarat Authority of Advance Ruling (AAR) ruled that 5% GST not applicable to the bulk drug Danuorubicin, Epirubicin, Idarubicin and Zoledronin Acid.

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18% GST on "Supply, Testing and Commissioning of 160 TR Chilled Water Plant": AAR

Fact of the Case

- The applicant, M/s Air Control and Chemical Engineering Co. Ltd is a public limited company working under the Trade Name "Air Control and Chemical Engineering Co. Limited", more popularly known as "ACCEL", having a Factory at Barejadi, Gujarat. They are registered under GST Act, 2017. They are engaged in the manufacture and supply of various Refrigeration Compressors, Refrigeration Compressors' spares, Industrial Fans and Blowers, Industrial Fans' spares, Refrigeration systems and HVAC equipment.

The applicant has sought for an advance ruling in respect of the clarification in details is sought with regard to the GST rate applicable regarding the "Supply, Testing and Commissioning of 160 TR Chilled Water Plant to Naval Dockyard (Visakhapatnam). Further, in respect of clarification in details is sought with regard to the HSN/SAC code applicable regarding the "Supply, Testing and Commissioning of 160 TR Chilled Water Plant" to Naval Dockyard (Visakhapatnam).

Decision of the Case

Also, the advance ruling was sought in respect of clarification is also sought on applicability of the Notification No. 01/2017-IT (Rate), S. No. 252 (Any Chapter) whether Chiller Water Plant may be categorised as "Any Parts" and subject to 5% GST under HSN 8906.

- The Coram ruled that the "Supply, Testing and Commissioning of 160 TR Chilled Water Plant" to Naval Dockyard (Visakhapatnam), is a composite supply with the principal supply of goods viz.

'160 TR Chilled Water Plant'/ 'Chiller' falling under Chapter sub-heading No. 8418 10 10 and the applicant is liable to pay 28% GST till July 26, 2018, and 18% from July 27, 2018, on said complete supply of goods and services. The AAR while addressing another issue ruled that the "Supply, Testing and Commissioning of 160 TR Chilled Water Plant" to Naval Dockyard (Visakhapatnam), is a composite supply with the principal supply of goods viz. '160 TR Chilled Water Plant'/ 'Chiller' falling under Chapter sub-heading No. 8418 10 10.

- "No exemption Notification issued under GST, which provides GST exemption in respect of Supply of 160TR Chilled Water Plant in question to the Naval Dockyard, Visakhapatnam, an Indian Naval Ship Repair Organisation of Indian Navy," the AAR said.

The Gujarat Authority of Advance Ruling (AAR) ruled that 18% GST is applicable on "Supply, Testing and Commissioning of 160 TR Chilled Water Plant".

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18% GST on Non-Woven Bags manufactured through Non-Woven fabric: AAR

Fact of the Case

- The Applicant, M/s Girivariya Non-Woven Fabrics Pvt is engaged in manufacturing of Non-Woven Bags through the intermediate product, i.e. Non-Woven fabrics manufactured from Fiber grade polypropylene granules by adopting the Spun Bond technology.
- The applicant submitted that in the Spun Bond technology, polypropylene granules are fed to the hopper and passed through the extruder at a certain temperature. The melted material after filtering passed through the spinning unit to obtain a continuous single filament. The said filaments are then subject to lying on the continuous web and under control pressure thermal bonding. The resultant product is Non-Woven fabric which is called Polypropylene Non-Woven fabrics.
- The applicant submitted that prior to introduction of the GST Act, the Polypropylene Non-Woven bags were being classified under Heading No. 6305 being products manufactured through

non-woven fabrics classified under Heading No.5603.

The applicant sought the advance ruling on the issue Whether the product Non-Woven Bags manufactured through the intermediate product, Non-Woven Fabrics classifiable under Heading No. 5603 are properly classifiable under Heading No.6305 or under Heading No. 3923.

Decision of the Case

- The Coram ruled that the Non-Woven Bags manufactured through the intermediate product, i.e. Non-Woven fabric manufactured from Fiber grade polypropylene granules by adopting the Spun Bond technology, merits classification under HS code 3923.
- The AAR stated that the rates of GST applicable on products during different periods as discussed namely 18% GST for the period between July 1, 2017, to September 30, 2019; 12% GST for the period between October 1, 2019, to December 30, 2019, and 18% GST from January 1, 2020, till date.

