

JUNE, 2021

TAX Bulletin

★ ★ VOLUME - 89 ★ ★



THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

Statutory Body under an Act of Parliament

www.icmai.in

Headquarters: CMA Bhawan, 12 Sudder Street, Kolkata - 700016

Ph: 091-33-2252 1031/34/35/1602/1492

Delhi Office: CMA Bhawan, 3 Institutional Area, Lodhi Road, New Delhi - 110003

Ph: 091-11-24666100

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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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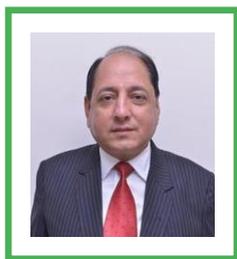
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CMA Rakesh Bhalla
Chairman, Direct Taxation Committee



CMA Chittaranjan Chattopadhyay
Chairman, Indirect Taxation Committee

FROM THE DESK OF CHAIRMAN

Dear Friends and Professional Colleagues,

Greetings from the Tax Research Department!!!

Govt of India has been continuously monitoring the second wave of COVID cases and taking various measures to arrest its spread in the country. Although we are observing that there is some improvement in rate of infection for which people are slowly and steadily moving out of the onslaught of the second wave of corona virus infections as at present, this does not entail that we may do away with the rules of the new normal. We urge each one of our readers, members and well-wishers to stay safe and follow the Government guidelines rigorously. This would set us free from the impact of this deadly virus. Stay safe, stay healthy and take care of your loved ones. We have to remember that although breaking of chain amongst us is of paramount importance to resist the spread of COVID, but breaking of relationship amongst us is not at all desirable. Let us extend our hands of cooperation to the sufferers in this pandemic time.

Now, we place before you the latest developments in the field of taxation. CBIC, in its 43rd GST Council Meeting has announced:

- GST Exemption to some COVID-19 supplies till 31st August 2021
- A Particular Medicine for Black Fungus also exempted
- Amnesty scheme has been recommended for reducing late fee To benefit around 89% of GST taxpayers,
- Rationalization of Late fee for Small Taxpayers to be applicable to future liabilities
- Annual Return Filing will continue to be optional for 2020-21, for small Tax payers with turnover less than Rs. 2 Crore
- GST Audit for FY 2020-21 is not required (Taxpayers would be able to self-certify the reconciliation statement Form GSTR 9C)
- A Special Session on GST Compensation Cess before 22nd July 2021
- GoM (Group of Ministers) to consider GST Exemption on COVID Vaccines provided by private hospitals.

Announcements from CBDT are as follows:

- New income tax e-filing portal to be launched from June 7, existing portal will be unavailable from 1st June, 2021 to 6th June, 2021.
- CBDT has issued circular no.9 related to the deadline of extension of tax compliance under the Income Tax Act 1961
- CBDT has issued notification for furnishing and uploading of form No. 34BB to exercise option under u/s245.

The Tax Research Department has successfully conducted the workshop on the topic, Scenario of Assessment & Appeal in Income Tax. Eminent Tax Advocate CMA Niranjana Swain was the esteemed speaker for the session. The sessions were highly intriguing and has been bestowed with immense appreciation from the participants.

A webinar has also been conducted on the topic Alternative Tax Regime on the 18th May 2020 by CMA S. Venkanna.

Classes for the upcoming batches of below courses has commenced and are going on in full swing:

- Certificate Course on GST
- Advanced Certificate Course on GST
- Certificate Course on Filing of Returns
- Certificate Course on TDS
- Advanced Course on GST Audit and Assessment Procedure
- Advanced Course on Income Tax Assessment and Appeal

We congratulate the members of Tax Research Department for carrying out 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 Bulletin.

Jai Hind.

Warm Regards



(Rakesh Bhalla)

CMA Rakesh Bhalla
4th June 2021



CMA Chittaranjan Chattopadhyay
4th June 2021

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TEAM - TAX RESEARCH DEPARTMENT

CMA Rajat Kumar Basu

CMA Tinku Ghosh Das

CMA Priyanka Roy

Ms. Mukulika Poddar

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CMA Priyadarsan Sahu

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- Officer - Tax Research
- Associate - Tax Research
- Research Associate
- Research Associate

SPECIAL ACKNOWLEDGEMENT

Mr. Dipayan Roy Chaudhuri

- Graphics & Web Designer

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

Please send the articles to

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



CMA Ashok Nawal

Founder-Bizsol India Services Pvt. Ltd

ARE YOU PREPARED FOR DEPARTMENTAL AUDIT BY GST OFFICERS?

Section 35 of CGST Act 2017 has been amended and thereby Annual Return to be reconciled with books of accounts in Form GSTR-9C is required to be self-certified even for the year 2020-21. Therefore, State and Central GST Officers have already equipped with conducting GST Audit and started extensive training to their officers including publishing GST Audit Manual by CBIC as well as Karnataka Commercial Department. This audit will be somewhat different than that of EA-2000 Audit in the Central Excise Era or VAT Assessment by the State officers.

Departmental Audit will be carried out systematically audit and procedure thereof has been well clarified in the GST Audit Manual.

This Article provides the details w.r.t. GST Audit in the four segments:

1. Legal Provisions w.r.t. Departmental Audit, Objective & planning thereof & Methodology
2. Analysis / Desk Review prior to the start of Audit
3. Audit on the Field
4. Action Points After Audit

A. Legal Provisions w.r.t. Departmental Audit, Objective & planning thereof & Methodology

• Legal Provisions:

Section 65 of CGST Act 2017 provides for the audit

- (1) The Commissioner or any officer authorised by him, by way of a general or a **specific order**, may undertake audit of any registered person for such period, **at such frequency** and in such manner as may be prescribed.
- (2) The officers referred to in sub-section (1) may **conduct audit at the place of business of the registered person or in their office**.
- (3) The registered person shall be informed **by way of a notice not less than fifteen working days** prior to the conduct of audit in such manner as may be prescribed.
- (4) The audit under sub-section (1) shall be completed **within a period of three months** from the date of commencement of the audit:

Provided that where the Commissioner is satisfied that audit in respect of such registered person cannot be completed within three months, he may, for the reasons to be recorded in writing, **extend the period by a further period not exceeding six months.**

Explanation:

For the purposes of this sub-section, the expression “commencement of audit” shall mean the date on which the records and other documents, called for by the tax authorities, are made available by the registered person or the actual institution of audit at the place of business, whichever is later.

- (5) During the course of audit, the authorised officer may require the registered person,—
 - (i) to **afford him the necessary facility to verify the books of account** or other documents as he may require;
 - (ii) to furnish such information as he may require **and render assistance for timely completion of the audit.**
- (6) On conclusion of audit, the proper officer shall, **within thirty days**, inform the registered person, whose records are audited, about the findings, his rights and obligations and the reasons for such findings.
- (7) Where the audit conducted under sub-section (1) results in detection of tax not paid or short paid or erroneously refunded, or input tax credit wrongly availed or utilised, the proper officer may initiate action under section 73 or section 74.

Similarly Rule 101 of CGST Rules 2017 specifies the Rule w.r.t. Departmental Audit

101. Audit.-(1) The period of audit to be conducted under sub-section (1) of section 65 shall be a financial year or multiples thereof.

(2) Where it is decided to undertake the audit of a registered person in accordance with the provisions of section 65, the proper officer shall issue a notice in **FORM GST ADT-01** in accordance with the provisions of sub-section (3) of the said section.

(3) The proper officer authorised to conduct audit of the records and the books of account of the registered person shall, with the assistance of the team of officers and officials accompanying him, verify the documents on the basis of which the books of account are maintained and the returns and statements furnished under the provisions of the Act and the rules made thereunder, the correctness of the turnover, exemptions and deductions claimed, the rate of tax applied in respect of the supply of goods or services or both, the input tax credit availed and utilised, refund claimed, and other relevant issues and record the observations in his audit notes.

(4) The proper officer may inform the registered person of the discrepancies noticed, if any, as observed in the audit and the said person may file his reply and the proper officer shall finalise the findings of the audit after due consideration of the reply furnished.

(5) On conclusion of the audit, the proper officer shall inform the findings of audit to the registered person in accordance with the provisions of sub-section (6) of section 65 in **FORM GST ADT-02.**

- **Objective & planning thereof**

Ensure No Short Payment and Identification of Risk based on the Parameters.

- (a) Detailed examination of
 - (i) records,
 - (ii) returns and
 - (iii) other documents - maintained / furnished by a registered person, under GST law/any other law or rules;

- (b) For verification of correctness of -
- (i) turnover declared;
 - (ii) Taxes paid
 - (iii) refund claimed;
 - (iv) input tax credit availed; and
 - (v) assessment of compliances with provisions of GST law and rules.

• **Duration of Audit**

- i. Large taxpayers – 6 to 8 working days
- ii. Medium taxpayers – 4 to 6 working days.
- iii. Small taxpayers – 2 to 4 working days (including audit of the Deductor, who fall under the provisions of Section 51 of CGST Act, 2017 {who pay TDS} and operators who collect tax at source as per provisions of Section 52 of CGST Act, 2017

• **Methodology**

- Creation of Audit teams.
- Preparation of schedule on the basis of the risk assessment list provided by DG (Audit). The same is divided into annual and quarterly audit schedules.
- Allotment of taxpayers to the audit groups.
- Intimation to the Registered Person (GST ADT-01)
- Reviewing the taxpayer data - Tax Payer at a Glance (TAG), Registration, Returns, Payments, Dispute Resolution, Audit Report Utility, E-way bills & Third Party data if available.
- Conducting desk review in offline / online mode (wherever available) and uploading the result of desk review.
- Preparing the audit plan in offline / online mode (wherever available) and uploading the audit plan.
- Carrying out verification and uploading the verification report, within twenty four hours of completion of audit.
- Creation of Audit teams.
- Preparation of schedule on the basis of the risk assessment list provided by DG (Audit). The same is divided into annual and quarterly audit schedules.
- Allotment of taxpayers to the audit groups.
- Intimation to the Registered Person (GST ADT-01)
- Reviewing the taxpayer data - Tax Payer at a Glance (TAG), Registration, Returns, Payments, Dispute Resolution, Audit Report Utility, E-way bills & Third Party data if available.
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- Preparing the audit plan in offline / online mode (wherever available) and uploading the audit plan.
- Carrying out verification and uploading the verification report, within twenty four hours of completion of audit.

