

MAY, 2021

TAX Bulletin

★ ★ VOLUME - 88 ★ ★



THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

Statutory Body under an Act of Parliament

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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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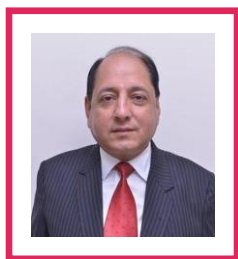
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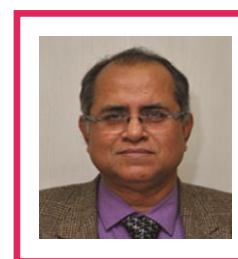
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CMA Rakesh Bhalla
Chairman, Direct Taxation Committee



CMA Chittaranjan Chattopadhyay
Chairman, Indirect Taxation Committee

FROM THE DESK OF CHAIRMAN

Dear Friends and Professional Colleagues,

Greetings from the Tax Research Department!!!

With heavy heart Tax Research Department conveys the deepest sympathy and condolence to the family members of Shri Suhash Guha, Deputy Director (Studies) who left us for the heavenly abode on the 8th of May, 2021.

The grave situation of covid is being faced by India very bravely. WHO in its 67th India Situation Report, released on 12th May, 2021 has highlighted the following updates pertaining in to India.

- Postal department starts helpline to facilitate speedy delivery of COVID related emergency shipments
- Advisory issued for induction of trained AYUSH human resources for clinical management of COVID-19
- National Hydroelectric Power Corporation (NHPC) carries out large scale COVID vaccination drive
- Japan & UNDP to provide 8 oxygen generation plants to ensure uninterrupted oxygen supply at hospitals in the North East
- MoHFW calls for replication of COVID-19 containment models of Mumbai and Pune at the national level
- States to allocate minimum 70% of allocated vaccines from GoI for providing 2nd dose to those who have been vaccinated once
- Nearly 4200 MT oxygen delivered to Maharashtra, MP, Haryana, Rajasthan, Delhi, and UP.

We are optimistic that with such bold measures India would surely overcome this crisis very soon.

We urge you to take all preventive measures and maintain all COVID protocol enunciated by Ministry of Health & Family Welfare, Govt of India. We place before you the latest developments in the field of taxation.

CBIC has announced various measures in this pandemic time for ease of doing business and continuity of business smoothly:

- Waiver of interest and late fee to normal taxpayers (filing return on monthly or quarterly basis) and composition taxpayers, for the tax periods of March and April, 2021
- Extension in dates of various compliance for GST Taxpayers
- New Functionalities have been made available for Taxpayers on GST Portal (April, 2021)
- GSTIN new facility is available on GST portal for different modules such as registration, returns, advance ruling, payment and other miscellaneous topics

- In view of Notification No. 14/2021 dt. 01.05.2021, the timeline for filing the 'Application for Revocation of Cancellation' has been extended to 180 days from 90 days which will be valid up to 15th June 2021

Announcements by CBDT in this pandemic times are as follows:

- Sec 269ST Relaxation on Cash Payment of More than Rs 2 Lakhs Made to Hospitals, Dispensaries, Nursing Homes, Covid Care Centres or Similar Other Medical Facilities Providing Covid Treatment
- Exemption for Cash Allowance in lieu of Leave Travel Concession (LTC) for salaried class
- CBDT notifies pension fund, namely, 'OMERS Administration Corporation' under sub-clause (iv) of clause (c) of the Explanation 1 to clause (23FE) of section 10 of the Income-tax Act, 1961 in respect of the eligible investment made by it in India on or after 13th May 2021 but on or before the 31st day of March, 2024

Your Tax Research Department has also arranged for the conduct of another workshop on the topic, Scenario of Assessment & Appeal in Income Tax on the 20th, 21st, 27th and 28th of May 2021. Eminent Tax Advocate Niranjana Swain, an esteemed member of the Institute will conduct the workshop. We request our readers to take this opportunity by joining the workshop.

A webinar has also been arranged on the topic Alternative Tax Regime on the 18th of this month by CMA S. Venkanna

Classes for the below courses has started from 15th May 2021

- Certificate Course on GST
- Advanced Certificate Course on GST
- Advanced Course on GST Audit and Assessment Procedure
- Classes for the below courses would also start very soon
- Certificate Course on Filing of Returns
- Certificate Course on TDS
- Advanced Course on Income Tax Assessment and Appeal

We are happy to witness the relentless efforts of the members of Tax Research Department in carrying on all the activities of the department seamlessly in this crisis scenario as well.

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

Jai Hind.

Warm Regards



(Rakesh Bhalla)

CMA Rakesh Bhalla
18th May 2021



CMA Chittaranjan Chattopadhyay
18th May 2021

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SPECIAL ACKNOWLEDGEMENT

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- Graphics & Web Designer

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

Please send the articles to

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



CMA Sankar Majumdar
Practicing Cost Accountant, Guwahati

ARTICLE 246A : POWER TO LEVY TAX WITH RESPECT TO GST - PERTINENT ISSUES

Legislation is always enacted with some purposes, objects and reasons. A proposed Legislation is placed before Parliament with a statement of objects and reasons appended to it.

The objects and reasons accompanying a bill, which subsequently gets converted into an Act, are to be taken into consideration in interpreting the provisions of the statute. It is permissible to look into the circumstances which prevailed at the time when the law was passed and which necessitated the passing of the law to determine the purpose or object of the legislation.

One of the salient features of the statement of Objects and Reasons accompanying the 122nd Constitution Amendment Bill was as follows:

- The Constitution is proposed to be amended to introduce the goods and services tax for conferring concurrent taxing powers on the Union as well as the States including Union territory with Legislature to make laws for levying goods and services tax on every transaction of supply of goods or services or both.

It is therefore, very clear that the Constitution was amended mainly to provide concurrent taxing powers to the Union as well as the States so far as GST is concerned. Accordingly, article 246A was inserted into the Constitution (One Hundred and First Amendment) Act, 2016 to facilitate the same.

The newly inserted article 246A reads as under –

Special provision with respect to goods and services tax –

246A - (1) Notwithstanding anything contained in articles 246 and 254, Parliament, and, subject to clause (2), the Legislature of every State, have power to make laws with respect to goods and services tax imposed by the Union or by such State.

(2) Parliament has exclusive power to make laws with respect to goods and services tax where the supply of goods, or of services, or both takes place in the course of inter-State trade or commerce.

Explanation.—The provisions of this article, shall, in respect of goods and services tax referred to in clause (5) of article 279A, take effect from the date recommended by the Goods and Services Tax Council.

The above article 246A which was inserted into the Constitution is the most important operative provision for implementation of GST in India. It has provided the legislative competence to the Centre and the States to make laws with respect to GST. However, since article 246A begins with a non-obstante clause which overrides Articles 246 and 254, for a better understanding of article 246A, one need to understand articles 246 and 254 first.

Article 246 - Subject-matter of laws made by Parliament and by the Legislatures of States –

- (1) Notwithstanding anything in clauses (2) and (3), Parliament has exclusive power to make laws with respect to any of the matters enumerated in List I in the Seventh Schedule (in this Constitution referred to as the “Union List”).
- (2) Notwithstanding anything in clause (3), Parliament, and, subject to clause (1), the Legislature of any State also, have power to make laws with respect to any of the matters enumerated in List III in the Seventh Schedule (in this Constitution referred to as the “Concurrent List”).
- (3) Subject to clauses (1) and (2), the Legislature of any State has exclusive power to make laws for such State or any part thereof with respect to any of the matters enumerated in List II in the Seventh Schedule (in this Constitution referred to as the “State List”).
- (4) Parliament has power to make laws with respect to any matter for any part of the territory of India not included in a State notwithstanding that such matter is a matter enumerated in the State List.

Article 254 - Inconsistency between laws made by Parliament and laws made by the Legislatures of States –

- (1) If any provision of a law made by the Legislature of a State is repugnant to any provision of a law made by Parliament which Parliament is competent to enact, or to any provision of an existing law with respect to one of the matters enumerated in the Concurrent List, then, subject to the provisions of clause (2), the law made by Parliament, whether passed before or after the law made by the Legislature of such State, or, as the case may be, the existing law, shall prevail and the law made by the Legislature of the State shall, to the extent of the repugnancy, be void.
- (2) Where a law made by the Legislature of a State with respect to one of the matters enumerated in the Concurrent List contains any provision repugnant to the provisions of an earlier law made by Parliament or an existing law with respect to that matter, then, the law so made by the Legislature of such State shall, if it has been reserved for the consideration of the President and has received his assent, prevail in that State:

Provided that nothing in this clause shall prevent Parliament from enacting at any time any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Legislature of the State.