The Gujarat Authority of Advance Ruling (AAR) ruled that 18% GST on Non-Woven Bags manufactured through Non-Woven fabric.

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DIRECT TAX

Supreme Court allows Section 80P Deduction to Co-op Credit Societies despite Loans to Nominal Members

Fact of the Case

- In the present case The Co-operative Credit societies are the assesseees
- The co-operative societies who have been registered as 'primary agricultural credit societies', together with one 'multi-State co-operative society', and raise important questions as to deductions that can be claimed under section 80P(2)(a) (i) of the Income-Tax Act, 1961.
- All the assesseees who are being provided credit facilities for agricultural and allied purposes have been classified as primary agricultural credit societies by the register of co-operative societies act

Decision of the Case

- The Full Bench of the Kerala High Court, by the impugned judgment referred to section 80P, various provisions of the Banking Regulation Act and the Kerala Act and held that the main object of a primary agricultural credit society which exists at the time of its registration, must continue at all times including for the assessment year in question.
 - The three-judge bench of Justices R. F. Nariman, Navin Sinha and K.M. Joseph held that the giving of loans by a primary agricultural credit society to non-members is not illegal.
 - However, the court held that in case it is found that there are instances of loans being given to non-members, profits attributable to such loans obviously cannot be deducted.
 - The Supreme Court held that loans given by co-op credit societies to nominal members would qualify for the purpose of deduction under section 80P(2)(a)(i) of the Income Tax Act.
-

ITAT directs AO to allow set off of Capital Loss carried forward against Capital Gains earned

Fact of the Case

- In the present case M/s Apollo Finvest (India) Ltd is the assessee
- The assessee is a non-banking public financial company engaged in investment in shares, mutual funds, securities, debentures etc.
- The main grievance of the appellant is that the AO erred in not setting off the short term capital gain of Rs.54,38,407 earned by it against long term capital loss brought forward from Assessment Year 2001-02, which later on is affirmed by the CIT(A).
- The assessee pointed out that in the provisions for carry forward contained in section 74 of the Act prior to the amendment by the Finance Act, 2002, there was no distinction between long term capital loss and short term capital loss and therefore, the AO erred in applying the provisions of section 74 as amended by the Finance Act, 2002.
- Therefore, it was contended that the AO should have applied the provisions prior

to the amendment as the losses brought forward related to the AY 2001-02.

Decision of the Case

- The coram of Vikas Awasthy and N.K. Pradhan in the light of the decision of Bombay High Court in the case of Manali Investments held that “short term capital gain” computed under section 50 on long term depreciable assets can be set off against long term capital loss under section 74 of the Act.
- The Income Tax Appellate Tribunal (ITAT), Mumbai Bench directed the AO to allow set-off of capital loss carried forward against capital gains earned.

No TDS deductible if no separate payment is shown relating to purchase of Software embedded in Mobile Phones, says ITAT

Fact of the Case

- In the present case Nokia India Sales Private Ltd. is an indirectly wholly owned subsidiary of Nokia Corporation
- The assessee is engaged in the business of marketing, distribution, and sales of mobile phones (including accessories) and services.
- This business of the assessee was earlier handled by M/s Nokia India Pvt. Ltd. (NIPL), another subsidiary of Nokia Corporation OY, till about end of December, 2012 and in that sense NIPL is business predecessor to the assessee. The assessee filed e- return declaring total income of Rs.286,06,91,570 and revised return declaring Rs. 296,66,91,570.
- In respect of taxability of software embedded in mobile phones, during the previous year relevant to the subject AY, the Appellant had paid an amount of Rs. 3555,66,06,815 to Nokia Corporation Finland towards consideration for purchase of finished mobile phones.
- The software embedded in the hardware, which is not supplied separately is a standard operating software that can be used to activate and operate/ run the specific mobile handset supplied by Nokia Corp and is incapable of being traded by the assessee on a standalone basis.

Decision of the Case

- The two-member bench of N.K. Billaiya and Suchitra Kamble noted that note that the CIT(A) has given a detailed finding as relates to non-deduction of tax at source under Section 195 for software embedded in mobile phones imported by the assessee during the previous year.
- Therefore, the ITAT while dismissing the appeal of the revenue held that the Revenue could not point out the distinguishing fact that there was a separate payment made for the purchase of software embedded in mobile phones.