- **Selection of Registered Persons for Audit**

- Method of selection based on risk assessment
- Preparation of audit schedule
- Annual plan for Audit Coverage (Audit year being – 1st April to 31st March)
- Theme based coordinated audits
- Accredited status for deferring frequency of audit

- **Audit of Books & Records.**

- **Records to be maintained by registered persons for each registration separately including principal place of business & additional place of business**
 - Goods or services imported and Exported
 - Supplies attracting payment of tax
 - Supplies attracting payment of tax on reverse charge
 - Stock of goods supplied / received - opening balance, receipt, supply, goods lost, stolen, destroyed, written off or disposed of by way of gift or free samples including raw materials, finished goods, scrap and wastage thereof
 - Monthly production accounts with quantitative details of raw materials or services used in the manufacture and quantitative details of the goods so manufactured including the waste and by products thereof
 - Quantitative details of goods used in the provision of each service, details of input services utilized and the services supplied
 - Advances received, paid and adjustments made thereto – Refund Vouchers / Payment Vouchers
 - Details of tax payable, tax collected and paid, input tax, input tax credit claimed
 - Register of tax invoice, credit note, debit note, delivery challan issued or received during any tax period
 - Names and complete addresses of suppliers / customers / recipients
 - Complete addresses of the premises where the goods are stored by him, including goods stored during transit along with the particulars of the stock stored therein
 - Relevant documents viz invoices, bills of supply, delivery challans, credit notes, debit notes, receipt vouchers, payment vouchers, refund vouchers and e-way bills, etc

B. Analysis / Desk Review prior to the start of Audit

(a) Start of the Audit

- Understanding the business of the auditee
- Understanding the software used
- Special attention to transactions not appearing in the financial accounts

- Registration
 - Core Changes
 - Non-Core Changes
 - ISD
- Masters
 - Customer
 - Suppliers
 - Items with HSN
 - Services with SAC
 - Tax Codes
 - ITC Entitlement
- Applicability of GST
 - Aggregate Turnover
 - Threshold Limit
 - Composition Scheme
- Outward Supply & Determination of Tax Liability
- Inward Supply & Eligible ITC & Reversal of ITC

(b) List of Documents to be furnished prior to the audit

Following documents (duly self-attested) may be furnished to department :

1. Annexure – GSTAM-I, Annexure – GSTAM-V and Annexure-GSTAM-VI as per the proforma prescribed in GST Audit Manual 2019
2. Copy of application for GST Registration, Registration Certificate(s)
3. Copies of GSTR-1, GSTR-2A, GSTR-3B and GSTR-9 and GSTR-9C alongwith payment challans
4. Details of E-Way bill for the audit period for inward and outward supply of goods and services
5. List of Show Cause Notice issued, if any and their present status
6. Date of last Departmental Audit and the period covered. (Copy of the findings and correspondence with the department in this regards, if any)
7. Audit Report of the audit conducted by CERA, if any
8. Any other relevant records.

Statutory Documents / Records maintained under other laws for the time being in force:

1. Copies of Annual Reports (with all schedules and notes to Accounts) , Balance Sheet, Profit & Loss Account Statement, Gross Trial Balance

2. Copies of Tax Audit Reports (including all annexures) conducted under Sec 44AB of the Income Tax Act 1961
3. Copies of Form 3CEB and 3CD Reports under Section 92E of the Income Tax Act 1961,
4. Cost Audit Report (If any)
5. Copy of 26AS for the period of audit

GSTAM-I : Registered person's Master file – RPMF to be updated on regular intervals : FOR DESK REVIEW

- Name of the Registered person
- GSTIN
- Address of the Registered person
- Name of Principal place of business
- Name and address of the Corporate/Registered Office of the Registered person
- Permanent Account Number
- Description of the goods/services supplied
- Details of Additional Place of Business
- Constitution of Business
- Details of proprietor / partner / CEO / Chairman / Managing Director (as applicable)
- Details of Proprietor/Partners/CEO/Chairman /Managing Director/Member etc
- Customs registration No (BIN No)
- DGFT's IEC No
- Registrar of Company's CIN No.
- Tour Operators with RTA
- Stock Brokers with SEBI
- Name and designation of the authorized person of the Registered Person

GSTAM-I : Registered person's Master file – RPMF to be updated on regular intervals : FOR DESK REVIEW

- Name of the designated bank where the GST is deposited
- Details of the Bank accounts used for business transaction with name of the bank, its specific branch and account number
- Details of Supplies made and taxes paid
- HSN -wise details of value of goods supplied and ITC paid (for 3 years).
- GST Services code-wise details of value of services supplied and ITC paid (for 3 years).
- Details of Zero rated supplies and Deemed Exports made

GSTAM-V :COMPARATIVE CHART OF ITEMS FROM FINANCIAL STATEMENTS/ RETURNS - FOR DESK REVIEW

Sl. No.	Item	Records/ Registers/ Acco unts maintained U/S 35 CGST Act read with rule 56 of CGST Rules(+)	GSTR-9(++)	Cost Audit Report (Annual) #	Income Tax Audit Report (Annual) ##	Trial Balance (Annual)	Annual Report (Including Balance Sheet & P & L Account) (Annual) @	ITR 6 (Annual) @@
1	Quantity Manufactured	Production/ manufacture account			28 b B (iii)		Schedule to Balance Sheet	Part A-QD (c) (5)
2	Goods Cleared							
	i) Quantity	inward & outward supply account of goods	17(3)+18(3)	Sl. No. 4 (8) of Annexure	28 b B (iv)		Schedule to Balance Sheet	Part A-QD (c) (6)
	ii) Value	Do	17(4)+18(4)	Sl. No.8(1) of Annexure			Schedule to Balance Sheet	
3	GST Paid		9					
	(a) cash		9(3)					
	(b) ITC		9(4+5+6+7)					
	Credit Register			Sl. No. 11 of Annexure	22(a)			
	II) Cash Register			Sl. No. 11 of Annexure				
	Total GST Paid		9(3)+9(4+5+6+7)					
4	Exports (Value & Quantity)		4(C+D+E)+5(M)	Sl. No. 4 (8) of Annexure				
	a) Under Bond							
	I) Quantity							
	b) Value						Schedule to Balance Sheet “(Earnings in Foreign Exchange-f.o.b of Exports)”	
	On payment of GST							
	(a) quantity							
	(b) value		4(C+D)					
5	Details of ITC taken and utilised							
	a) Opening Balance							

Sl. No.	Item	Records/ Registers/ Acco unts maintained U/S 35 CGST Act read with rule 56 of CGST Rules(+)	GSTR-9(++)	Cost Audit Report (Annual) #	Income Tax Audit Report (Annual) ##	Trial Balance (Annual)	Annual Report (Including Balance Sheet & P & L Account) (Annual) @	ITR 6 (Annual) @@
a)	ITC Taken		6(0)		22(a)			
b)	ITC Utilised		9(4+5+6+7)		22(a)			
c)	I) Payment of duty of goods							
d)	II) Payment of duty on Services							
e)	III) Removal of Inputs & Capital Goods as such							
6	Consumption of major Raw material in manufacture							
	a) Quantity				28(b)(A) (iii)		Schedule to Balance Sheet	Part A - QD (b) (4)
	b) Value						Schedule to Balance Sheet Schedules to P & L Account	
7	Sale of Waste & Scrap							
a)	Quantity							
b)	Value				28(b)(A) VIII 28(b)(B) VI	Under Head "Other Income"		
8	Power & Fuel					Under Expenditure- Power & Fuel	Annexure to Director's Report Schedules to P & L Account	
9	Written off stocks	Account of stock of goods			28(b)(A) VIII 28(b)(B) VI	Expenses for write off	Obsolete	

Following Ratio Analysis will indicate and identified areas where indepth audit to be carried. Certain Ratios and interpretation thereof is given below:

Ratio	Interpretation
<p>Input Tax Credit availed (A):</p> <p>Total tax paid through (Electronic cash ledger + Input Tax Credit) (B) = (A)/(B)</p> <p>Source Document: Annual or Monthly GST returns</p>	<p>i) To identify wrong avallment of input tax credit</p> <p>ii) To identify under valuation of goods as value-addition should involve adequate difference between the two.</p> <p>iii) To identify removal of goods without payment of duty.</p> <p>iv) To identify claiming of input tax credit on inputs used in exempted products.</p>
<p>Use of Ratios (Goods)-2</p> <p>Total Inward Supply Costs ----- Total Outward Supply Value</p> <p>Source: Monthly GSTR</p>	<ul style="list-style-type: none"> • This ratio shows the part of outward supply value represented by inward supply cost. The balance outward supply value represents the value addition on account of non-taxable elements like wages, overheads, depreciation, interest. • Theoretically, this ratio should have a bearing on the ratio of Input tax credit: Total tax payment (Sl.No.1). • If this ratio is lower than ratio at Sl.No.1 or more than previous year's ratio, it may be on account of the following: <ul style="list-style-type: none"> • Wrong availment of credit like cases of availing value of goods as credit or availment of credit of basic custom duties in case of import or double credit on same document. • Fraudulent availment of credit like availment of credit without receipt/actual use of input. • Rejection/return/clearances of inputs without reversal of credit • Receipt of inputs and availment of credit but clearances of finished goods without payment of duty. • Under valuation of finished goods. • Important points to be considered: <ul style="list-style-type: none"> • Only taxable goods sales value should be considered. • Export value to be excluded from sales value, if export is under bond (if export was on payment of duty, in that case, export value should be included). • Exclude the GST from sales value, if details are available.
<p>ITC availed on Capital goods/ Addition to Capital Goods</p>	<p>Addition to the Plant & Machinery is available from the Fixed Assets Schedule enclosed to the Balance sheet</p>
<p>Other income/ Total Sales</p>	<p>If this ratio is higher than previous period, it may be on account of the following</p> <ul style="list-style-type: none"> • Under valuation of finished goods by non-inclusion of other incomes like recovery of Advertisement expenses, Packing and Forwarding Expenses in the assessable value. • Non-payment of duty on scrap/rejects/job work. <p>GST liability on Other Income may also be examined.</p>
<p>Outward supply of Scrap: Total outward supplies made</p>	<p>If ratio in the current year is lower, it may be on account of the following:</p> <ul style="list-style-type: none"> • outward supply of scrap made without payment of duty • Non receipt of scrap from job worker.

Ratio	Interpretation
Value of exempted outward supply: value of total outward supplies	<ul style="list-style-type: none"> • To identify outward supplies made in the guise of exempted supplies. • To identify supply of essential parts of outward supply as exempted supplies. • To identify under valuation of outward supplies by overvaluing exempted outward supply
Input tax credit availed on inputs: Purchase price of inward supplies	i) Non reversal of credit/payment of duty on inputs rejected/short received/cleared to other units/cleared as spare during warranty period
Value of Zero-rated supply : Total supply	i) To identify outward supplies made in the guise of zero-rated supplies. ii) To identify under valuation of outward supplies by overvaluing zero rated supply outward supply
Non-GST Supply : Total supply	i) To identify outward supplies made in the guise of non-GST supplies. ii) To identify supply of essential parts of outward supply as non-GST supplies. iii) To identify under valuation of outward supplies by overvaluing Non-GST outward supply
Total cost of inputs received (both Goods & Services) : Value of Taxable outward supply (say A) Credit availed: Total GST payable (say B) Source Document: 1. Profit & Loss Account; 2. Income & Expenditure Account (in case of non-profit organisations like clubs); and 3. GST return	Compare the ratio over a period of 3-4 years. If the ratio is increasing there is possibility of the following irregularities:- i) Rendering of unaccounted outward supply. ii) Undervaluation of outward supply. iii) Diversion of outward supply income into non- taxable income. Compare this ratio (A) with (B) If ratio B is greater than ratio A, then there is a possibility of wrong avilment of credit either due to calculation mistake or avilment of credit on inward supply being not used properly in outward supply.
Other incomes not charged to GST : Value of taxable outward Supply Source Document: 1. Profit & Loss Account; 2. Income & Expenditure Account (in case of non-profit organisations like clubs); and 3. GST return	Compare the ratio over a period of 3-4 years or with the Taxable person rendering the same services. If the ratio is increasing over a period of time or it is more when compared to other suppliers, then there is a possibility of under valuation by showing outward supply income as non-taxable / exempted income.
Additions to plant and machinery / fixed assets during the year : Total value of assets at the beginning of the Year Source Document: Balance Sheet	A comparison of this ratio with the rate of growth of the value of taxable outward supply during the year may be useful in verifying whether the value of taxable outward supply has been correctly declared. It is particularly to be checked in cases where the additions to plant & machinery / fixed assets directly impact the volume of outward supplies.