Article 246 clearly demarcates the subject matters where the Union and the States have their legislative competence and Article 254 deals with the issues of inconsistency or repugnancy of laws made by the Parliament and the State Legislatures. Article 246(2) does not provide for concurrent levy of tax, it lists the subject matters where both the States and Centre have legislative capacity but the laws made by them are independent of one another. It does not apply concurrently on the same transaction.

On few occasions, co-existence of Central and State laws in a particular area or on the same subject matter may lead to problems because the Union or a State may encroach upon each other’s territory. It may also arise because though there may not be any encroachment as such, still the two laws might conflict. Where

the subject matter of the legislation in question falls within either the State List or the Union List only, the question that is to be decided with reference to legislative competence is whether the same is ultra vires or not. On the other hand, where the legislation passed by the Union and the States is on a subject matter of the concurrent list, the matter cannot be determined by applying the test of ultra vires because the hypothesis is that both the laws are constitutionally valid. Accordingly, test of repugnancy comes under such circumstances under article 254(2).

Because of adopting a dual GST model in India where a particular transaction is concurrently taxed both by the Union and a State/UT, a situation has arisen where the concurrent powers of legislation to both the Union and States/UTs are to be ensured. Article 246A was therefore, inserted to confer concurrent taxing powers on the Union as well as the States including Union Territories with Legislature (Delhi and Puducherry) to make laws for levy of GST on every transaction of supply of goods or services or both. However, article 246A does not categorically provide that the laws made by the Union as well as the States with respect to GST will apply concurrently or simultaneously on the same transaction although the statement of Objects and Reasons clearly states that the Constitution is proposed to be amended to introduce the goods and services tax for conferring concurrent taxing powers on the Union as well as the States. If for any reasons, the laws made by the Union and the State on the same subject matter of GST differ, how the test of inconsistency or repugnance will be applied considering the fact that Article 246A has overridden Article 254 so far as Goods and Services Tax is concerned? Is the GST Council or any other authority legally competent to ensure that CGST and SGST/UTGST laws run consistently to achieve the principles of dual GST?

Question also arises about the necessity of inserting a new article whereas GST as a subject matter of legislation could have been included in the concurrent list under Seventh Schedule to the Constitution. The necessity has arisen because so far as the subject matters of the concurrent list are concerned, the Legislature of any State as well as the Union has powers to make laws with respect to those subject matters but that does not necessarily mean that the laws enacted by the States as well as the Union will run parallel or concurrently which may defeat the purpose and intention of dual GST model. The system of levy of dual GST on the same transaction necessitated that the laws need to be completely or substantially similar in so much as that these can be concurrently applied on the same transaction. The newly inserted article is therefore, unique in the sense that for the first time a legislative power has been provided to enact laws on a subject matter which has not been included in any of the lists under Seventh Schedule.

So far as the above amendment to article 246A as proposed in The Constitution (One Hundred and Fifteenth Amendment) Bill, 2011 and The Constitution (One Hundred Twenty Second Amendment) Bill 2014 are concerned, most of the States agreed to this amendment. Two states were, however, sceptical that this amendment would take away the fiscal autonomy of the States given by the Constitution since 1950 and also the proposed article 246A inflicts severe blow on provision of distribution of legislative powers by introducing a separate category. While some states also felt that it should be ensured that the Constitutional Amendments should not affect the fiscal autonomy of the States as enshrined in the Indian Constitution, some other states were of the opinion that since the proposed article 246A provided for concurrent jurisdiction for both Union and the States, there should be a clarity as to which legislative power shall prevail had there been a case of conflict of interests.

The Ministry of Finance (Department of Revenue) clarified their position with the narrative that they agree to the fact that both Centre and States will have power to simultaneously levy GST on supply of goods and services but this power was not being given through an entry in the Concurrent List but through insertion of an Article in the main body of the Constitution itself. The proposed article 246A does

not limit the legislative power of the States as the intention is to allow autonomy to the State legislature on the basis of the recommendations of the GST Council until it affects the harmonized working of GST. It gives reasons to believe that while some of the states were sceptical about the new article, the Ministry had tried to allay the fears subject to a rider that such autonomy should not affect the synchronized working of GST i.e. CGST and SGST/UTGST laws need to be similar.

Nevertheless, confusions on the following issues still remain -

- (a) Does Article 246A categorically provide that the laws made by the Union as well as the States with respect to Goods and Services Tax will apply concurrently or simultaneously on the same transaction?
- (b) If for any reasons, the laws made by the Union and the State on the same subject or area differ, how the test of inconsistency or repugnance will be applied considering the fact that Article 246A has overridden Article 254 so far as Goods and Services Tax is concerned?
- (c) Does GST council have the legal authority to restrain a state from promulgating different laws deviating from the standard and commonly accepted GST laws? Is there any authority which can hold back the states from opting a different SGST rate on any product or service if the state wishes so? Will it then fulfil the coveted One Nation, One Market, One Tax principle?

It appears we have already experienced rough waters in case of prospective/retrospective amendment in Sec 50(1) where it was said that the amendment could not be given a retrospective effect due to technical limitations. The above confusions therefore, remain pertinent.

References :

- (a) lawaids.blogspot.com
- (b) The Constitution of India – P.M. Bakshi
- (c) A background paper on concurrent powers of legislation under List III of the Constitution – P.M. Bakshi



CMA Debasis Ghosh
Cost Accountant

GST ON HEALTH CARE SERVICES - AN ANALYSIS OF ADVANCE RULING IN THE CASE OF BARODA MEDICARE

With the introduction of Goods and Service Tax (GST), one challenging issue that emerged and has been the subject matter of many advance rulings is the taxation of supply of medicines, implants and consumables from own in-house pharmacy to indoor patients admitted in the hospital for treatment. By virtue of the principle enunciated unanimously by the advance ruling authorities (AAR), it is by now a well settled principle of law that supply of medicines, implants and consumables from own in-house pharmacy being integral to the supply of health care service assume the nature of composite supply and the principal supply being that of health care which is exempt from GST, such supply of medicines, implants and consumables is also exempt from GST. Similar ruling has been given by Advance Ruling Authority in the case of Baroda Medicare Private Limited, Sunshine Global Hospital.

What assumes significance in this case is the other issue referred by the applicant for ruling before the AAR. The issue that was referred is as under:

Whether the supply of Occupational Health Check-up service (OHC) by the hospital i.e. nursing staff, Doctors, Paramedical staff on hospital's payroll working in different corporate for providing health check-up service, ambulance facility, and allied medical services to their employees and also the camps conducted for health check-up outside the hospitals, to be treated as Health Care service and hence not taxable under CGST/SGST?

It was represented by the applicant that

- Companies operating in different sector consist of diverse industries producing different products and services. Many of such industries have machinery & objects that are harmful to individuals if exposed for a longer period of time, hence, it is important to screen all workers for occupational intervals.
- Some hazards are common for all industries like hazardous substances, dust, machinery related accidents, trips, and falls, physically demanding work, heat and cold, etc.
- The best way to avoid any accident to happen is to have preventive & safety processes in place & get an individual's health check done regularly. In many companies, it is becoming mandatory to have a Pre-employment health check-up done even before hiring an employee.

- The occupational health checks can be required for variety of staff at various stages of their occupation, starting before a new person is assigned to particular job. These are generally used for the following purposes:
 - (a) to establish that candidates are able to meet the physical requirements of the job prior to assignment;
 - (b) to prevent work related injuries, diseases and potential health hazards;
 - (c) to monitor health status at periodic intervals when the job involves occupational hazards and exposure such as toxins or the substances;
 - (d) to arrange immediate treatment as and when required which may involve getting ambulance services in case patient needs ICU or Ventilator or immediate hospital admission and other allied medical services;
 - (e) to establish that employees are able to return to work after prolonged absence for health reasons;
 - (f) to establish the conditions under which employees with illnesses, injuries or disabilities are able to continue working.
- These are the services which are provided by any clinical establishment through their Nursing staff, Doctors, Paramedical staff, etc., at their place to look after any medical emergencies, medical treatment, and health check-up of organization staff.
- The primary purpose is to offer timely health check-up, medical treatments, and other allied medical services as and when required by the Organization towards their staff needs in the workplace and allow the employer to make changes to improve worker health and safety. “Clinical establishment” means a hospital, nursing home, clinic, sanatorium or any other institution by, whatever name called, that offers services or facilities requiring diagnosis or treatment or care for illness, injury, deformity, abnormality or pregnancy in any recognised system of medicines in India, or a place established as an independent entity or a part of an establishment to carry out diagnostic or investigative services of diseases’.