Income from Sale of Software by US Company to Indian Customers or through Distributors or Resellers constitutes Business Income, Not Royalty: ITAT

Fact of the Case

- In the present case the assessee is a non-resident company which is engaged in sale of software, either directly to the customers in India or through Distributors or Resellers constitutes its business income and not the Royalty income.
- The assessee is engaged in India in the sale of software licenses relating to information security and storage technology as well as the provision of support and maintenance services with respect to the above software.
- During the year under consideration, the assessee earned revenue from sale of software licenses in India including certification and software for authentication business which was claimed as not chargeable to tax in the absence of it having any Permanent Establishment (PE) in India.
- The Assessing Officer held that such income shall be treated as “Royalty” under the Income Tax Act, 1961.

Decision of the Case

- The pune bench of ITAT observed that their transactions are confined to purchasing specific Symantec Products from the assessee and then eventually selling the same to the end customers in India.

- There is no qualitative difference between the direct sales made by the assessee to its customers in India, which have already passed the scrutiny by the Tribunal in assessee's own case for earlier year and the sales made by the assessee through the Distributors or the Resellers.
- In both the sets of circumstances, it is only one-to-one sale of the Symantec Products by the assessee and at no stage the right to use the copyright in the software is licensed either to the Distributor or the Reseller
- Based on the above findings, the Tribunal held that the income earned by the assessee from sale of software, either directly to the customers in India or through Distributors or Resellers constitutes its business income and not the Royalty income.

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- The Assessing Officer held that such income shall be treated as "Royalty" under the Income Tax Act, 1961.

Decision of the Case

- The pune bench of ITAT observed that their transactions are confined to

purchasing specific Symantec Products from the assessee and then eventually selling the same to the end customers in India.

- There is no qualitative difference between the direct sales made by the assessee to its customers in India, which have already passed the scrutiny by the Tribunal in assessee's own case for earlier year and the sales made by the assessee through the Distributors or the Resellers.
- In both the sets of circumstances, it is only one-to-one sale of the Symantec Products by the assessee and at no stage the right to use the copyright in the software is licensed either to the Distributor or the Reseller

Based on the above findings, the Tribunal held that the income earned by the assessee from sale of software, either directly to the customers in India or through Distributors or Resellers constitutes its business income and not the Royalty income.

TAX COMPLIANCE CALENDAR AT A GLANCE

GST CALENDAR

Due Date for GSTR-3B			
State	Turnover in Preceding F.Y.	Month	Due Date
For All State	Turnover is more than Rs. 5 Crore	December, 2020	20 th January, 2021
		January, 2021	20 th February, 2021
Chhattisgarh, Madhya Pradesh, Gujarat, Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Telangana, Andhra Pradesh, Daman & Diu and Dadra & Nagar Haveli, Puducherry, Andaman and Nicobar Islands, Lakshadweep	Turnover is upto Rs. 5 Crore	December, 2020	22 nd January, 2021
		January, 2021	22 nd February, 2021
Himachal Pradesh, Punjab, Uttarakhand, Haryana, Rajasthan, Uttar Pradesh, Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya, Assam, West Bengal, Jharkhand, Odisha, Jammu and Kashmir, Ladakh, Chandigarh, Delhi	Turnover is upto Rs. 5 Crore	December, 2020	24 th January, 2021
		January, 2021	24 th February, 2021

Due Date		
Form	For month/Quarter	Date
GSTR-1	Monthly	
	January	11 th February, 2021
	Quarterly	
	Jan to March	13 th April, 2021

Composition Scheme Due Dates		
From	Description	Date
CMP - 08	Return for Composite Supplier	
	Oct to Dec 2020	18 th January, 2021
	Jan to March 2021	18 th April, 2021

Others Returns		
From	Description	Due Date
GSRT - 5 & 5A	Filed by Non-resident taxable person and OIDAR respectively	
	December 2020	20 th January, 2021
	January 2021	20 th February, 2021
GSTR - 6	For input Services Distributor who are required to furnish details of invoice on which credit has been received	
	December 2020	13 th February, 2021
	January 2021	13 th February, 2021
GSTR - 7	Filed by person required to deduct TDS under GST	
	January, 2021	10 th February, 2021
GSTR - 8	E-commerce operator who are required to deduct TDS	
	January, 2021	10 th February, 2021