Ratio	Interpretation
Amount of input tax credit availed on inward supply : Total tax liability on outward supply Source Document: GST returns	Compare the ratio over a period of 3-4 years. If the ratio is increasing there is the possibility of the following irregularities:- (a) Rendering of unaccounted outward supply; (b) Under valuation of outward supply; (c) Showing outward supply income as non-taxable outward supply income. (d) Inflation of inward supply credit.
Input Tax Credit (A): Total Tax paid through (Electronic cash ledger + Input Tax Credit) (B) = (A)/(B) Source Document: GST returns	i) To identify wrong availment of input tax credit ii) To identify under valuation of outward supply as value-addition should involve adequate difference between the two. iii) To identify outward supplies made without payment of GST. iv) To identify claiming of input tax credit on inward supplies used in exempted outward supplies.
Input tax credit availed on Capital Goods purchased during the year : Addition to Plant & Machinery Source Document: Balance Sheet & GST return	i) Addition to the Plant & Machinery is available from the Fixed Assets Schedule enclosed to the Balance sheet.
Other Income: Outward supplies Source Document: Profit & Loss Account.	If this ratio is higher than previous period, it may be on account of the following: a) Under valuation of outward supply by non-inclusion of other incomes b) GST liability on Other Income

Based on the above ratios and illustrative interpretation as mentioned above, probable risk areas will be identified and indepth audit will be done to find out whether there is excess availment of ITC of short payment of tax.

Further, Department have issued the detailed questionnaire so as to understand the process flow of taking the various decisions w.r.t. inward supply & outward supply, stores, job work, manufacturing process, distribution process, marketing plans and strategies and overall management of the company.

It is advisable to prepare the note on system flow and related questions mentioned in GST Audit Manual, departmental officer will go through the same and identify the risk parameter and prepare Risk Control Matrix before the start of the audit.

C. Audit on the Field

Department will focus audit and carry out the indepth audit in the following areas:

- | | |
|---------------------------------------|--------------------------------------|
| 1 Registration (Regular) | 7 Supply (Services) |
| 2 Composition scheme | 8 Supply (goods treated as services) |
| 3 Composition Scheme for Services | 9 Supply (Immovable property) |
| 4 Suspended or Cancelled registration | 10 Supply (Intellectual property) |
| 5 Unregistered Persons | 11 Supply (Agricultural) |
| 6 Supply (Goods) | 12 Supply (cess attracting articles) |

13 Supply (Non-monetary consideration)	51 Returns (GSTR1)
14 Supply (Barter - exchange)	52 Returns (GSTR3B)
15 Supply (No consideration)	53 Returns (GSTR9)
16 Exit from Composition	54 Returns (GSTR9A)
17 No Supply	55 Transitional activities
18 Money Transactions	56 Financial records
19 Digital Currency Transactions	57 Stock records
20 Classification (Goods)	58 TDS
21 Classification (Services)	59 TCS
22 Exemption (Goods)	60 Job-work
23 Exemption (Services)	61 Deemed Exports
24 Reverse Charge (Goods)	62 EOU-STP-EPZ
25 Reverse Charge (Services)	63 SEZ Developer
26 Electronic Commerce Operator (ECO)	64 SEZ Unit
27 Electronic Commerce Supplier	65 SEZ Unit (supplies in DTA)
28 Input Tax Credit (taken)	66 Exporters
29 Input Tax Credit (utilized)	67 UIN-holders
30 Input Tax Credit (reversed)	68 Single-GSTIN-holders
31 Input Tax Credit (blocked)	69 Multi-GSTIN-holders
32 Input Tax Credit (cess)	76 Interest (on output tax)
33 Input Service Distributor	77 Interest (on input tax credit)
34 Valuation (monetary consideration)	78 Refund (beneficial schemes)
35 Valuation (non-monetary consideration)	79 Refund (deemed export)
36 Valuation (related party transactions)	80 Refund (goods export)
37 Valuation (deemed value notified)	81 Refund (services export)
38 Time of Supply	82 Refund (EOU-EPZ-STP)
39 Place of Supply (goods domestic)	83 Refund (SEZ)
40 Place of Supply (services domestic)	84 Refund (Tax wrongly paid)
41 Place of Supply (goods exports-imports)	85 Refund (excess tax paid)
42 Place of Supply (services exports-imports)	86 Refund (cash balance)
43 Place of Supply (SEZ)	87 Output tax interchange
44 High-Sea sales	88 Cessation or succession of business
45 Merchant trade	89 Verification of 'outward supply'
46 In-bond sales	90 Verification of 'inward supply'
47 Import of Goods	91 Verification of 'non-monetary transactions'
48 Import of Services	92 Verification of 'deemed supply'
49 Export of Goods	93 Verification of 'other income'
50 Export of Services	

94 Verification of 'no supply'	117 Refund due to supply to SEZ (goods) with payment of tax
95 Verification of 'input tax credit'	118 Refund due to supply to SEZ (services) with payment of tax
96 Verification of 'apportioned credits'	119 Refund of unutilized credit (export of goods) without payment of tax
97 Verification of 'blocked credits'	120 Refund of unutilized credit (export of services) without payment of tax
98 Verification of 'records matching'	121 Refund of unutilized credit (goods to SEZ) without payment of tax
99 Verification of 'returns'	122 Refund of unutilized credit (services to SEZ) without payment of tax
100 Verification of 'place of supply'	123 NO REFUND of unutilized credit (SEZ developer to SEZ unit)
101 Verification of 'exports'	124 Refund of deemed exports (to Supplier)
102 Verification of 'imports'	125 Refund of deemed exports (to Recipient)
103 Transition credit	126 Refund of inverted tax
114 Cash balance refund	127 Errors Master, for verification exercise
115 Refund due to export (goods) with payment of tax	
116 Refund due to export (services) with payment of tax	

They will seek the explanation on any deviation w.r.t. following reconciliations:

- GSTR-1 & GSTR-3B and Trend Analysis thereof
- Critical analysis of GSTR-9C and reasons of provided in the reconciliation of outward supply, ITC, tax payment and other information
- Outward Supply as per GSTR-9C vis-à-vis TDS Return
- Inward Supply and TCS Return
- Submission to the Banks – CMA Report & Stock & Debtors Statement & Reconciliation with books of accounts
- Reconciliation with Cost Audit Report & Cost Sheets for outward supply, inward supply and valuation
- Material reconciliation
- Inward Supply with E-Way Bills
- Outward Supply with E-Way Bills
- Job Work with E-Way Bills

Specific Attention

They will also go through inventory records and quantitative reconciliation and also establish input output norms and will check the industry standards. Therefore, wherever quantity is adjusted on account of wrong bill of material, excess consumption, shortage and excess found during physical inventory checking etc etc. will have to be properly studied and proper explanation needs to be given.

It is also important to note, in terms of explanation provided in the Section 65 of CGST Act 2017, during the course of audit, the authorised officer may require the registered person have to

- (i) to **afford him the necessary facility to verify the books of account** or other documents as he may require;
- (ii) to furnish such information as he may require **and render assistance for timely completion of the audit.**

Therefore, it is advisable to prepare much in advance for departmental audit even before notice in the Form ADT-01 is received.

D. Action Points After Audit

After the audit, audit findings are placed in the Monitoring Committee Meetings (MCM) and based on the decision of MCM, audit findings will be notified in the Form ADT-02 within 30 days after the completion of GST Audit and clarification of the registered person will be sought and the same will be incorporated in the final Audit Report and the same will be placed before MCM.

Final decision will be taken by the Monitoring Committee w.r.t. issuance of notice in accordance with Section 73 & Section 74 Of CGST Act 2017 and SCN will be issued,thereby adjudication process will commence.

E. Conclusion

Department is well prepared and departmental officers are also getting trained. The points mentioned above in “**Analysis / Desk Review prior to the start of Audit**” will be the input for query-based system designed for assessment and desk review developed by GSTN will be used and output therefrom will be derived.

Similarly, department have devised the format for seeking data based on the verification carried out by departmental officers as a audit process will also be input for the query-based system designed for assessment and desk review developed by GSTN will be used and output therefrom will be derived.

In view of the above, it is advisable to carry out such audit by experts,prepare the working in the formats required by the department and take the preventive measures before departmenthighlights. Once department highlights excess availment of ITC or short payment of tax or excess refund granted, then provision of mandatory penalty and interest will be the additional burden on the registered person.



CMA Utpal Kumar Saha

DGM-Indirect Tax, McNally Bharat Engineering Company Ltd.

STATUS HOLDER CERTIFICATION UNDER FTP AND ROLE OF COST ACCOUNTANTS (CMAs)

Government of India has provided a special privilege to the business houses which have excelled in international trade and have a good contribution towards foreign currency earning and growth in economy. Generally, status Holders are the business entities which have good track records in international business. There are various categories of status holders starting from One Star Export House and ending with Five Star Export House. Para 3.21 of Foreign Trade Policy (2015-20) has provided the category of star export house depending on the export performance of their business as follows:

SI No	Status Category	Export Performance (in US \$ million)
1	One Star Export House	3
2	Two Star Export House	25
3	Three Star Export House	100
4	Four Star Export House	500
5	Five Star Export House	2000

Basically, the status category is fully dependent upon the export performance of an entity. The FTP Para 3.20(a) has described Status Holders as follows:

“Status Holders are business leaders who have excelled in international trade and have successfully contributed to country’s foreign trade. Status Holders are expected to not only contribute towards India’s exports but also provide guidance and handholding to new entrepreneurs”

In order to get the Status Holder Certificate under FTP 2015-20 the exporter shall be required to apply through online by login the DGFT Portal. <https://www.dgft.gov.in>

The export performances as mentioned in the above table shall be cumulative of export performance of current and previous three financial years.

Let’s take an example,

If a company apply for status holder certification in the Month of June 2021, then the export performance in April, May 2021 (FY 2021-2022), and export performance from 2018-19, 2019-20 and 2020-21 Financial Years shall be taken into consideration to calculate the minimum amount of export performance

to achieve the status category. However, in case of Gems and Jewellery Sector the current and last two years export performance shall be calculated instead of last three years.

Deemed export performance under Chapter 7 of FTP 2015-20 shall also be considered in addition with physical export while calculating the export performance of an entity. While calculating the export performance amount the following points are required to be taken into consideration:

- a. Physical Export amount shall be FOB value in US \$;
- b. In case of deemed export, the FOR value of INR shall be converted in US \$ considering the exchange rate as notified by CBEC as on 01st April of the Year;
- c. In case the export amount is other than US \$ then such amount will be converted in US \$ considering the exchange rate as applicable on the given date of export as notified by CBEC.

Role of Cost Accountant in calculation and assistance of Status Holder Certification:

Export House shall apply the online application in ANF 3C FORM after successfully updating the profile of the IEC. The applicant shall also attach the relevant annexures duly certified by cost accountants at the time of filing of online application. Cost Accountant can certify the following annexures to FORM ANF 3C:

- a. Annexure to ANF 3C;
- b. FORMAT A, B, C and D.

In order to certify the ANF 3C with FORMAT A to D, a Cost Accountant shall apply his due competency to determine the export performance and also verify the books of accounts of the entity.