It was observed by the AAR that the applicant’s hospital is providing health services to employees of the business entities, in relation to Occupational Health Check-up’(OHC) or preventive care along with ambulance facility, and allied medical services. Payment thereof is being made by such business entity directly to the applicant’s hospital. In this case, service provider is the hospital of the applicant and the service receiver is the business entity, who has made payments directly to the applicant. It was further observed that with the change in the style of functioning of the business organizations, health check-up is a routine facility provided by the employers to their employees. The main purpose is to ensure that the productivity of the organization is not adversely affected due to ill health of its employees. Such activities, commonly known as corporate health check-up schemes, are undertaken by designated hospitals in order to detect any medical indicator or to ensure timely diagnosis of any disease so that prophylactic measures can be taken. In such cases, the hospital providing these services, charge the employer i.e. the business organization and it constitutes expenditure for the latter. Thus, said services are being provided to the business entities and not to any patient. Hence, same are not covered under exempted “Health care services”.

On the basis of the aforesaid observations , it was ruled by the AAR that the applicant will be liable to pay GST @18% (CGST @9% +SGST@9%) on the payment received directly from the business entity for health services provided to employees of the business entities in relation to OHC or preventive care along with ambulance facility and allied medical services under “Human health and social care services”, in terms of S. No. 31 of the Table of the Notification No.11/2017-Central Tax (Rate) dated 28.06.2017.

The AAR having admitted that that by way of OHC, the applicant undertakes preventive care to detect any medical indicator or to ensure timely diagnosis of any disease so that prophylactic measures can be taken, the ruling that such activities provided by a clinical establishment does not qualify for exemption for health care services, does not appear to be in conformity with the statutory provisions. The term “health care services” has been defined under the GST law to mean any services by way of diagnosis or treatment or care for illness, injury, deformity, abnormality or pregnancy in any recognised system of medicines in India and includes services by way of transportation of the patient to and from a clinical establishment but does not include hair transplant or cosmetic or plastic surgery, except when undertaken to restore or to reconstruct anatomy or functions of body affected due to congenital defects, developmental abnormalities, injury or trauma.

It would follow that “health care “ services are wide enough to include any time of health care service and does not in any way exclude preventive health care . Further the reasoning that the services are being provided to the employer does not also derive the support of law since such services cannot be provided to an intangible entity but can only be provided to a living being. Additionally, in the case of composite supply of health care services involving supply of medicines etc, for corporate patients, bills of supply are raised on the employer; but in such case, the exemption is admissible. If this be so, then payment being made by the employer cannot be ground for denial of exemption for OHC as health care services.

Therefore, it appears that given the provisions of law, the supply of OHC services by a clinical establishment will qualify for exemption from the levy of GST as health care service.

RECENT UPDATES IN INDIRECT TAX

TEAM TRD

Indirect Tax

CBIC has extended GST due dates due to COVID 19

For more details, please follow- <https://www.gst.gov.in/newsandupdates/read/469>

CBIC has declared Waiver of interest and late fee to normal taxpayers (filing return on monthly or quarterly basis) and composition taxpayers, for the tax periods of March and April, 2021

For more details, please follow- <https://www.gst.gov.in/newsandupdates/read/468>

RECENT UPDATES IN DIRECT TAX AND INDIRECT TAX FOR COVID TREATMENT

TEAM TRD

Direct Tax

Sec 269ST Relaxation on Cash Payment of More than Rs 2 Lakhs Made to Hospitals, Dispensaries, Nursing Homes, Covid Care Centres or Similar Other Medical Facilities Providing Covid Treatment :

Generally, Section 269ST lays down that no person shall receive an amount of Rs. 2Lakhs or more in aggregate from a person in a day; or in respect of a single transaction; or in respect of transactions relating to one event or occasion from a person, otherwise than by an account payee cheque or an account payee bank draft or use of electronic clearing system through a bank account or through such other electronic mode as may be prescribed.

However, The Central Government, [in exercise of powers conferred by clause (iii) of Proviso to Section 269ST of the Income-tax Act, 1961] has provided relaxation in the above provisions that **Hospitals, Dispensaries, Nursing Homes, Covid Care Centres or similar other medical facilities providing Covid treatment to patients for the purpose of Section 269ST of the Income-tax Act, 1961 in case of payment received in cash during 01.04.2021 to 31.05.2021, on obtaining the PAN or AADHAAR of the patient and the payee and the relationship between the patient and the payee by such Hospitals,**

Indirect Tax

PPE Kits made of Non-Woven Textiles

Value above Rs. 1,000/- → 12% GST Rate

Value up to Rs. 1,000/- → 5% GST Rate

Note - CBIC has granted exemption from Basic Customs Duty and Health cess in case of import of these items.

Sanitizers and other disinfectants

GST rate 18%

Plastic and Rubber Gloves

GST rate 18%

Gas Masks with Replaceable Filter and Mechanical Parts

GST rate 12%

Fabric Mask without Replaceable Filter and Mechanical Parts, Surgical Masks made of Non- Woven Textiles

GST rate 5%

Oxygen concentrators for personal use

GST rate reduced to 12% [Previously it was 28%]

Note - Import of oxygen concentrators, cylinders have been announced to be exempted from customs duties

Ventilators

GST rate 12%

Imported ventilators are exempted from import duties.

COVID Medicines /Drugs

GST rate-12%

Remdesivir, Tocilizumab, Favipiravir and others are exempted from customs duties

COVID vaccines

GST rate -5% on domestic supplies and commercial imports of vaccines

Temperature check equipment

GST rate 18%

COVID-19 Diagnostic Test Kits

GST rate -5%

Specified COVID-19 relief material

IGST exempted on imports of specified COVID-19 relief material donated from abroad, for free distribution for covid relief.

Inflammatory diagnostic (marker) kits, namely-IL6, D-Dimer, CRP, LDH, Ferritin, Pro Calcitonin (PCT) and blood gas reagents

Customs duty on imports of above items, has been exempted till October 31, 2021, to supplement testing efforts.

TAX UPDATES, NOTIFICATIONS AND CIRCULARS

INDIRECT TAX

GST NOTIFICATIONS AND CIRCULARS

Central Tax

Notification No. 13/2021 – Central Tax

Dated – 1st May, 2021

Seeks to make third amendment (2021) to CGST Rules

Central Goods and Services Tax (Third Amendment) Rules, 2021 have been notified. Following are the key changes:

- I. Rule 36(4) shall apply cumulatively for the period April and May, 2021 and the return in FORM GSTR-3B for the tax period May, 2021 shall be furnished with the cumulative adjustment of input tax credit for the said months.
- II. The details using IFF for the month of April 2021 can be furnished from 1st May, 2021 till 28th May, 2021.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/gst/notfctn-13-central-tax-english-2021.pdf>

CUSTOMS NOTIFICATIONS AND CIRCULARS

Tariff Notification

Notification No. 29/2021- Customs

Dated – 30th April, 2021

Seeks to amend notification No. 27/2021-Customs to exempt customs duty on import of specified Inflammatory Diagnostic (markers) kits, up to 31st October, 2021

Central Government has made the following amendment in the notification No. 27/2021- Customs which was issued on 20th April, 2021. In this notification, in the Table, after S.No.3 and the entries relating thereto, the following S.No. and entries shall be inserted:

(1)	(2)	(3)
4	3822	Inflammatory Diagnostic (marker) kits, namely- IL6, D-Dimer, CRP (C-Reactive Protein), LDH (Lactate De-Hydrogenase), Ferritin, Pro Calcitonin (PCT) and blood gas reagents.”

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-tarr2021/cs29-2021.pdf>

Notification No. 30/2021- Customs

Dated – 1st May, 2021

Seeks to reduce IGST on Oxygen Concentrators when imported for personal use

IGST on Import of Oxygen Concentrators for personal use has been reduced *from 28% to 12%* to bring IGST rate on such personal imports at par with commercial imports of the same. This reduced IGST rate for imports of concentrator for personal use shall be applicable upto the 30/6/2021.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-tarr2021/cs30-2021.pdf>

Ad hoc Exemption Order No. 4/2021-Customs

Dated – 3rd May, 2021

Seeks to exempt IGST on imports of specified COVID-19 relief material donated from abroad, up to 30th June, 2021

Accordingly, the Central Government vided Ad hoc exemption Order number 4/2021 dated 3rd May, 2021 has granted exemption from IGST on import of such goods received free of cost for free distribution for covid relief.

This exemption shall apply till 30th June, 2021. It would also cover goods already imported but lying uncleared on the date of its issuance of exemption.