Annual Return			
From	Description	Extended Due Date Extended Due Date for F.Y. 2019-20	Late Fee
GSRT-9	Annual Return	28 th February, 2021	Liability is Rs. 200 per day of default (CGST+SGST). This is subject to a maximum of 0.25% of the taxpayer's turnover in the relevant state or union territory
GSTR - 9C	Reconciliation Statement & Certificate	28 th February, 2021	

DIRECT TAX CALENDAR - JANUARY, 2021

30.01.2021

- ❖ Quarterly TCS certificate in respect of quarter ending December 31, 2020
 - ❖ Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA, 194-IB & 194M in the month of December, 2020

31.01.2021

- Quarterly statement of TDS for the quarter ending December 31, 2020
- Quarterly return of non-deduction at source by a banking company from interest on time deposit in respect of the quarter ending December 31, 2020
- Intimation under section 286(1) in Form No. 3CEAC, by a resident constituent entity of an international group whose parent is non-resident
- Furnishing of declaration to opt for Vivad se Vishwas Scheme.

COURSES OFFERED BY TAX RESEARCH DEPARTMENT

Eligibility criterion for admission in TRD Courses

- The members of the Institute of Cost Accountants of India
- Other Professionals (CS, CA, MBA, M.Com, Lawyers)
- Executives from Industries and Tax Practitioners
- Students who are either CMA qualified or CMA pursuing

EXISTING COURSES

CERTIFICATE COURSE ON TDS

Course Fee - Rs. 10,000 + 18% GST
20% Discount for Members, CMA Final Passed Candidates and CMA Final pursuing Students

Exam Fees - Rs. 1,000 + 18% GST

Duration - 30 Hours

Mode of Class - Online

CERTIFICATE COURSE ON INCOME TAX RETURN FILLING

Course Fee - Rs. 10,000 + 18% GST
20% Discount for Members, CMA Final Passed Candidates and CMA Final pursuing Students

Exam Fees - Rs. 1,000 + 18% GST

Duration - 30 Hours

Mode of Class - Online

CERTIFICATE COURSE ON GST

Course Fee - Rs. 10,000 + 18% GST
20% Discount for Members, CMA Final Passed Candidates and CMA Final pursuing Students

Exam Fees - Rs. 1,000 + 18% GST

Duration - 72 Hours

Mode of Class - Online

** Special Discount for Corporate*

ADVANCED CERTIFICATE COURSE ON GST

Course Fee - Rs. 14,000 + 18% GST
20% Discount for Members, CMA Final Passed Candidates and CMA Final pursuing Students

Exam Fees - Rs. 1,000 + 18% GST

Duration - 40 Hours

Mode of Class - Online

CRASH COURSE ON GST FOR COLLEGE AND UNIVERSITY

Batch Size - 50 (Minimum)

Eligibility criterion - B.COM/B.B.A pursuing or completed
M.COM/M.B.A pursuing or completed

Course Fee - Rs. 1,000 + 18% GST

Exam Fees - Rs. 200 + 18% GST

Course Duration - 32 Hours

NEW COURSES

ADVANCED COURSE ON GST AUDIT AND ASSESSMENT PROCEDURE

Course Fee - Rs. 12,000 + 18% GST [Including Exam Fee]

Duration - 30 Hours

Mode of Class - Online

ADVANCED COURSE ON INCOME TAX ASSESSMENT AND APPEAL

Course Fee - Rs. 12,000 + 18% GST [Including Exam Fee]

Duration - 30 Hours

Mode of Class - Online

For enquiry about courses, mail at – trd@icmai.in

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

Disclaimer:

The Tax Bulletin is an informational document designed to provide general guidance in simplified language on a topic of interest to taxpayers. It is accurate as of the date issued. However, users should be aware that subsequent changes in the Tax Law or its interpretation may affect the accuracy of a Tax Bulletin. The information provided in these documents does not cover every situation and is not intended to replace the law or change its meaning.

The opinion expressed in Article is fully based on the views of the experts. This information is provided for public services only and is neither an advertisement nor to be considered as legal and professional advice and in no way constitutes an attorney-client relationship between the Institute and the User. Institute is not responsible or liable in any way for the consequences of using the information given.

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