The following documents are to be verified before certification of the FORMs:

- a. Export Contract with customers;
- b. In case of deemed export, CMA shall check whether the said export contract quality as a deemed export as per Chapter 7 of FTP and also PAC certificate from the project authority;
- c. In case of deemed export project, only supply of goods are to be considered. No supply of services shall be considered while calculating deemed export value;
- d. The exchange rate notification as issued by CBIC in customs portal;
- e. Copy of invoices;
- f. CMA shall also check the realization of foreign currency within the stipulated time or not;
- g. Copy of RCMC Certificate;
- h. Copy of Shipping Bill, Bill of Lading, Invoice in case of physical export of goods;
- i. e-BRC Copy for realization of foreign currency;
- j. Foreign currency earned in case of supply of services;
- k. Certificate of MSME/ ISO for double weightage benefit

Privileges to Status Holders:

The following are the important privilege for Status Holder Export house-

- a. Faster clearance of customs based on self-declaration;
- b. Fixation of Input-Output norms within 60 days by the Norms Committee;
- c. Manufacturer exporters who are status holders are eligible to self-certify their goods as originating from India (certificate of origin of goods);

- d. Three star and above export house shall be entitled to get Accredited Clients Programme (ACP) as per guidance of CBEC;
- e. Exemption from furnishing of Bank Guarantee for schemes under FTP, unless anywhere specified;
- f. Two Star and above status holder shall be entitled to establish export warehouse as per Department of Revenue Guidelines

Validity of Status Holder Certificate:

A Status Holder Certificate is valid for a period of 5 years from the date of issuance of the Status Holder Certificate or until the validity of the Foreign Trade Policy, whichever is earlier.

Double weightage benefits:

The following category of exporter shall be granted double weightage benefit for calculation of export performance:

- a. MSME Enterprises as defined in MSMED Act, 2006;
- b. Manufacturing units having ISO/BIS Status;
- c. Units located in North Eastern States including Sikkim and JK;
- d. Units located in Agri Export Zones

The above weightage shall be considered for one star export house.

Maintenance of Records:

Status holder shall maintain *true and correct account* of its export and import based on which such status holder certification is given. Records shall be maintained for 2 years from the date of certification. The Policy specifically provides “*true and correct account*” not “*true and fair account*”. This clause is very important from legal point of view.

Refusal/Suspension/Cancellation of Status Certificate:

Status certificate may be refused by the concerned RA if the concerned export house –

- a. Fails to discharge export obligation imposed;
- b. Tempers with authorizations;
- c. Fails to furnish information as required by the directorate;
- d. Commits a breach of Foreign Trade (Development and Regulation) Act/ or Customs Act/ or Central Excise Act.

Appeal before DGFT against the order of suspension or cancellation of certification:

The applicant may file an appeal to DGFT within 45 days from the date of the order of suspension or cancellation of Status Certificate. Cost Accountants (CMAs) may prepare the grounds of appeal, statement of facts and also represent the case before Appellate Authority of DGFT.

Some of the important FAQ published DGFT (Status Holder Certificate v1.0) are highlighted below for easy reference:

1. **What are the prerequisites for applying for Status Holder Certificate? (OR) What are the pre-requisites to avail benefits under Status Holder Certificate?**

To avail benefits under a Status holder certificate, following are required:

- Your user profile must be linked with an IEC.
- A valid DSC must be registered in the system. You may verify the same from **My Dashboard > View and Register Digital Signature Token**.
- Export/Import/Turnover details of the firm must be entered and updated in the IEC profile.

2. If my IEC is in DEL/cancelled/suspended, am I eligible to apply for the Status Holder Certificate?

If your IEC is in DEL, you shall be allowed to proceed with submission of your request for issuance of a Status Holder certificate, however, your application shall only be actioned upon once your IEC is removed from DEL. If your IEC is cancelled/suspended, you shall not be allowed to proceed with submission of your request for the issuance of a Status holder certificate.

3. What is a file number? Where can I view my submitted applications/File number?

When an application is submitted, a file number is generated. The application is tracked via this file number.

Please follow the below path to get the file number for Status Holder Certificate

My Dashboard > Submitted Applications

Enter Type of Scheme (Select in dropdown: **Certificate Management**) and Type of Sub Scheme (**Status Holder Certificate**) > **Click on Search**.

All details of submitted applications are available in the search results. These details also include their file number made.

4. What do if I am not able to edit my values for exports?

The values of export is auto-populated based on the turnover details as updated in the IEC Profile. Hence, it is important to update your IEC Profile before applying for issuance of the Status Holder Certificate.

5. Why do I get an error message “Please Update data in Manage IEC profile for Export/ Import/ Turnover Details for the selected year and preceding two years”?

When your turnover details are not updated in the IEC Profile for the selected financial year, you get this error message. You are requested to update your turnover details in the IEC Profile to proceed further for the application of issuance of the Status Holder certificate.



CMA Sanjay Bharati

Dy Manager (Finance), National Fertilizers Limited

TDS ON PURCHASE OF GOODS-SECTION 194Q (APPLICABLE W.E.F. 1st JULY, 2021)

Section 194Q has been introduced via Finance Act, 2021, which requires tax deduction at source @ 0.1% on purchase of goods of more than ₹ 50 lakhs from a resident seller.

- **Person liable to deduct TDS u/s. 194Q**

Any person (individual/ HUF/ AOP/ BOI/ local authority / artificial juridical person/partnership /LLP /Company, etc.) whose **turnover of the immediately preceding financial year exceeds ₹10 Crores** shall be liable to deduct TDS u/s. 194Q.

- For calculating turnover of ₹ 10 Crores, GST should **not** be separately added to the turnover.
- When purchase value from a seller **exceeds ₹ 50 Lakhs in a Financial Year**, TDS u/s. 194Q will have to be deducted @ **0.1% on the amount exceeding ₹ 50 Lakhs** at the time of payment or credit, whichever is earlier. To determine the limit of ₹ 50 Lakhs, GST component should be excluded.
- For F.Y. 2021-22, provision of Section 194Q is applicable w.e.f. 1st July, 2021. To determine limit of 50 Lakhs, value of goods purchased prior to 1st July, 2021 is also to be **included**.

Example: -

Goods purchased from April to June – 45 Lakhs, in the month of July – 30 Lakhs. TDS u/s. 194Q is required to be deducted on amount exceeding ₹ 50 Lakhs. To calculate threshold limit of ₹50 Lakhs, purchase made during the entire financial year is to be considered. In this example, since the purchase value has exceeded ₹ 50 Lakhs, TDS @ 0.1% is required to be deducted on purchase of 25 Lakhs (i.e., 45 Lakhs + 30 Lakhs – 50 Lakhs) made in the month of July.

- TDS is to be deducted at the time of
 - payment or
 - credit, whichever is earlier.

- **Section 206C(1H) was introduced earlier vide Finance Act, 2020 which provided for collection of tax at source (TCS) @0.1% on receipt of sale consideration for sale of goods. Will TCS u/s. 206C(1H) still be required to be collected if the buyer has already deducted tax u/s. 194Q?**

A buyer whose turnover exceeds Rs. 10 Crores in the preceding financial year is required to deduct tax u/s. 194Q. Further, if the buyer has already deducted tax u/s. 194Q on purchase of goods, then in such cases, the seller of goods is not required to collect TCS u/s. 206C(1H) on receipt of sale consideration.

However, if either buyer is not covered u/s. 194Q or if buyer fails to deduct TDS u/s. 194Q, then in such cases, the seller will have to collect TCS u/s. 206C(1H) at the time of receipt of sale consideration.

- **After 1st July, 2021, both Section 194Q which provides for TDS on purchase of goods by buyer and Section 206C(1H) which provides for collection of tax at the time of receipt of sale consideration would be applicable simultaneously. How would a seller of goods will come to know whether buyer will deduct TDS u/s. 194Q or not?**

It is very important to understand that a seller of goods would be liable to TCS u/s. 206C(1H) if the buyer does not deduct tax at source u/s. 194Q. It may happen in two cases where the turnover of buyer of goods is less than Rs. 10 Crores in the preceding financial year and hence, the provision of Section 194Q are not applicable on buyer or cases where the buyer fails to deduct TDS u/s. 194Q.

Seller may obtain Self Declaration from Buyer

Where a seller whose turnover exceeds Rs. 10 Crores in the preceding financial year, then it is advisable that he may obtain a self declaration, from all its customers / buyer (from whom receipt against sale of goods exceeds Rs. 50 Lakhs in a financial year) that whether such buyer will deduct TDS u/s. 194Q or not.

- **When and how to deposit TDS deducted u/s. 194Q?**

TDS deducted u/s. 194Q for a month is required to be deposited on or before 7th day of next month.

Further, TDS deducted in the month of March can be deposited upto 30th April.

TDS is to be paid through Challan No. 281 and details of TDS deducted will be included in Quarterly TDS Statement Form No. 26Q.

- **What if the buyer fails to deduct TDS u/s. 194Q?**

It is very important to note that if the buyer fails to deduct TDS u/s. 194Q of the Act, then 30% of such sum will be disallowable u/s. 40(a)(ia). In such cases, buyer of goods may have to furnish Form No. 26A from the recipient to prevent disallowance u/s. 40(a)(ia). However, Interest @1% per month will still be payable from the date of purchase / payment upto the date of furnishing of return of income by the seller in accordance with the provisions of Section 201 of the Act.

- **Whether a SEZ unit is liable to deduct TDS u/s. 194Q?**

Yes. Any person, being a buyer, responsible for paying to a resident seller for purchase of goods is liable to deduct tax u/s. 194Q. Thus, even if the buyer is a SEZ Unit, it will be required to deduct TDS u/s. 194Q in respect of purchase made from resident sellers.

- **Is there any other compliance required to be done by the seller?**

Yes. All the transactions where seller has not collected tax because the buyer has already deducted tax are required to be reported by the seller in his TCS Statement in 27EQ.

- **Whether TDS u/s. 194Q is required at the time of advance payment also?**

Yes. at the time of payment or credit, whichever is earlier.

- **Is TDS applicable on agricultural products / GST exempted items?**

Yes. Section 194Q is applicable on purchase of agricultural products/GST exempted items.

- **Is TDS required to be deducted on purchase of Plant and Machinery?**

Yes. TDS u/s. 194Q is also required to be deducted on purchase of capital assets such as Plant and Machinery.

- **Whether TDS to be deducted on purchase of land and building?**

No. Since the same is an immovable property and not goods, thus TDS u/s. 194Q is not applicable on purchase of land and building even by a builder or colonizer.

- **In FY 2021-22, Certain goods are purchased prior to 1st July, 2021. However, its payment is to be made after 1st July, 2021. What will be the implication under section 194Q to the buyer and under section 206C(1H) to the seller of such goods?**

Since the purchase is made prior to 1st July, 2021, the provisions of Section 194Q will not be applicable on this transaction. However, the seller will have to collect TCS on receipt of such sale consideration.

- **Higher TDS/TCS for non-filers Section 206AB, 206CCA w.e.f. 1st July, 2021**

If any sum or income is liable to TCS or TDS (other than 192, 192A, 194B, 194BB, 194LBC, 194N) and the deductee (recipient from whose income TDS is done) or collectee (buyer from whom TCS is collected) has not filed his return for both of the immediately preceding two assessment year for which the time limit of filing return of income U/s 139(1) has expired, and TDS/TCS in each year exceeds Rs. 50,000/- then TDS/TCS at

- twice the rate specified in the relevant provision of the Act; or
- at twice the rate or rates in force; or
- at the rate of five per cent, whichever is higher.

Non-resident who does not have permanent establishment in India are excluded under this provision.