The exemption shall be subject to the following conditions:

- i. State Government shall appoint a nodal authority in the State for the purpose of this exemption. As per section 2 (103) of the Central Goods and Services Tax Act, 2017, state include a Union territory with Legislature.
- ii. The Nodal authority so appointed shall authorise any entity, relief agency or statutory body, for free distribution of such Covid-relief material.
- iii. The said goods can be imported free of cost by a State Government or, any entity/ relief agency/ statutory body, authorized in this regard for free distribution anywhere in India.
- iv. The importer shall before clearance of goods from Customs produce a certificate from the said nodal authorities that goods are meant for free distribution for Covid relief.
- v. After imports, the importer shall produce, to the Deputy or Assistant Commissioner of Customs at the port within a period of six months from the date of importation or within such extended period not exceeding nine months, a simple statement containing details of goods imported and distributed free of cost. This statement shall be certified by the said nodal authority of the State Government.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-tarr2021/AdHoccs04-2021.pdf>

Non Tariff Notification

Notification No. 45/2021-Customs (NT)

Dated – 30th April, 2021

Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Areca Nut, Gold and Silver

CBIC has made the following amendments in the notification No. 36/2001-Customs (N.T.) which was issued on 3rd August, 2001. In this notification the following shall be substituted in TABLE-1 and TABLE-2 and TABLE-3

TABLE - 1

Sl. No	Chapter/ heading/ sub-heading/ tariff item	Description of goods	Tariff value (US \$ Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	1163
2	1511 90 10	RBD Palm Oil	1186
3	1511 90 90	Others – Palm Oil	1175
4	1511 10 00	Crude Palmolein	1192
5	1511 90 20	RBD Palmolein	1195
6	1511 90 90	Others – Palmolein	1194
7	1507 10 00	Crude Soya bean Oil	1312
8	7404 00 22	Brass Scrap (all grades)	5387

TABLE - 2

Sl No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$)
(1)	(2)	(3)	(4)
1	71 or 98	Gold, in any form, in respect of which the benefit of entries at serial number 356 of the Notification No. 50/2017-Customs dated 30.06.2017 is availed	568 per 10 grams
2	71 or 98	Silver, in any form, in respect of which the benefit of entries at serial number 357 of the Notification No. 50	847 per kilogram

3	71	<p>(i) Silver, in any form, other than medallions and silver coins having silver content not below 99.9% or semi-manufactured forms of silver falling under sub-heading 7106 92;</p> <p>(ii) Medallions and silver coins having silver content not below 99.9% or semi-manufactured forms of silver falling under sub-heading 7106 92, other than imports of such goods through post, courier or baggage.</p> <p>Explanation. - For the purposes of this entry, silver in any form shall not include foreign currency coins, jewellery made of silver or articles made of silver.</p>	847 per kilogram
4	71	<p>(i) Gold bars, other than tola bars, bearing manufacturers or refiner's engraved serial number and weight expressed in metric units;</p> <p>(ii) Gold coins having gold content not below 99.5% and gold findings, other than imports of such goods through post, courier or baggage.</p> <p>Explanation. - For the purposes of this entry, "gold findings" means a small component such as hook, clasp, clamp, pin, catch, screw back used to hold the whole or a part of a piece of Jewellery in place.</p>	568 per 10 grams

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-nt2021/csnt45-2021.pdf>

Notification No. 46/2021-Customs (NT)

Dated – 6th May, 2021

Exchange rates 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 7th May, 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	58.35	55.95
Bahraini Dinar	202.35	189.95
Canadian Dollar	61.30	59.10
Chinese Yuan	11.60	11.25
EURO	90.25	87.10
US Dollar	74.75	73.05

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-nt2021/csnt46-2021.pdf>

Notification No. 47/2021-Customs (NT)

Dated – 13th May, 2021

Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Areca Nut, Gold and Silver

CBIC has made the following amendments in the notification No. 36/2001-Customs (N.T.) which was issued on 3rd August, 2001. In this notification the following shall be substituted in TABLE-1 and TABLE-2

TABLE - 1

Sl. No	Chapter/ heading/ sub-heading/ tariff item	Description of goods	Tariff value (US \$ Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	1219
2	1511 90 10	RBD Palm Oil	1242
3	1511 90 90	Others – Palm Oil	1231
4	1511 10 00	Crude Palmolein	1248
5	1511 90 20	RBD Palmolein	1251
6	1511 90 90	Others – Palmolein	1250
7	1507 10 00	Crude Soya bean Oil	1333
8	7404 00 22	Brass Scrap (all grades)	5777

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-nt2021/csnt47-2021.pdf>

Anti-Dumping Duty

Notification No. 29/2021-Customs (ADD)

Dated – 7th May, 2021

Seeks to amend notification No. 07/2017-Customs (ADD), dated 17-02-2017, so as to extend the applicability of the said notification up to and inclusive of 31st October, 2021

Central Government has extended the applicability of the Anti-dumping duty (ADD) on imports of seamless tubes, pipes, hollow profiles of iron, alloy or non-alloy steel originating in or exported from Peoples' Republic of China up to and inclusive of 31st October, 2021.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-add2021/csadd29-2021.pdf>

DIRECT TAX

Notification No. 40/2021

Income Tax (12th Amendment) Rules, 2021

Dated – 30th April, 2021

CBIC has made further amendments in the Income-tax Rules, 1962. These rules may be known as the Income-tax (12th Amendment) Rules, 2021. As per this rules 44D shall be inserted after rule 44D.

The exercise of option by an assessee to withdraw his pending application under sub-section (1) of section 245M shall be in Form No. 34BB and it shall be verified by the person who is authorised to verify the return of income of the assessee under section 140.

Form No. 34BB shall be furnished electronically in accordance with the procedures, formats and standards specified by the Principal Director-General of Income-tax (Systems) or Director-General of Income-tax (Systems), as the case may be, and thereafter signed printout of the said form shall be uploaded in the manner specified by the Principal Director-General of Income-tax (Systems) or Director-General of Income-tax (Systems), as the case may be, under sub-rule (4).

For more details, please follow:

https://www.incometaxindia.gov.in/communications/notification/notification_%2040_2021.pdf

Notification No. 41/2021

Income Tax (13th Amendment) Rules, 2021

Dated – 3rd May, 2021

CBDT has made further amendments in the Income Tax Rules, 1962. These rules may be called the Income Tax (13th Amendment) Rules, 2021.

As per this Rules following rule shall be inserted after rule 11UC:

11UD. Thresholds for the purposes of significant economic presence. —

- (1) For the purposes of clause (a) of Explanation 2A to clause (i) of sub-section (1) of section 9, the amount of aggregate of payments arising from transaction or transactions in respect of any goods, services or property carried out by a nonresident with any person in India, including provision of download of data or software in India during the previous year, shall be two crore rupees;
- (2) For the purposes of clause (b) of Explanation 2A to clause (i) of sub-section (1) of section 9, the number of users with whom systematic and continuous business activities are solicited or who are engaged in interaction shall be three lakhs.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_41_2021.pdf

Notification No. 42/2021

Income Tax (14th Amendment) Rules, 2021

Dated – 4th May, 2021

CBDT has made further amendments in the Income Tax Rules, 1962. These rules may be called the Income-tax (14th Amendment) Rules, 2021.

The following sub-rules shall be inserted after sub-rule (2) of 114AAB:

“(2A) The provisions of section 139A shall not apply to a non-resident, being an eligible foreign investor, who has made transaction only in a capital asset referred to in clause (viiab) of section 47 which are listed on a recognised stock exchange located in any International Financial Services Centre and the consideration on transfer of such capital asset is paid or payable in foreign currency with subject to conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_42_2021.pdf

Notification No. 43/2021

Notification regarding to pension fund

Dated – 4th May, 2021

CBDT has notified pension fund, namely, the Caisse de dépôt et placement du Québec under sub-clause (iv) of clause (c) of the Explanation 1 to clause (23FE) of section 10 of the Income-tax Act, 1961 in respect of the eligible investment made by it in India on or after 4th May 2021 but on or before the 31st day of March, 2024 vide Notification No. 43/2021-Income Tax Dated 4th May, 2021 with subject to some conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_43_2021.pdf

Notification No. 44/2021

Notification regarding to pension fund

Dated – 4th May, 2021

CBDT has notified pension fund, namely, ‘CDPQ Infrastructures Asia III Inc’. under sub-clause (iv) of clause (c) of the Explanation 1 to clause (23FE) of section 10 of the Income-tax Act, 1961 in respect of the eligible investment made by it in India on or after 4th May 2021 but on or before the 31st day of March, 2024 vide Notification No. 44/2021-Income Tax Dated 4th May, 2021 with subject to some conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_44_2021.pdf

Notification No. 45/2021

Notification regarding to pension fund

Dated – 4th May, 2021

CBDT has notified pension fund, namely, 'Ivanhoe Logistics India Inc.' under sub-clause (iv) of clause (c) of the Explanation 1 to clause (23FE) of section 10 of the Income-tax Act, 1961 in respect of the eligible investment made by it in India on or after 4th May 2021 but on or before the 31st day of March, 2024 vide Notification No. 45/2021-Income Tax Dated 4th May, 2021 with subject to some conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_45_2021.pdf

Notification No. 46/2021

Notification regarding to pension fund

Dated – 4th May, 2021

CBDT has notified pension fund, namely, 'Ivanhoe Logistics India Inc.' under sub-clause (iv) of clause (c) of the Explanation 1 to clause (23FE) of section 10 of the Income-tax Act, 1961 in respect of the eligible investment made by it in India on or after 4th May 2021 but on or before the 31st day of March, 2024 vide Notification No. 46/2021-Income Tax Dated 4th May, 2021 with subject to some conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_46_2021.pdf

Notification No. 47/2021

Notification related to Godrej Agrovet Limited Animal Feed Extension Project

Dated – 6th May, 2021

CBDT has amended Notification No. 14/2015 dated 16.02.2015 vide in which CBDT notified Godrej Agrovet Limited – Oil Palm Extension Project under section 35CCC of the Income-tax Act, 1961 (43 of 1961) read with Rules 6AAD and 6AAE of the Income-tax Rules, 1962. CBDT now amends the same vide Notification No. 47/2021 -Income Tax Dated 6th May 2021. Sl.No.7 and Sl.No.8 of said Notification shall be read as below:

7	Assessment Year(s) for which the agricultural extension project is being notified (not exceeding three years).	From date of formal issue of Notification No.14/2015 (i.e.) 16.02.2015 till A.Y. 2017-18.	
8	Total expenses likely to be incurred for the agricultural extension project (other than cost of land or building).	Assessment Year	Sanctioned expenditure (Amount in Rs.)
		2015-2016	8,53,00,000*
		2016-2017	8,53,00,000
		2017-2018	8,53,00,000
		* However, as project has been accorded approval from subsequent date in the F.Y. 2014-15, i.e., A.Y. 2015-16, the sanctioned expenditure for the relevant period is to be allowed w.e.f. 16.02.2015.	

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_47_2021.pdf

Notification No. 48/2021

Notification related to Godrej Agrovet Limited Animal Feed Extension Project

Dated – 6th May, 2021

CBDT has amended Notification No. 15/2015 dated 16.02.2015 vide in which CDBT notified 'Godrej Agrovet Limited Animal Feed Extension Project' under section 35CCC of the Income-tax Act,1961 (43 of 1961) read with Rules 6AAD and 6AAE of the Income-tax Rules,1962. CDBT now amends the same vide Notification No. 48/2021 -Income Tax Dated: 6th May 2021. Sl.No.7 and Sl.No.8 of said Notification shall be read as below:

7	Assessment Year(s) for which the agricultural extension project is being notified (not exceeding three years).	From date of formal issue of Notification No.14/2015 (i.e.) 16.02.2015 till A.Y. 2017-18.	
8	Total expenses likely to be incurred for the agricultural extension project (other than cost of land or building).	Assessment Year	Sanctioned expenditure (Amount in Rs.)
		2015-2016	2,07,00,000*
		2016-2017	2,07,00,000
		2017-2018	2,07,00,000
		* However, as project has been accorded approval from subsequent date in the F.Y. 2014-15, i.e., A.Y. 2015-16, the sanctioned expenditure for the relevant period is to be allowed w.e.f. 16.02.2015.	

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_48_2021.pdf

Notification No. 49/2021

Notification related to Godrej Agrovet Limited Animal Feed Extension Project

Dated – 6th May, 2021

CBDT has amended vide Notification No. 16/2015 dated 16.02.2015 in which CBDT notified ‘ Godrej Agrovet Limited – Agricultural Inputs Extension Project’ under section 35CCC of the Income-tax Act,1961 (43 of 1961) read with Rules 6AAD and 6AAE of the Income-tax Rules,1962. CBDT now amends the same vide Notification No. 49/2021 - Income Tax Dated: 6th May 2021 Sl.No.7 and Sl.No.8 of said Notification shall be read as below:

7	Assessment Year(s) for which the agricultural extension project is being notified (not exceeding three years).	From date of formal issue of Notification No.14/2015 (i.e.) 16.02.2015 till A.Y. 2017-18.									
8	Total expenses likely to be incurred for the agricultural extension project (other than cost of land or building).	<table border="1"><thead><tr><th>Assessment Year</th><th>Sanctioned expenditure (Amount in Rs.)</th></tr></thead><tbody><tr><td style="text-align: center;">2015-2016</td><td style="text-align: center;">10,82,00,000*</td></tr><tr><td style="text-align: center;">2016-2017</td><td style="text-align: center;">10,82,00,000</td></tr><tr><td style="text-align: center;">2017-2018</td><td style="text-align: center;">10,82,00,000</td></tr></tbody></table> <p>*However, as project has been accorded approval from subsequent date in the F.Y. 2014-15, i.e., A.Y. 2015-16, the sanctioned expenditure for the relevant period is to be allowed w.e.f. 16.02.2015.</p>		Assessment Year	Sanctioned expenditure (Amount in Rs.)	2015-2016	10,82,00,000*	2016-2017	10,82,00,000	2017-2018	10,82,00,000
Assessment Year	Sanctioned expenditure (Amount in Rs.)										
2015-2016	10,82,00,000*										
2016-2017	10,82,00,000										
2017-2018	10,82,00,000										

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_49_2021.pdf

Notification No. 50/2021

Income tax (15th Amendment) Rules, 2021

Dated – 5th May, 2021

CBDT has notified rules for LTC (Leave Travel Concession) Cash Voucher Scheme [Section 10(5)] vide which LTC Exemption of Rs. 36000 per family member For FY 2020-21 available to Employees of Both Private & Government Sector. Rules are notified vide Notification No. 50/2021-Income Tax Dated: 5th May, 2021 by inserting Sub-Rule 1A & IB in Rule 2B of Income Tax Rules.

(CBDT) has notified the amendment in Rule 2B of the Income Tax Rules where the provisions relating to exemption in respect of Cash Allowance received in lieu of Leave Travel Concession (LTC) has been incorporated. The move would be beneficial to the employees who had not been able to avail of LTC in the block of 2018-21 due to the COVID-19 pandemic and the nationwide lockdown.

As per the amended rules, a new provision, specified employees, who avails any cash allowance from his employer in lieu of any travel concession or assistance for himself and the members of his family, will get an exemption up to thirty-six thousand rupees or one-third of the specified expenditure, whichever is less, subject to conditions prescribed.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_50_2021.pdf

Notification No. 51/2021

Notification related to sovereign wealth fund

Dated – 5th May, 2021

Central Government has specified the sovereign wealth fund, the Bricklayers Investment Pte. Ltd., as the specified person for the purposes of the said clause in respect of the investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_51_2021.pdf

Notification No. 52/2021

Notification related to sovereign wealth fund

Dated – 5th May, 2021

Central Government has specified the sovereign wealth fund, the Anahera Investment Pte. Ltd., as the specified person for the purposes of the said clause in respect of the investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_52_2021.pdf

Notification No. 53/2021

Notification related to sovereign wealth fund

Dated – 5th May, 2021

Central Government has specified the sovereign wealth fund, the Dagenham Investment Pte. Ltd., as the specified person for the purposes of the said clause in respect of the investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_53_2021.pdf

Notification No. 54/2021

Notification related to sovereign wealth fund

Dated – 5th May, 2021

Central Government has specified the sovereign wealth fund, the Stretford Investment Pte. Ltd., as the specified person for the purposes of the said clause in respect of the investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_54_2021.pdf

Notification No. 55/2021

Notification related to sovereign wealth fund

Dated – 5th May, 2021

Central Government has specified the sovereign wealth fund, the Chiswick Investment Pte. Ltd., as the specified person for the purposes of the said clause in respect of the investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the following conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_55_2021.pdf

Notification No. 56/2021

Notification related to COVID Measures

Dated – 7th May, 2021

Central Government specified **Hospitals, Dispensaries, Nursing Homes, Covid Care Centers or similar other medical facilities providing Covid treatment to patients for the purpose of Section 269ST of the Income-tax Act,1961 for payment received in cash during 01.04.2021 to 31.05.2021, on obtaining the PAN or AADHAAR of the patient and the payee and the relationship between the patient and the payee** by such Hospitals, Dispensaries, Nursing Homes, Covid Care Centers or similar other medical facilities.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_56_2021.pdf

Notification No. 57/2021

Corrigendum

Dated – 10th May, 2021

In the notification No. 54/2021 which was issued on 5th May, 2021, for “Stretford Investment Pte. Ltd.” Would be read as “Stretford End Investment Pte. Ltd.”

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_57_2021.pdf

Notification No. 58/2021

Corrigendum

Dated – 10th May, 2021

In the notification No. 35/2021 which was issued on 22nd April, 2021, for “Canada Pension Plan Investment Board Private Holdings (4) Inc.” would be read as “CPP Investment Board Private Holdings (4) Inc.”