If payment is being received by a person responsible for TCS then higher of the following will be the rate applicable: -

- (i) at twice the rate specified in the relevant provision of the Act; or
- (ii) at the rate of **5 per cent**.

If the provision of section 206AA/206CC (doesn't have PAN or Aadhaar), is applicable to a specified person, in addition to the provision of this section, the tax shall be deducted at higher of the two rates provided in this section and in section 206AA/206CC.

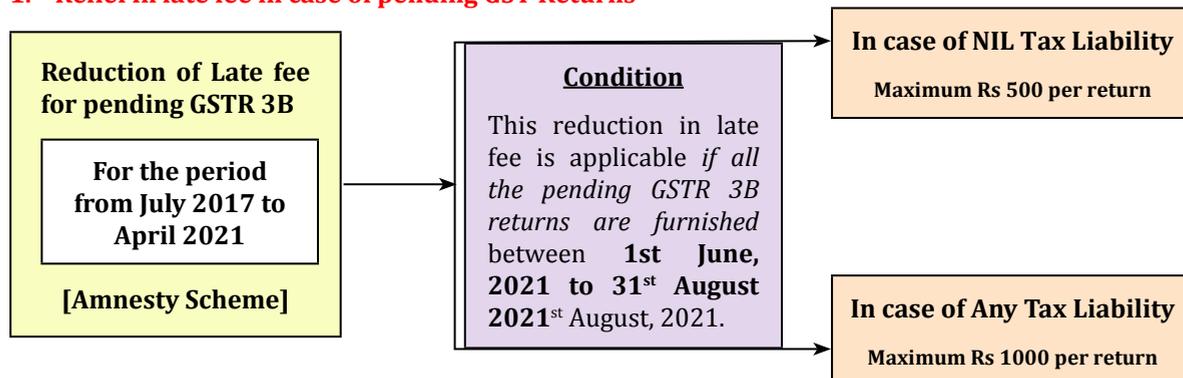
RECOMMENDATIONS OF THE 43rd GST COUNCIL MEETING

TEAM TRD

43rd GST Council Meeting held on 28th May 2021 through Virtual Mode.

The significant decisions of 43rd GST Council meeting are summarized below:-

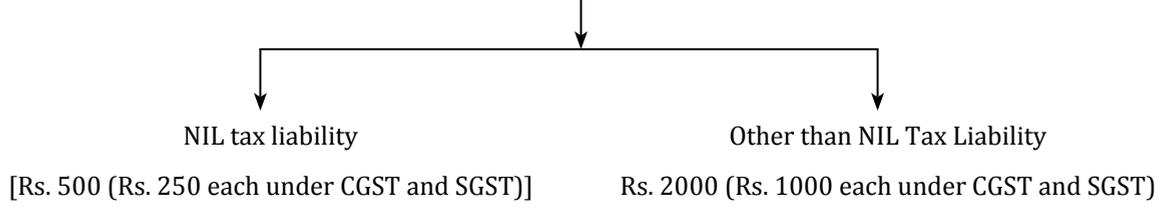
1. Relief in late fee in case of pending GST Returns



Relief in Late fee for delay in furnishing GSTR 3B and GSTR 1 for the period from May 2021 onwards

LATE FEE AMOUNT	NIL tax liability –GSTR 3B/GSTR 1	Annual Aggregate Turnover in previous Financial Year		
	Any turnover	Upto Rs. 1.5 Crores	Between Rs. 1.5 Crores to Rs. 5 Crores	Above Rs. 5 Crores
	Rs. 500 (Rs. 250 each under CGST and SGST)	Rs. 2000 (Rs 100 each under CGST and SGST)	Rs. 5000 (Rs. 2500 each under CGST and SGST)	Rs. 10000 (Rs. 5000 each under CGST and SGST)

Relief in Late fee for delay in furnishing GSTR 4 for prospective tax periods (F.Y 21-22 onwards)



Relief in Late fee for delay in furnishing GSTR 7 for prospective tax periods (June 2021 onwards)

Rs. 50 per day subject to Rs. 2000 (Rs. 1000 each under CGST and SGST)

2. COVID-19 related relief measures for GST Returns

In addition to the relief measures already provided to the taxpayers vide the notifications issued on 01.05.2021, the following further relaxations are being provided to the taxpayers:

Turnover Exceeding Rs 5 Crores in preceding FY (Monthly) – GSTR 3B			
Month	Date without late fees	9% Interest	18% Interest
May 2021	5th July 2021	If return is filed upto 5th July	Return filed post 5th July

Turnover up to Rs 5 Crores in preceding FY (Monthly/Quarterly) – GSTR 3B				
Month	Date without late fees	NIL Interest	9% Interest	18% Interest
March 2021	19th June, 2021	If filed till 5th May	6th May to 19th June	Filed post 19th June
April 2021	4th July, 2021	If filed till 4th June	5th June to 4th July	Filed post 4th July
May 2021	20th July, 2011	If filed till 5th July	6th July to 20th July	Filed post 20th July

Extension of Due dates for below forms		
Return	Return Period	Relaxation/ Extended due date
GSTR 1/IFF	May 2021	15 days
GSTR 4	FY 2020-21	31st July, 2021
ITC 04 Return	Quarter ended Mar 21	30th June, 2021

3. Other relief measures

- ❖ Cumulative application of **rule 36(4)** for availing ITC for tax periods April, May and June, 2021 in the return for the period June, 2021. 5.
- ❖ Allowing filing of returns by taxpayers registered under companies act using Electronic Verification Code (EVC), instead of Digital Signature Certificate (DSC) till 31.08.2021.
- ❖ **Relaxations under section 168A of the CGST Act:** Time limit for completion of various actions, by any authority or by any person, under the GST Act, which falls during the period from 15th April, 2021 to 29th June, 2021, will be extended upto 30th June, 2021, subject to some exceptions.
- ❖ **Payment of Interest on net cash basis** - Retrospective amendment in section 50 of the CGST Act with effect from 01.07.2017, providing for payment of interest on net cash basis, to be notified at the earliest
- ❖ **Recognising GSTR 1/3B as default return filing system** - GST Council recommended amendments in certain provisions of the Act so as to make the present system of GSTR-1/3B return filing as the default return filing system in GST

4. Simplification of Annual Return for Financial Year 2020-21

- ❖ Amendments in section 35 and 44 of CGST Act made through Finance Act, 2021 to be notified. This would ease the compliance requirement in furnishing reconciliation statement in FORM GSTR-9C, as taxpayers would be able to self-certify the reconciliation statement, instead of getting it certified by chartered accountants. This change will apply for Annual Return for FY 2020-21.

- ❖ The filing of annual return in **FORM GSTR-9 / 9A for FY 2020-21** to be *optional* for taxpayers **having aggregate annual turnover upto Rs 2 Crore;**
- ❖ The reconciliation statement in **FORM GSTR-9C for the FY 2020-21** will be *required* to be filed by taxpayers with **annual aggregate turnover above Rs 5 Crore.**

5. Reliefs declared for COVID Items –

- ❖ **IGST Relief on Covid Related Goods** - A number of specified COVID-19 related goods such as medical oxygen, oxygen concentrators and other oxygen storage and transportation equipment, certain diagnostic markers test kits and COVID-19 vaccines, etc., have been recommended for full exemption from IGST, even if imported on payment basis, for donating to the government or on recommendation of state authority to any relief agency. This exemption shall be valid upto 31.08.2021. It may be mentioned that these goods are already exempted from Basic Customs duty. Further in view of rising Black Fungus cases, the above exemption from IGST has been extended to Amphotericin B b.
- ❖ **Constitution of Group of Ministers (GoM)** – For exemptions to individual items, the Council decided to GoM to analyze the need for further relief to COVID-19. The GoM shall give its report by 08th June, 2021
- ❖ **Reduction of GST rate on DEC Tablets** - To support the Lymphahtic Filarisis elimination, the GST rate on Diethyl carbamazine (DEC) tablets has been recommended for reduction to 5% from 12%

6. Certain clarifications/clarificatory amendments have been recommended in relation to GST rates.

Goods –

- IGST is levied on repair value of goods re-imported after repairs
- 12% GST on parts of sprinklers/ drip irrigation systems falling under tariff heading 8424 (nozzle/ laterals) to apply even if these goods are sold separately

Services –

- **Exemption of GST is provided to Services supplied to an educational institution** including anganwadi (which provide pre-school education also), by way of serving of food including midday meals under any midday meals scheme, sponsored by Government irrespective of the funding of such supplies from government grants or corporate donations
- **Exemption provided services provided by way of examination** - The services provided by way of examination including entrance examination, where fee is charged for such examinations, by National Board of Examination (NBE), or similar Central or State Educational Boards, and input services relating thereto are exempt from GST
- **Reduction of GST rate to MRO units of Ships/Vessels** - To extend the benefit provided to MRO units of aviation sector to MRO units of ships/vessels so as to provide level playing field to domestic shipping MROs vis a vis foreign MROs and accordingly, -
 - Reduction of GST on MRO services in respect of ships/vessels from 18% to 5%.
 - PoS of B2B supply of MRO Services in respect of ships/ vessels would be location of recipient of service
- **Services supplied to a Government Entity** for construction of a rope-way to attract GST at 18%.
- **Services supplied by Govt. to its undertaking/PSU** by way of guaranteeing loans taken by such entity from banks and financial institutions is exempt from GST

TAX UPDATES, NOTIFICATIONS AND CIRCULARS

INDIRECT TAX

GST NOTIFICATIONS AND CIRCULARS

Central Tax Notification

Notification No. 15/2021 – Central Tax

Dated – 18th May, 2021

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

1. Days counting from RFD 01 to RFD 03, not to be counted in the period of 2 years in case of fresh refund application after rectifying the deficiencies.
2. Form RFD -01W introduced, being refund withdrawal form, which can be filed before RFD 04 or RFD 05 or RFD 06 or RFD 07 or RFD 08.
3. On submission of RFD 01W, amount debited from ECL shall be credited back
4. In REG 21 form for application for revocation of cancellation of registration, within such extended period by AC or JC or Commissioner inserted
5. In E way bill rules 138E, in respect of OUTWARD MOVEMENT OF GOODS of a registered person, shall be inserted.
6. In RFD 07, Part A being order for withholding refund and PART B being order for release of withheld refund, inserted

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/gst/notfctn-15-central-tax-english-2021.pdf>

Central Tax Circulars

Circular No. - 148/04/2021-GST

Seeks to prescribe Standard Operating Procedure (SOP) for implementation of the provision of extension of time limit to apply for revocation of cancellation of registration under section 30 of the CGST Act, 2017 and rule 23 of the CGST Rules, 2017.

Date – 18th May 2021

Vide Finance Act, 2020, Section 30 of the Central Goods and Services Tax Act, 2017 was amended and the same has been notified with effect from 01.01.2021 vide notification No. 92/2020- Central Tax, dated 22.12.2020.

The amended provision provides for extension of time limit for applying for revocation of cancellation of registration on sufficient cause being shown and for reasons to be recorded in writing, by:

- (a) the Additional or Joint Commissioner, as the case may be, for a period not exceeding thirty days;
- (b) the Commissioner, for a further period not exceeding thirty days, beyond the period specified in clause (a) above

Consequently, changes have also been made in rule 23 and FORM GST REG-21 of the Central Goods and Services Tax Rules, 2017 (hereinafter referred to as the "CGST Rules") vide notification No.15/2021-Central Tax, dated 18.05.2021.

For more details, please follow: https://www.cbic.gov.in/resources//htdocs-cbec/gst/Circular_Refund_148.pdf

CUSTOMS NOTIFICATIONS AND CIRCULARS

Tariff Notification

Notification No. 31/2021- Customs

Dated – 31st May, 2021

Seeks to amend notification No. 28/2021-Customs to exempt customs duty on import of Amphotericin B, and also to extend the exemptions under the said notification up to 31st August, 2021

Central Government has made the following amendments in the notification No. 28/2021-Customs, which was issued on 24th April, 2021.

In the following Table after S.No. 18 and the entries relating thereto, the following Sl.No. and entries shall be inserted.

(1)	(2)	(3)
19	29 or 30	Amphotericin B

Extended the date from "31st July, 2021" to "31st August, 2021"

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-tarr2021/cs31-2021.pdf>

Notification No. 32/2021- Customs

Dated – 31st May, 2021

Seeks to exempt IGST on imports of specified COVID-19 relief material subject to specified conditions, up to 31st August, 2021

Central Government has exempted the specified COVID 19 relief material , when imported into India, from the whole of the integrated tax leviable thereon and subject to the conditions specified.

This notification shall remain in force upto and inclusive of the 31st August, 2021 and shall also apply to goods which are pending for clearance on the date of coming into force of this notification.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-tarr2021/cs32-2021.pdf>

Ad hoc Exemption Order No. 5/2021-Customs

Dated – 31st May, 2021

Seeks to amend Ad hoc Exemption Order No. 4/2021-Customs dated the 3rd May, 2021, to extend the exemption from IGST on imports of specified COVID-19 relief material donated from abroad, up to 31st August, 2021

Central Government has made the amendment in the ad hoc exemption order No. 4/2021-Customs, dated the 3rd May, 2021.

As per this order exemption has extended from “30th June, 2021” to “31st August 2021”.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-tarr2021/AdHoccs05-2021.pdf>

Non Tariff Notification

Notification No. 48/2021-Customs (NT)

Dated – 20th 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 21st 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	57.95	55.55
Bahraini Dinar	200.50	188.20
Canadian Dollar	61.60	59.35
Chinese Yuan	11.55	11.20
EURO	90.80	87.60
US Dollar	74.10	72.35

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	68.35	65.85
Korean Won	6.70	6.25

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-nt2021/csnt48-2021.pdf>

Notification No. 49/2021-Customs (NT)

Dated - 31st 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 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	1222
2	1511 90 10	RBD Palm Oil	1245
3	1511 90 90	Others – Palm Oil	1234
4	1511 10 00	Crude Palmolein	1262
5	1511 90 20	RBD Palmolein	1265
6	1511 90 90	Others – Palmolein	1264
7	1507 10 00	Crude Soya bean Oil	1452
8	7404 00 22	Brass Scrap (all grades)	5776

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	612 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	890 per kilogram
3	71	(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;	890 per kilogram

		(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. 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.	
4	71	(i) Gold bars, other than tola bars, bearing manufacturers or refiner's engraved serial number and weight expressed in metric units; (ii) Gold coins having gold content not below 99.5% and gold findings, other than imports of such goods through post, courier or baggage. 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.	612 per 10 grams

TABLE - 3

Sl No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$)
(1)	(2)	(3)	(4)
1	080280	Areca nuts	4670

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-nt2021/csnt49-2021.pdf>

Notification No. 50/2021-Customs (NT)

Dated – 31st May, 2021

Seeks to amend Sea Cargo Manifest and Transhipment Regulations 2018

CBIC has made the following regulations further to amend the Sea Cargo Manifest and Transhipment Regulations, 2018 now, these regulations may be called the Sea Cargo Manifest and Transhipment (Third Amendment) Regulations, 2021.

In sub-regulation (2) of regulation 15, for the words, figures and letters, "till 31st May, 2021", the words, figures and letters, "till 30th June, 2021" shall be substituted.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-nt2021/csnt50-2021.pdf>

Anti-Dumping Duty

Notification No. 30/2021-Customs (ADD)

Dated – 24th May, 2021

Seeks to amend notification No. 30/2016-Customs (ADD) dated 11 July, 2016 to extend the levy of anti-dumping duty on 1,1,1,2-Tetrafluoroethane or R-134a originating in or exported from China PR, up to and inclusive of 10th January, 2022

Central Government has made the amendments in the notification No. 30/2016- Customs (ADD), which was issued on 11th July, 2016. In this notification Anti-dumping duty on imports of '1,1,1,2-Tetrafluoroethane or R-134a', originating in or exported from China PR shall remain in force up to and inclusive of the 10th January, 2022, unless revoked, superseded or amended earlier. Notification No. 30/2021-Customs (ADD) Dated 24th May, 2021.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-act/notifications/notfns-2021/cs-add2021/csadd30-2021.pdf>

Notification No. 31/2021-Customs (ADD)

Dated – 29th May, 2021

Seeks to impose anti-dumping duty on Methyl Acetoacetate originating in or exported from China PR for a further period of five years.

Anti-dumping duty has been imposed on Methyl Acetoacetate originating in or exported from China PR for a further period of five years unless revoked, and shall be paid in Indian currency.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-servicetax/csadd31-2021.pdf>

Circulars – Customs

Circular No. 09/2021-Customs

Dated – 8th May, 2021

Restoring the facility under Circular No. 17/2020 dated 03.04.2020 namely, 'Measure to facilitate trade during the lockdown period- section 143AA of the Customs Act, 1962

Board has decided to restore the facility of acceptance of an undertaking in lieu of bond by Customs formations from the date of issue of this Circular till 30.06.2021. Importers/Exporters availing this facility shall ensure that the undertaking furnished in lieu of bond is duly replaced with a proper bond by 15.07.2021.

The terms and conditions underlined in Circular No.17/2020-Cus., dated 03.04.2020 as amended by Circular No. 21/2020-Cus., dated 21.04.2020 remain the same.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2021/Circular-No-09-2021.pdf>

Circular No. 10/2021-Customs

Dated – 17th May, 2021

Changes introduced through the Customs (Import of Goods at Concessional Rate of Duty) Amendment Rules, 2021

Certain amendments in existing Customs (Import of Goods at Concessional Rate of Duty) Rules, 2017 that took effect from 2nd February, 2021.

The major changes are highlighted as below:

Job Work:

- i. Import and clearance of capital goods.
- ii. Bringing more end-use based exemptions under the ambit of IGCR Rules, 2017.

Procedure to be followed by an importer:

- i. One time - Prior Intimation of intent to avail IGCR Benefit.
- ii. One time - Prior Intimation of intent to avail IGCR Benefit:
- iii. Intimation before import:
- iv. Clearance of goods from the port of import:
- v. Receipt of goods at premises of importer/job worker:
- vi. Goods sent for job work from importer's premises.
- vii. Receipt of goods from the job worker:
- viii. Re-Export or clearance for home consumption:
- ix. Quarterly return and maintenance of account.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2021/Circular-No-10-2021.pdf>

Circular No. 11/2021-Customs

Dated – 24th May, 2021

Extension of validity of AEO Certification III

The title of circular may be read as "Circular No. 11/2021- Customs" in place of "Circular No. 10/2021- Customs" all other content remains same.

For more details, please follow: <https://www.cbic.gov.in/resources//htdocs-cbec/customs/cs-circulars/cs-circulars-2021/Circular-No-11-2021.pdf>

DIRECT TAX

Notification No. 67/2021

Notification related to pension fund

Dated – 17th May, 2021

Central Government notified pension fund to 'Indo-Infra Inc.' under sub-clause (iv) of clause (c) of the Explanation 1 to clause (23FE) of section 10 of the Income-tax Act, in respect of the eligible investment made by it in India on or after 17th May 2021 but on or before the 31st March, 2024 with subject to the fulfillment of the conditions:

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_67_2021.pdf

Notification No. 68/2021

Computation of Fair Market Value of Capital Assets

(Income- tax (16th Amendment) Rules, 2021)

Dated – 24th May, 2021

CBDT by Notification No.68/2021 made a Rule as 11UAE on Computation of Fair Market Value of Capital Assets for the purposes of section 50B of Income-tax Act. These are as follows:

- 1) For the purpose of clause (ii) of sub-section (2) of section 50B, the fair market value of the capital assets shall be the FMV1 determined under sub-rule (2) or FMV2 determined under sub-rule (3), whichever is higher.
- 2) The FMV1 shall be the fair market value of the capital assets transferred by way of slump sale determined in accordance with the formula:

$A+B+C+D - L$, where, A= book value of all the assets (other than jewellery, artistic work, shares, securities and immovable property) as appearing in the books of accounts of the undertaking or the division transferred by way of slump sale as reduced by the following amount which relate to such undertaking or the division, —

- (i) any amount of income-tax paid, if any, less the amount of income-tax refund claimed, if any; and
- (ii) any amount shown as asset including the unamortised amount of deferred expenditure which does not represent the value of any asset;

B = the price which the jewellery and artistic work would fetch if sold in the open market on the basis of the valuation report obtained from a registered valuer;

C = fair market value of shares and securities as determined in the manner provided in sub-rule (1) of rule 11UA;

D = the value adopted or assessed or assessable by any authority of the Government for the purpose of payment of stamp duty in respect of the immovable property;

L= book value of liabilities as appearing in the books of accounts of the undertaking or the division transferred by way of slump sale, but not including the following amounts which relates to such undertaking or division, namely: —

- (i) the paid-up capital in respect of equity shares;
- (ii) the amount set apart for payment of dividends on preference shares and equity shares where such dividends have not been declared before the date of transfer at a general body meeting of the company;

- (iii) reserves and surplus, by whatever name called, even if the resulting figure is negative, other than those set apart towards depreciation;
 - (iv) any amount representing provision for taxation, other than amount of income-tax paid, if any, less the amount of income-tax claimed as refund, if any, to the extent of the excess over the tax payable with reference to the book profits in accordance with the law applicable thereto;
 - (v) any amount representing provisions made for meeting liabilities, other than ascertained liabilities;
 - (vi) any amount representing contingent liabilities other than arrears of dividends payable in respect of cumulative preference shares.
- 3) FMV2 shall be the fair market value of the consideration received or accruing as a result of transfer by way of slump sale determined in accordance with the formula
- $E+F+G+H$, where,
- E = value of the monetary consideration received or accruing as a result of the transfer;
- F = fair market value of non-monetary consideration received or accruing as a result of the transfer represented by property referred to in sub-rule (1) of rule 11UA determined in the manner provided in sub-rule (1) of rule 11UA for the property covered in that sub-rule;
- G = the price which the non-monetary consideration received or accruing as a result of the transfer represented by property, other than immovable property, which is not referred to in sub-rule (1) of rule 11UA would fetch if sold in the open market on the basis of the valuation report obtained from a registered valuer, in respect of property;
- H = the value adopted or assessed or assessable by any authority of the Government for the purpose of payment of stamp duty in respect of the immovable property in case the non-monetary consideration received or accruing as a result of the transfer is represented by the immovable property.
- 4) The fair market value of the capital assets under sub-rule (2) and sub-rule (3) shall be determined on the date of slump sale and for this purpose valuation date referred to in rule 11UA shall also mean the date of slump sale.