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_58_2021.pdf

Notification No. 59/2021

Corrigendum

Dated – 10th May, 2021

In the NotificationNo. 56/2021 which was issued on 7th May, 2021, “**payee**” is to be read as “**payer**”.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_59_2021.pdf

Notification No. 62/2021

Notification related to sovereign wealth fund

Dated - 13th May, 2021

Central Government has specified the sovereign wealth fund, namely, the CDC Group Plc., as the specified person for the purposes of the said clause in respect of the investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_62_2021.pdf

Notification No. 63/2021

Notification related to sovereign wealth fund

Dated - 13th May, 2021

Central Government has specified the sovereign wealth fund, the Ministry of Economy and Finance (of the Republic of Korea), as the specified person for the purposes of the said clause in respect of the investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_63_2021.pdf

Notification No. 64/2021

Notification related to pension fund

Dated - 13th May, 2021

Central Government has specified the pension fund, the Public Sector Pension Investment Board, as the specified person for the purposes of the said clause in respect of the eligible investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the conditions:

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_64_2021.pdf

Notification No. 65/2021.

Notification related to pension fund

Dated - 13th May, 2021

Central Government has specified the pension fund, Government Employees Superannuation Board, as the specified person for the purposes of the said clause in respect of the eligible investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_65_2021.pdf

Notification No. 66/2021

Notification related to pension fund

Dated - 13th May, 2021

Central Government has specified the pension fund, OMERS Administration Corporation, as the specified person for the purposes of the said clause in respect of the eligible investment made by it in India on or after the date of publication of this notification in the Official Gazette but on or before the 31st day of March, 2024 with subject to the fulfilment of the conditions.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_66_2021.pdf

PRESS RELEASE

DIRECT TAX

Government extends timelines of certain compliances in light of the severe pandemic

1st May, 2021

In view of the adverse circumstances arising due to the severe Covid-19 pandemic and also in view of the several requests received from taxpayers, tax consultants & other stakeholders from across the country, requesting that various compliance dates may be relaxed, the Government has extended certain timelines today.

In the light of multiple representations received (supra) and to mitigate the difficulties being faced by various stakeholders, the Central Board of Direct Taxes (CBDT) has, under section 119 of the Income-tax Act, 1961(the Act), provided the following relaxation in respect of compliances by the taxpayers:

- a) In the light of multiple representations received (supra) and to mitigate the difficulties being faced by various stakeholders, the Central Board of Direct Taxes (CBDT) has, under section 119 of the Income-tax Act, 1961(the Act), provided the following relaxation in respect of compliances by the taxpayers: Appeal to Commissioner (Appeals) under Chapter XX of the Act, for which the last date of filing under that Section is 1st April, 2021 or thereafter, may be filed within the time provided under that Section or by 31st May, 2021, whichever is later;
- b) Objections to Dispute Resolution Panel (DRP) under Section 144C of the Act, for which the last date of filing under that Section is 1st April, 2021 or thereafter, may be filed within the time provided under that Section or by 31st May, 2021, whichever is later;
- c) Income-tax return in response to notice under Section 148 of the Act, for which the last date of filing of return of income under the said notice is 1st April, 2021 or thereafter, may be filed within the time allowed under that notice or by 31st May, 2021, whichever is later;
- d) Filing of belated return under sub-section (4) and revised return under sub-section (5) of Section 139 of the Act, for Assessment Year 2020-21, which was required to be filed on or before 31st March, 2021, may be filed on or before 31st May, 2021;
- e) Payment of tax deducted under Section 194-IA, Section 194-IB and Section 194M of the Act, and filing of challan-cum-statement for such tax deducted, which are required to be paid and furnished by 30th April, 2021(respectively) under Rule 30 of the Income-tax Rules, 1962, may be paid and furnished on or before 31st May, 2021;
- f) Statement in Form No. 61, containing particulars of declarations received in Form No.60, which is due to be furnished on or before 30th April, 2021, may be furnished on or before 31st May, 2021. CBDT Circular No.8/2021 in F. No. 225/49/2021/ITA-II dated 30.04.2021 issued. The said Circular is available on www.incometaxindia.gov.in.

The above relaxations are the latest among the recent initiatives taken by the Government to ease compliances to be made by the taxpayers with the aim to grant respite during these difficult times.

JUDGEMENTS

INDIRECT TAX

GST not applicable on membership subscription fees collected from members of the club: AAR Karnataka

Fact of the Case

The applicant, Bowring Institute is a club and a non-profit organization established by the British as a literary and scientific society. It is a members-club as opposed to a proprietary club.

The members contribute by way of subscription fees and infrastructure development fund which is used for the purposes of provision of services and goods and a reading room, library, chambers for accommodating family and guests, a bar and sports facilities.

In addition to the subscription fees at the time of admission of the member to the Applicant, an admission fee as an infrastructure development fund is collected.

In addition, the applicant outsources catering services who supply foods and beverages and run a super market within the premise of the applicant. These facilities are only available for use by the members. These outsourced agencies charge GST on their supplies of food, beverages and sale of goods to members. The applicant bears the cost of such goods and services from the subscription fees paid by the members.

The applicant has sought the advance ruling on the issue whether the amount collected as membership subscription fees paid by the members of the applicant towards facilities provided by the applicant are liable as supply of service under GST.

Yet another issue raised was whether the amount collected as infrastructure development fund for

the development and maintenance of the facilities provided by the applicant are liable as supply of service under GST.

Decision of the Case

The Coram observe that Finance Act, 2021 has overruled what the Courts have held till now and has countered the Principle of Mutuality by way of Explanation which states that the members or constituents of the club and the club are two separate entities and persons for the purpose of Section 7 of CGST Act, 2017 which defines Supply.

The Authority noted that by virtue of Section 1 of Finance Act, 2021, the amendment brought in Section 7 of CGST Act, 2017 by way of Section 108 of Finance Act, 2021, will only come into effect on the date when Central Govt notifies the same and then the same will be notified with the corresponding amendments passed by the respective States and Union territories in respective SGST/ UTGST Act.

The AAR held that unless the amended Section 7 of CGST Act, 2017 is notified, the applicant is not liable to pay GST on subscription fees and Infrastructure development fund collected from the members as per the Supreme Court judgment in the case of M/s. Calcutta Club Ltd.

Therefore, the applicant is not liable to pay GST on subscription fees and Infrastructure development funds collected from the members and this ruling is subject to the amendment to the CGST Act by section 1 of the Finance Act 2021, as and when it is notified.

The Karnataka Authority of Advance Ruling (AAR) ruled that the GST is not applicable on membership subscription fees collected from members of the club.

.....

Input tax credit refund can't be denied for technical glitches in GSTN software: Madras High Court

Fact of the Case

The Petitioner, Tvl. Mehar Tex is an exporter and has made zero-rated sales during the months of October 2017, November 2017, and February 2018. Accordingly, Petitioner stated that he is entitled to refund claims of SGST for the October month, CGST for the November month, and CGST, SGST, and IGST for the February month. However, when the refund applications were uploaded, the entire claim got consolidated and figured under the head SGST alone.

While considering the refund applications, the Respondent, the Assistant Commissioner of GST and Central Excise restricted the refund claim to the extent of the Petitioner's liability for the respective months only under the head of SGST under Rule 92 of the Central Goods and Services Tax Rules, 2017 and issued notice to show cause as to why refund of CGST and IGST should not be rejected.

Subsequently, the Petitioner replied to the show cause notice stating that the entire refund claim got auto-populated under a single head of SGST. However, the Respondent rejected the refund claims made in respect of CGST and IGST on the ground that the Petitioner has not furnished any documentary proof in support of his claims.

The issue raised was whether the Petitioner's claim for refund of CGST and IGST can be denied on the ground that the entire refund amount got consolidated under one head i.e. SGST, due to the ***technical error and new system of software in GSTN.***

Decision of the Case

The court held that, if the assessee was otherwise eligible to refund, the refund claim ought not to be denied on the ground of technical glitches and error occurred due to auto-population in Goods and Service Tax Network software. Nothing can be more unfair.

The Madras High Court ruled that refund of Input Tax Credit (ITC) cannot be denied for technical glitches in GSTN software.
.....

All the supplies made in relation to distribution of electricity are not exempt under GST: AAAR Tamil Nadu

Fact of the Case

M/S Tamil Nadu Generation & Distribution Corporation Ltd. ("TANGEDCO" or "the Appellant") and M/S Tamil Nadu Transmission Corporation Limited ("TANTRANSCO") are two subsidiary companies of M/S Tamil Nadu Electricity Board Limited ("holding Company" or "TNEB"), 100% owned by Government of Tamil Nadu. The Appellant is in the service of generation and distribution (sale of) electricity in the state of Tamil Nadu and TANTRANSCO is in the business of transmission of electricity.

The Appellant and TANTRANSCO entered into transactions between them in the course of generation, transmission and distribution of electricity in Tamilnadu. The Appellant contends that the various services extended to TANTRANSCO constitute distribution services. The Appellant also contends that all items/ activities forming the value chain in relation to transmission and distribution of electricity are beyond purview of GST.

This appeal has been filed against the ruling passed by the AAR, Tamilnadu vide Order No. 14/AAR/2020 dated April 20, 2020, wherein, it was held that, the Appellant is liable to pay GST on the 'supply of goods' operation and maintenance materials used in the regular day to day functioning, transfer of capital assets to TANTRANSCO and on the deployment of employees to TANTRANSCO. Further, the exemption under Sl. No. 25 of Notification No. 12/ 2017-Central Tax (Rate) dated June 28, 2017 ("Services Exemption Notification") is not applicable to such transactions between the Appellant and TANTRANSCO.

Decision of the Case

The AAAR, Tamil Nadu, in the matter of M/S Tamil Nadu Generation and Distribution Corporation Limited, upheld the ruling of the AAR and held that *GST is applicable on supply of operation and maintenance materials used in regular day-to-day functioning by one subsidiary company engaged in the generation and distribution of electricity to another subsidiary company engaged in the transmission of electricity. Further, modified the ruling to the extent that GST is not leviable on deployment of employees from one subsidiary company to another.*

.....

Whether nexus/ connection is required between ITC and Output Tax Liability: AAR Gujarat

Fact of the Case

M/s. Aristo Bullion Pvt. Ltd. ("the Applicant") is a company engaged in supply of Gold (including Gold Plated with Platinum) that involves some manufacturing process also and in the said activities various inputs viz. Gold dore, silver dore are required.

Further, the Applicant intends to procure the said inputs domestically on payment of GST at appropriate rate and sometimes from overseas market by discharging applicable duty and tax. The Applicant intends to avail ITC on the inputs procured domestically on payment of GST at appropriate rate which will be used in the manufacturing process of their final products and discharge GST on the outward supplies at applicable rate through electronic credit ledger as well as through electronic cash ledger in the case if balance available in electronic credit ledger is not adequate.

Furthermore, the Applicant also intends to procure 'Castor Oil Seeds' directly from the agriculturists who produce the same in their farms and after procuring them, the Applicant intends to supply it in the domestic market as well as intend to export the same.

However, no ITC will be available on procurement of 'Castor Oil Seeds' as the same will be procured from the agriculturist who are not liable to get registered and further the 'Castor Oil Seeds' are also not covered in the Notification No. 4/2017-Central Tax, dated June 28, 2017 ("Goods RCM Notification"). Whereas the sale of 'Castor Oil Seeds' will attract 5% GST in terms of Schedule-I, Sr. No. 70 of Notification No.01/2017-Central Tax (Rate), date June 28, 2017 ("Goods Rate Notification").

Issue: Whether the Applicant can use the ITC available in the electronic credit ledger towards the GST liability on 'Castor Oil Seed' which they intend to supply in domestic market or to export it?

Decision of the Case

The AAR, Gujarat in the matter of M/s. Aristo Bullion Pvt. Ltd. has held that Bullion trader cannot use the Input Tax Credit balance available in the electronic credit ledger legitimately earned on the inputs/raw-materials/inward supplies meant for outward supply of Bullions, towards the GST liability on 'Castor Oil Seed' procured from agriculturists and subsequently meant for onward supply, as there is no nexus/connection between the inputs and final product since the inputs are not used or intended to be used in the course or furtherance of the business of supply of 'Castor Oil Seeds'.

.....

Stevedoring, Storing, Packing Goods Imported Temporarily Before Exporting Amounts to 'Export of Service' Post February 01, 2019: AAR Gujarat

Fact of the Case

M/S Manoj Bhagwan Mansukhani (M/S Rishi Shipping) ("the Applicant") is a service provider operating in Kandla port and handling imported fertiliser from abroad on behalf of Indian fertilizer companies.

Further, the Applicant used to discharge bulk fertiliser from the vessels, packing it into bags and then make despatches by rail, road and water and store in custom bonded warehouse without payment of custom duty and GST. After packing bulk fertiliser, the Applicant stuffed the fertiliser bags into containers and despatch the same after 2/3 months (as per instructions of their clients) for export to the ultimate buyers of the clients of the Applicant.

Issue:

Whether the services such as stevedoring, transportation, storage, bagging, stuffing and again transportation of the goods (which are temporarily imported) provided by the Applicant can be considered as 'Export of services'?

Whether the Applicant is eligible for 'Zero rated Supply' under Section 16 of IGST Act?

Decision of the Case

The AAR, Gujrat in the matter of M/S Manoj Bhagwan Mansukhani (M/S. Rishi Shipping) ruled that services provided viz. stevedoring, transportation, storage, bagging, stuffing, and transportation of the goods which are temporarily imported into India before exporting shall not be considered as 'Export of service' upto January 31, 2019, but shall be considered as 'Export of service' w.e.f. February 01, 2019. Accordingly, it shall not be eligible for 'Zero rated Supply' under Section 16 of the Integrated Goods and Services Tax Act, 2017 ("IGST Act") upto January 31, 2019, but shall be eligible for the same w.e.f. February 01, 2019.

DIRECT TAX

ITAT deletes Addition as Foreign Travel Expenses incurred by Assessee were genuine and meant for Business purpose only

Fact of the Case

- In the present problem the assessee, Talera Automobiles Private Limited is engaged in the business of dealership of cars. During the course of assessment proceedings, the Assessing Officer observed that the assessee incurred Foreign Travel expenses to the tune of Rs.9,29,041/-
- On being called upon to justify the deduction, the assessee submitted details that indicated that Smt. Vasumati P. Talera traveled to Switzerland and to the USA along with Smt. Snagda P. Talera.
- The AO made the disallowance by observing that no evidence was filed showing the business exigency. The CIT(A) confirmed the disallowance.

Decision of the Case

- The coram headed by the Vice President R.S.Sayal noted that the director who traveled to Switzerland and the USA is a widow and took over the reins of the company in the year 2003 after the demise of her husband.
- The assessee has placed on record a copy of Board Resolution authorizing such foreign travels. Not only that, but the assessee has also filed copies of certain letters written by its director to the dealers which she visited in Switzerland and the USA.
- The ITAT ruled that the AO has not brought anything on record to show that either the letters or their contents were not bona fide.
- Having considered the entire factual scenario obtained in the extant case, the Tribunal was of the considered opinion that the foreign travel expenses incurred by the assessee are genuine and meant for business purposes only. The impugned order is overturned and the addition is deleted.

.....

ITAT deletes Addition on account of Interest received from Bank and on Advances to Contractors

Officer assessed the interest income and miscellaneous income (for sale of a scrap) under the head 'Income from other sources'.

Fact of the Case

- The assessee company, Nabinagar Power Generating Co. Pvt. Ltd. is a private limited company, which was incorporated as a joint-venture company between 'NTPC Ltd.' and 'Bihar State Electricity Board' with an equal percentage of the shareholding and with the main objective of construction of power plants for generating electricity.
- The joint-venture commenced main work of construction of a power plant at Shivnagar, Bihar in financial year 2011-12.
- The assessee contended that interest income is inextricably linked with setting up of the power plant and the money simply being lying in the bank for construction of the plant, cannot be considered as surplus money.
- The assessee submitted that since the interest income was earned in the period prior to commencement of business, it was in the nature of the capital receipt and hence was required to be set-off against preoperative expenses.
- The assessee submitted that purpose was to use the money in such a way so as to reduce cost of the power plant to the extent possible, by earning interest income and this would also benefit the revenue in a way that company would claim less amount of depreciation every year after completion of the project.
- On the other hand, the Assessing Officer opined that the interest accrued on funds, which were not required immediately by the assessee company for its business purposes and which were invested in fixed deposit and for the advances given to the contractors and therefore interest was not earned out of business regularly carried out by the assessee company. The Assessing

Decision of the Case

- The division bench observed that CIT(A) is legally justified in deleting the addition of Rs.5,61,63,696/- and Rs.28,00,638 on account of interest received from bank and on advances to contractors respectively during the year.
- The division bench of Justice Kuldip Singh and O.P.Kant ruled that the CIT(A) has passed a well reasoned order which does not need any interference on our part.

.....

Assessee eligible to Claim Exemption on LTCG only If Investment in eligible Bonds is made within 6 months from Transfer of Asset

Fact of the Case

- In the present case Pradip Kumar Basu, the assessee filed his return of income for the year under consideration declaring total income of Rs.5,96,040/-. In the said return, long-term capital gain arising for sale of residential property amounting to Rs.6,14,674/- was declared by the assessee and the same was adjusted against the loss of Rs.8,64,542/- arising from the commodity share transaction.
- Since the loss from commodity share transaction was not eligible for adjustment against the long-term capital gain arising from the sale of residential property, the Assessing Officer disallowed the claim of the assessee for such adjustment and made an addition of Rs.6,14,674/- to the total income of the assessee on account of long-term capital gain in the assessment completed under section 143(3) vide an order.
- Against the order passed by the Assessing Officer under section 143(3), the assessee appealed to CIT(Appeals). A new claim was made by the assessee seeking exemption

of long-term capital gain on account of investment made in long-term capital gain bond by virtue of section 54EC of the Act.