For more details, please follow: https://www.incometaxindia.gov.in/communications/notification/notification_68_2021.pdf

CIRCULARS

Circular No. 10/2021

Dated - 25th May, 2021

Clarification regarding the limitation time for filing of appeals before the CIT(Appeals) under the Income-tax Act, 1961 (the Act)

CBDT has issued Circular NO. 8/2021 on 30th April 2021 providing various relaxations till 31st May 2021 including extending time for filing the appeals before CIT(Appeals). The Hon'ble Supreme Court restored the order and directed that the period(s) of limitations shall stand extended till further orders.

In this regard CBDT clarified that if different relaxations are available to the taxpayers for a particular compliance, the taxpayer is entitled to the relaxation which is more beneficial to him. Thus, for the purpose of counting the period(s) of limitation for filing of appeals before the CIT(Appeals) under the Act, the taxpayer is entitled to a relaxation which is more beneficial to him and hence the said limitation stands extended till further orders as ordered by the Hon'ble Supreme Court in Suo Motu Writ Petition (Civil) NO.3 of 2020 vide order dated 27th April 2021.

For more details, please follow: https://www.incometaxindia.gov.in/communications/circular/circular_10_2021.pdf

PRESS RELEASE

DIRECT TAX

Government extends certain timelines in light of severe pandemic

20th May, 2021

The Central Government, in continuation of its commitment to address the hardship being faced by various stakeholders on account of the severe Covid-19 pandemic, has, on consideration of representations received from various stakeholders, decided to extend timelines for compliances under the Income-tax Act, 1961 (hereinafter referred to as "the Act") in the following cases, as under:

- i. The Statement of Financial Transactions(SFT) for the Financial Year 2020- 21, required to be furnished on or before 31st May, 2021 under Rule 114E of the Income-tax Rules, 1962 (hereinafter referred to as "the Rules") and various notifications issued thereunder, may be furnished on or before 30th June, 2021;
- ii. The Statement of Reportable Account for the calendar year 2020, required to be furnished on or before 31st May, 2021 under Rule 114G of the Rules, may be furnished on or before 30th June, 2021;
- iii. The Statement of Deduction of Tax for the last quarter of the Financial Year 2020-21, required to be furnished on or before 31st May, 2021 under Rule 31A of the Rules, may be furnished on or before 30th June, 2021;
- iv. The Certificate of Tax Deducted at Source in Form No 16, required to be furnished to the employee by 15th June, 2021 under Rule 31 of the Rules, may be furnished on or before 15th July, 2021;
- v. The TDS/TCS Book Adjustment Statement in Form No 24G for the month of May 2021, required to be furnished on or before 15th June, 2021 under Rule 30 and Rule 37CA of the Rules, may be furnished on or before 30th June, 2021;
- vi. The Statement of Deduction of Tax from contributions paid by the trustees of an approved superannuation fund for the Financial Year 2020-21, required to be sent on or before 31st May, 2021 under Rule 33 of the Rules, may be sent on or before 30th June, 2021;
- vii. The Statement of Income paid or credited by an investment fund to its unit holder in Form No 64D for the Previous Year 2020-21, required to be furnished on or before 15th June, 2021 under Rule 12CB of the Rules, may be furnished on or before 30th June, 2021;
- viii. The Statement of Income paid or credited by an investment fund to its unit holder in Form No 64C for the Previous Year 2020-21, required to be furnished on or before 30th June, 2021 under Rule 12CB of the Rules, may be furnished on or before 15th July, 2021;
- ix. The due date of furnishing of Return of Income for the Assessment Year 2021-22, which is 31st July, 2021 under sub-section (1) of section 139 of the Act, is extended to 30th September, 2021;
- x. The due date of furnishing of Report of Audit under any provision of the Act for the Previous Year 2020-21, which is 30th September, 2021, is extended to 31st October, 2021;
- xi. The due date of furnishing Report from an Accountant by persons entering into international transaction or specified domestic transaction under section 92E of the Act for the Previous Year 2020-21, which is 31st October, 2021, is extended to 30th November, 2021;
- xii. The due date of furnishing of Return of Income for the Assessment Year 2021-22, which is 31st October, 2021 under sub-section (1) of section 139 of the Act, is extended to 30th November, 2021;

- xiii. The due date of furnishing of Return of Income for the Assessment Year 2021-22, which is 30th November, 2021 under sub-section (1) of section 139 of the Act, is extended to 31st December, 2021;
- xiv. The due date of furnishing of belated/ revised Return of Income for the Assessment Year 2021-22, which is 31st December, 2021 under sub-section (4)/sub-section (5) of section 139 of the Act, is extended to 31st January, 2022.

It is clarified that the extension of the dates as referred to in clauses (ix), (xii) and (xiii) above shall not apply to Explanation 1 to section 234A of the Act, in cases where the amount of tax on the total income as reduced by the amount as specified in clauses (i) to (vi) of sub-section (1) of that section exceeds rupees one lakh. Further, in case of an individual resident in India referred to in sub-section (2) of section 207 of the Act, the tax paid by him under section 140A of the Act within the due date (without extension) provided in that Act, shall be deemed to be the advance tax.

Launch of new e-filing Portal of the Income Tax Department - Non-availability of e-filing services from 01.06.2021 to 06.06.2021

20th May, 2021

The Income Tax Department is going to launch its new e-filing portal www.incometax.gov.in on 7th June, 2021. The new e-filing portal (www.incometax.gov.in) is aimed at providing taxpayer convenience and a modern, seamless experience to taxpayers:

- New taxpayer friendly portal integrated with immediate processing of Income Tax Returns (ITRs) to issue quick refunds to taxpayers;
- All interactions and uploads or pending actions will be displayed on a single dashboard for follow-up action by taxpayer;
- Free of cost ITR preparation software available online and offline with interactive questions to help taxpayers fill ITR even without any tax knowledge, with prefilling, for minimizing data entry effort;

- New call center for taxpayer assistance for immediate answers to taxpayer queries with FAQs, Tutorials, Videos and chatbot/live agent;
- All key portal functions on desktop will be available on Mobile App which will be enabled subsequently for full anytime access on mobile network;
- New online tax payment system on new portal will be enabled subsequently with multiple new payment options using netbanking, UPI, Credit Card and RTGS/NEFT from any account of taxpayer in any bank, for easy payment of taxes.

In preparation for this launch and for migration activities, the existing portal of the Department at www.incometaxindiaefiling.gov.in would not be available to taxpayers as well as other external stakeholders for a brief period of 6 days i.e., from 1st June, 2021 to 6th June, 2021.

In order to avoid any inconvenience to taxpayers, the Department will not fix any compliance dates during this period. Further, directions have been issued to fix hearing of cases or compliances only from 10th June, 2021 onwards, to give taxpayers time to respond on the new system. If, any hearing or compliance which requires submissions online has been scheduled during this period, the same will be preponed or adjourned and the work items would be rescheduled after this period.

The Department has also intimated external entities including Banks, MCA, GSTN, DPIIT, CBIC, GeM, DGFT who avail services of PAN verification etc. about the non-availability of the services and to request them to make arrangements to ensure that their customers/stakeholders are apprised, so that any relevant activity can be completed prior to or after the blackout period.

Taxpayers are encouraged to complete all their urgent tasks involving any submission, upload or downloads before 1st June, 2021 to avoid any difficulty during the blackout period.

The Department requests the patience of all taxpayers and other stakeholders during the switch over to the new e-filing portal and the subsequent initial period while they get familiarized with the new system. This is another initiative by CBDT towards providing ease of compliance to its taxpayers and other stakeholders.

JUDGEMENTS

INDIRECT TAX

GST payable by Liaison Office of Dubai Chamber of Commerce as Services provided to various Business in India, Dubai: AAR

Fact of the Case

The applicant is a non-profit organization, formed to represent, support, and protect the interests of the Dubai business community in India, by creating a favorable environment, promoting Dubai businesses, and supporting the development of business in India. Under the ambit of RBI norms, Applicant shall undertake below liaison/ representation activities in India;

- Liaison between India office and Dubai office
- Attending and representing DCCI in various seminars, conferences & trade fairs Connecting businesses in India with business partners in UAE and vice versa Organizing events & interactions with Indian stakeholders for sharing information about Dubai

No other activity is to be performed by the applicant in India whether with or without any consideration.

All expenses incurred by the applicant (predominantly office rent, salaries, consultancy services), are to be reimbursed from DCCI UAE on a cost-to-cost basis. Thus, no consideration is to be charged/ paid for the aforementioned activities.

Issues on which Advance Ruling Required

- (i) whether the applicant is required to be registered under the Act
- (ii) whether any particular thing was done by the applicant with respect to any goods and/ or services or both amounts to or results in a supply of goods and/or services or both, within the meaning of that term

Decision of the Case

The applicant is not a non-profit organization, affecting the supply of services for a consideration

for which it has to obtain GST registration and pay applicable GST on its transactions.

Further, it added that the applicant calls itself a liaison office. This satisfied one condition of an intermediary — broker, agent, or any person by whatever name called.

Maharastra Authority of Advance Ruling in a matter of Dubai chamber of commerce has ruled that Liaison office of Dubai Chamber of Commerce and Industry formed to represent, support and protect the interests of the Dubai business community in India, by creating a favorable environment, promoting Dubai businesses and by supporting the development of business in India is providing Intermediary services to Dubai HO, chargeable to GST.

The AAR ruled that the applicant is receiving consideration from its Head Office in excess of expenses incurred by it, and the applicant cannot be treated as a non-profit organization. Also, the application is providing intermediary services for which it is liable to pay GST.

GST applicable on Sale of Rice even if Brand Name not Registered: Tripura High Court

Fact of the Case

The Petitioner, M/S Sarvasiddhi Agrotech Pvt. Ltd. is a registered company and is engaged in the supply of rice in the State of Tripura. According to the petitioner, the company supplies Non-Basmati un-branded rice.

However, the State Goods and Service Tax Authorities, on a prior intelligence that the petitioner is dealing in branded rice, carried out a raid at the godown and other premises of the petitioner- company. This resulted in the seizure of certain documents and stock of rice lying in the godowns. Eventually, the adjudicating authority i.e. the Assistant Commissioner of

GST issued a Demand cum Show Cause Notice to the petitioner in which it was conveyed that on a prior intelligence that the petitioner was engaged in manufacturing, package and supply of branded rice in 25 kilogram bags having product names "Aahar Normal", "Aahar Gold" and "Aahar Premium" without payment of GST, enforcement officers of the department visited the factory premises of the petitioner and found that the petitioner was supplying branded packaged rice in unit containers without payment of GST. Therefore, bill books, order books and several bags of branded rice packaged while the petitioner-company were seized. It was alleged that as per the bill books so seized along with the sales statements submitted by the noticees, it would emerge that for the period between 01.07.2017 to 17.07.2018, the petitioner had sold branded rice of Aahar Normal, Aahar Gold and Aahar Premium total taxable value of which came to Rs. 27,28,85,021/-.

It was pointed out that as per various Notifications issued by the GST council, the terms brand name, registered brand name, actionable claim, etc. have been defined. In the notice, it was also pointed out that the petitioner was supplying packaged rice containing marks like 'Aahar rice' with specific images on the container units. It was therefore alleged that the petitioner was supplying rice in unit containers bearing brand names such as Sarvasiddhi Agrotech Pvt. Ltd. and Aahar Normal, Aahar Gold, and Aahar Premium on which an actionable claim or enforceable right in a court of law is available. It was also alleged that the noticee had not voluntarily forgone the actionable claim or enforceable right in respect of the brands in question. In view of these averments, it was alleged that the assessee was liable to pay CGST as well as SGST at prescribed rates on the taxable value of its sales for the period in question which was assessed at Rs. 1,03,35,028/-. The noticee was therefore called upon to show cause why such tax with interest and penalty not be recovered.