- The CIT(Appeals), however, found that the said investment was made by the assessee after a period of six months stipulated in the relevant provision and the assessee, therefore, was not entitled for exemption under section 54EC of the Act on account of long-term capital gain. He, therefore, disallowed the claim of the assessee and confirmed the addition made by the Assessing Officer on account of long-term capital gain.

Decision of the Case

- The coram headed by the Vice President, P.M. Jagtap noted that the long-term capital gain of Rs.6,14,674/- had arisen to the assessee as a result of residential property sold on June 12, 2013 and in order to claim exemption on account of long-term capital gain under section 54EC of the Act, the assessee was required to make investment in the eligible bonds within six months from the date of transfer of the long-term capital asset i.e. December 12, 2013.
- The ITAT while upholding the order passed by CIT(A) ruled that the investment in eligible bonds is required to be made by the assessee within a period of six months from the date of transfer of the long-term capital asset in order to claim the exemption on account of long-term capital gain.

.....
ITAT deletes Disallowance made on Bonus, Commission paid to the Directors as per Agreements of Appointment

Fact of the Case

- In the instant case M/s. Hamilton & Co. Ltd. is the assessee.
- The assessee has paid bonus and commission to the directors to the tune of Rs.15,00,000 and Rs.99,169/- respectively totaling

Rs.15,99,169/- as per the agreement of their appointment and since the amount given to the directors were within the prescribed limit as per the Company Law, the claim of expenditure ought to have been allowed by the AO.

- According to the assessee, the action of the CIT(A) to confirm the disallowance is unsustainable. And he drew our attention to the fact that similar disallowance was made by the AO in the assessee's own case for AY 2013-14 and the issue came up before this Tribunal wherein the Tribunal was pleased to allow the claim of the assessee.

Decision of the Case

- The coram of J. S. Reddy and A. T. Varkey noted that the payments in question were made to Mrs. Rekha Jalan and Mr. S.K. Jalan, who were directors of the assessee company.
- These payments were made pursuant to agreements for payment of bonus and commission copies of which were furnished to the Revenue. The payments were made within the limit prescribed by law.
- Therefore, the Tribunal directed the AO to delete the addition of Rs.15,99,169.

.....
Encashment of Bank Guarantee is incurred in Normal Course of Business: ITAT deletes Addition

Fact of the Case

- In the present problem Ogene Systems India Limited is the assessee who has debited an amount of Rs.1,10,61,051/- towards Security deposit non performance
- It was found that the assessee paid bank guarantee for executing the turnkey project with High Explosive Factory, Pune. But, the assessee failed to execute the project. The encashment of bank guarantee is in the nature of penalty levied for the default in executing the project

- Further, the assessee has not realized any amount out of this project. As the expenditure claimed by the assessee is penal in nature and as there was no income out of this project, the expenditure of Rs.1,10,61,051/- claimed by the appellant was disallowed and added to the income.
- The assessee challenged the order of the lower authorities having erred in law and on facts in disallowing its security deposit encashment claim of Rs.1,10,61,051/- treated as penal in nature.
- The Revenue contended that both the lower authorities have rightly disallowed the impugned encashment of bank guarantee being penal in nature on account of non-performance of contract at assessee's behest.
- The assessee on the other hand contended that the impugned encashment of bank guarantee is the outcome of failure to perform its contractual obligation only without involving any offence or penal component under section 37(1) of the Act.

Decision of the Case

- The coram of Lakshmi Prasad Sahu and S.S.Godara held that such an encashment of bank guarantee is incurred in the normal course of business than involving any penalty element at all.
- The ITAT directed the Assessing Officer to delete the impugned disallowance or addition in issue.

TAX COMPLIANCE CALENDER AT A GLANCE

GOODS AND SERVICES TAX CALENDAR

Relaxation to normal taxpayers in filing of monthly return in Form GSTR-3B							
SL. No.	Tax Period	Class of Taxpayer (Based on AATO)	Due date of filing	Reduced Rate of Interest			Waiver of late fee till
				First 15 days from Due date	Next 15 days	From 31 st day onwards	
1	March, 2021	> Rs. 5 Cr.	20 th April	9%	18%	18%	5 th May, 2021
		Up to Rs. 5 Cr	20 th April	Nil	9%	18%	20 th May, 2021
2	April, 2021	> Rs. 5 Cr.	20 th May	9%	18%	18%	4 th June, 2021
		Up to Rs. 5 Cr	20 th May	Nil	9%	18%	19 th June, 2021

Relaxation in filing of Form GSTR-3B (Quarterly) by Taxpayers under QRMP Scheme							
SL. No.	Tax Period	Class of Taxpayer (Based on AATO)	Due date of filing	Reduced Rate of Interest			Waiver of late fee till
				First 15 days from Due date	Next 15 days	From 31 st day onwards	
1	March, 2021	Form GSTR-3B (Quarterly)	22/24 th April, 2021, (Group A/B)	Nil	9%	18%	22/ 24 th May, 2021 (Group A/B)
2	April, 2021	Form GST PMT-06	25 th May, 2021	Nil	9%	18%	NA

Relaxations in filing Form CMP-08 for Composition Taxpayers					
SL. No.	Tax Period	Due date of filing	Reduced Rate of Interest		
			First 15 days from Due date	Next 15 days	From 31 st day onwards
1	Jan-March, 2021	18 th April, 2021	Nil	9%	18%
			3 rd May, 2021	4 th May to 18 th May, 2021	19 th May, 2021 onwards.

Due Date			
Form	For month/Quarter	Due Date	Extended Due Date
GSTR-1	Monthly		
	April, 2021	11 th May, 2021	26 th May, 2021
	Quarterly		
	April to June, 2021	13 th July, 2021	28 th May, 2021

Composition Scheme Due Dates			
From	Description	Due Date	Extended Due Date
CMP - 08	Return for Composite Supplier		
	April to June, 2021	18 th July, 2021	

Others Returns			
From	Description	Due Date	Extended Due Date
GSRT- 5 & 5A	Filed by Non-resident taxable person and OIDAR respectively		
	April 2021	20 th May, 2021	31 st May, 2021
GSTR - 6	For input Services Distributor who are required to furnish details of invoice on which credit has been received		
	April, 2021	13 th May, 2021	31 st May, 2021
GSTR - 7	Filed by person required to deduct TDS under GST		
	April, 2021	10 th May, 2021	31 st May, 2021
GSTR - 8	E-commerce operator who are required to deduct TDS		
	April, 2021	10 th May, 2021	31 st May, 2021

DIRECT TAX CALENDAR - MAY, 2021

Important due dates for the Income Tax – May 2021	
30.05.2021	Submission of a statement (in Form No. 49C) by non-resident having a liaison office in India for the financial year 2020-21
30.05.2021	Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA in the month of April, 2021
30.05.2021	Due date for furnishing of challan-cum-statement in respect of tax deducted under Section 194M in the month of April, 2021
30.05.2021	Due date for furnishing of challan-cum-statement in respect of tax deducted under Section 194-IB in the month of April, 2021
30.05.2021	Issue of TCS certificates for the 4th Quarter of the Financial Year 2020-21
31.05.2021	Quarterly statement of TDS deposited for the quarter ending March 31, 2021
31.05.2021	Return of tax deduction from contributions paid by the trustees of an approved superannuation fund
31.05.2021	Due date for furnishing of statement of financial transaction (in Form No. 61A) as required to be furnished under sub-section (1) of section 285BA of the Act respect of a financial year 2020-21
31.05.2021	Due date for e-filing of annual statement of reportable accounts as required to be furnished under section 285BA(1)(k) (in Form No. 61B) for calendar year 2020 by reporting financial institutions
31.05.2021	Application for allotment of PAN in case of non-individual resident person, which enters into a financial transaction of Rs. 2,50,000 or more during FY 2020-21 and hasn't been allotted any PAN
31.05.2021	Application for allotment of PAN in case of person being managing director, director, partner, trustee, author, founder, karta, chief executive officer, principal officer or office bearer of the person referred to in Rule 114(3)(v) or any person competent to act on behalf of the person referred to in Rule 114(3)(v) and who hasn't allotted any PAN

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

CRASH COURSE ON INCOME TAX 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. 1,500 + 18% GST

Exam Fees - Rs. 500 + 18% GST

Course Duration - 32 Hours

Admissions open for the courses - <https://eicmai.in/advsec/DelegatesApplicationForm-new.aspx>

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/>

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:

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