The Assistant Commissioner of GST did not accept these defences of the petitioner and passed the impugned order in which he referred to the documents and other materials seized during the raid at the premises of the petitioner-company. He noted that during such raids, 1975 bags of Aahar

Normal rice, 802 bags of Aahar Gold and 445 bags of Aahar Premium were seized which were later on released on production of bank guarantee by the petitioner. He also referred to invoices and bills of supply of such products by the petitioner during the period under consideration. The division bench of Justices held that as per the amendment, thus, for the original expression of "put up in unit container and bearing a registered brand name" what is now substituted is that it should be put in unit container and maybe bearing a registered brand name or bearing a brand name on which an actionable claim or enforceable right in a court of law is available. Thus, from the previous requirement of supply of goods in unit containers and bearing a registered brand name, the expanded requirement is of the same either bearing of a registered brand name or bearing a brand name on which actionable claim or enforceable right in a court of law is available. "The brand names under which the petitioner was selling the rice may not have been registered; nevertheless it could lead to an actionable claim in a court of law. In order to avoid inviting liability of tax, the petitioner had to forgo such actionable claim which also the authorities found the petitioner had not done," the court ruled.

Decision of the Case

The Assistant Commissioner of GST did not accept these defences of the petitioner and passed the impugned order in which he referred to the documents and other materials seized during the raid at the premises of the petitioner-company.

He noted that during such raids, 1975 bags of Aahar Normal rice, 802 bags of Aahar Gold and 445 bags of Aahar Premium were seized which were later on released on production of bank guarantee by the petitioner. He also referred to invoices and bills of supply of such products by the petitioner during the period under consideration.

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Thus, from the previous requirement of supply of goods in unit containers and bearing a registered brand name, the expanded requirement is of the same either bearing of a registered brand name or bearing a brand name on which actionable claim or enforceable right in a court of law is available.

“The brand names under which the petitioner was selling the rice may not have been registered, nevertheless it could lead to an actionable claim in a court of law. In order to avoid inviting liability of tax, the petitioner had to forgo such actionable claim which also the authorities found the petitioner had not done,” the court ruled.

The Tripura High Court ruled that the GST applicable on Sale of Rice even if Brand name is not registered.

No Proceedings can be initiated under SGST If Proceedings already pending under CGST Act: Calcutta High Court

Fact of the Case

The petitioner Company, Raj Metal Industries contended that in terms of clause (b) of sub-section (2) of section 6 of the WBGST ACT, where a proper officer under Central Goods and Services Tax Act has initiated any proceedings on a subject matter, no proceedings shall be initiated by the proper officer under that Act on the same subject matter.

The petitioner while relying on a notification dated 05.10.2018 issued by the Central Board of Indirect Taxes and Customs (CBIC), argued that if an officer of the Central tax authority initiates intelligence based enforcement action against a taxpayer administratively assigned to State tax authority, the officers of the Central tax authority would not transfer the said case to its State tax counterpart and would themselves take the case to its logical conclusions.

Decision of the Case

The single judge bench of Justice quashed the proceedings initiated by the West Bengal GST authorities by considering the fact that the matter is already pending before the CGST authorities.

The court while staying the summons and further proceedings by the State department, held that the summons that have been issued on October

19, 2020 by the State GST is, prima facie, in violation of Section 6(2)(b) of the WBGST Act.

The court added, “Upon due consideration, I am of the view that the summons that have been issued on October 19, 2020 by the State GST is, prima facie, in violation of Section 6(2)(b) of the WBGST Act. Accordingly, I direct the stay of the above summons and any proceedings there under”.

The Calcutta High Court held that proceedings cannot be initiated under State Goods and Service Tax if proceedings are already pending under Central Goods and Service Tax Act.

12% GST applicable on Plastic Toys: AAR

Fact of the Case

The applicant-Company is engaged in the business of manufacturing and supply of toys made up of plastic and/or rubber or both wherein essentially plastic is the main component. According to the applicant, the plastic toys manufactured and supplied by the applicant would squarely be eligible to be classified under Chapter Heading 9503 for which 12% of GST.

Referring Heading 9503 as well as the Chapter Notes pertaining to Chapter 95 of the First Schedule to the Customs Tariff Act, 1975, in depth, the bench observed that the provision covers various kinds of toys for children such as Tricycles, scooters, pedal cars and similar wheeled toys, dolls’ carriages, dolls, other toys, reduced-size (“scale”) models and similar recreational models, working or not as well as puzzles of all kinds.

Decision of the Case

“We have also seen the pictures/photographs of some of the Plastic toys given by the applicant along with their submission as well as some of the samples of toys shown/produced by the representative of the applicant during the course of personal hearing. After going through the above, and comparing the same to the issue in hand, we find that the said toys are made of plastic meant for children and are not electronic toys, and therefore conclude that the plastic toys manufactured and supplied by the applicant are correctly classifiable under Heading 95030030 of Chapter 95 of the First Schedule to the Customs Tariff Act, 1975(51 of 1975),” the bench said.

“We therefore conclude that the Toys of plastic manufactured and supplied by the applicant fall under Sr.No.228 of Schedule-II of Notification No.01/2017- Central Tax(Rate) dated 28.06.2017 and the GST applicable on the said product is 12% (6% SGST + 6% CGST),” the bench said.

The Authority for Advance Rulings (AAR), Ahmedabad bench has held that 12% GST is applicable on the plastic toys.

GST applicable on Credit Card Expenses incurred by Employees of an Indian Subsidiary: AAAR

Fact of the Case

The appellant M/s ICU Medical LLP is engaged in the business of software development for the infusion system manufactured by its ultimate Holding company ICU Medical Inc. having its place of business in the USA. The appellant sought the advance ruling on the issue of whether GST is leviable on the reimbursement of expenses from the subsidiary company to its ultimate Holding company located in a foreign territory outside India.

Decision of the Case

The AAR ruled that the applicant is liable to pay IGST on the ‘Wellson Commercial Card’ expenses paid by the applicant to its Ultimate Holding company, ICU Medicals Inc. having its place of business in the USA under Reverse Charge basis. The AAR further held that the applicant is liable to pay IGST under Reverse Charge, the applicable rate of IGST is 18%.

The Coram held that Credit card expenses incurred by employees of an Indian subsidiary are set to come under the Goods and Services Tax. The AAAR ordered the levy of GST on reimbursement of expenses to the Holding Company. The payment on behalf of the subsidiary company amounts to advance consideration towards services provided by the subsidiary company.

The Tamil Nadu Appellate Authority for Advance Ruling (AAR) ruled that the GST is applicable on Credit card expenses incurred by employees of an Indian subsidiary.

DIRECT TAX

Joint Holder in Husband’s Salary Account cannot be classified as Undisclosed Foreign Account

Fact of the Case

- In the present case the Assessee, Smt. Ayesha Abid Ali’s husband had an account with HSBC Bank which was opened by his employer for the purpose of salary deposit .
- The revenue found out in his assessment that the assessee was the joint account holder and had accordingly earned interest income from there.
- The Counsel for the assessee, Sri Mohammed Siddiq Ali, submitted that the Commissioner of Income Tax (Appeals) (CIT (A)) has granted relief to the assessee on the ground that the assessee is only a housewife and did not have any independent source of income and that the estimated interest income from HSBC Account needs to be considered in

the hands of the assessee’s husband as he is credited his salary income.

Decision of the Case

- Judicial Member P. Madhavi Devi and Accountant Member Laxmi Prasad Sahu observed that the Assessing Officer has made an addition in the hands of the assessee of interest income from a/c with HSBC held by the assessee jointly with her husband which was opened by the employer to deposit his salary income.
- Therefore, it is not an undisclosed foreign a/c of the assessee and therefore, the exception (d) to the circular will not apply.
- The Income Tax Appellate Tribunal (ITAT) Hyderabad has dismissed an appeal by the revenue department wherein it ruled that being a joint account holder in husband’s Salary Account does not classify as Undisclosed Foreign Account.

Amount relatable to Profit Component which is appropriation of Income, can't be allowed as Deduction

Fact of the Case

- The assessee, Shri Ganpati Zilla Krishi Audyogik Sar Seva Sahakari Society is a cooperative society engaged in the business of manufacture and sale of sugar and its by-products.
- During the course of assessment proceedings, the AO observed that the assessee paid excessive cane price, over and above the Fair and remunerative price (FRP) fixed by the Government, to its members as well as non-members.
- The CIT(A) in some cases deleted the addition, fully or partly, whilst in others, the addition got sustained. This led to the filing of the cross-appeals both by the assessee as well as the Revenue before the Tribunal.

Decision of the Case

- The Coram headed by the Vice President R.S. Syal The amount relatable to the profit component or sharing of profit/distribution of profit paid by the assessee, which would be an appropriation of income, will not be allowed as a deduction, while the remaining amount, being a charge against the income, will be considered as deductible expenditure.
- At this stage, it is made clear that the distribution of profits can only be qua the payments made to the members.
- The ITAT ruled that in so far as the non-members are concerned, the case will be considered afresh by the AO by applying the provisions of section 40A(2) of the Act. Needless to say, the assessee will be allowed a reasonable opportunity of hearing by the AO in such fresh determination of the issue.
- The Income Tax Appellate Tribunal (ITAT), Pune Bench ruled that the amount relatable to the profit component which is the appropriation of income, can not be allowed as deduction.

No Addition can be made on Mere Non Disclosure of Mode of Payment of Salary to Security Guards

Fact of the Case

- The assessee, Neetu Juneja is an individual and is proprietor of the concern styled Tirupati Indane, engaged in the business of Indane Gas Service at Samalkha.
- She filed her return of income declaring taxable income. During the course of assessment proceedings, the AO noted that the assessee claimed security expenses at Rs.3,24,000/-. However, she has not deducted TDS as per the provisions of section 194-C of the Income Tax Act, 1961.
- The AO disallowed an amount of Rs.3,24,000/- being the salary paid to the security guards on the ground that such payments have been made to the contractor without deducting tax under section 194-C of the Act.
- The assessee submitted that no service of the contractor was availed by her and the payment was made to individual persons and confirmation were also filed before the CIT(A).
- The CIT(A) held that the assessee has not produced a copy of any salary register and attendance register and rejected the same.

Decision of the Case

- The coram of Suchitra Kamble and R.K.Panda ruled that the assessee has produced confirmation of the persons on the letter head of its firm as proof of payment of salary to these persons.
- Merely because the assessee has not disclosed mode of payment of salary i.e. either by cheque or cash, the same should not be doubted by the learned CIT(A) especially when such salary to security guards comes to Rs. 27,000/- per month for four persons.
- The Income Tax Appellate Tribunal (ITAT), Delhi Bench ruled that disallowance can not be made on pretext of Non Deduction of TDS for mere Non-Disclosure of Mode of payment of salary to security guards.

Relief to Honda Motorcycle & Scooter India: ITAT directs AO to delete addition on Account of Export Commission

Fact of the Case

- In the present case Honda Motorcycle & Scooter is the assessee
- The AO found that assessee has made a payment of Rs.12,66,81,468/- export commission to its AE, Honda Motor Co. Ltd, Japan. The commission was stated to have been paid for access to the export market where other Honda group entities operate. The assessee was to use the distribution network of its associated enterprises.
- The AO noted that the assessee has made a payment of royalty on sales to its AE of Rs. 12,00,22,040/- and therefore, the ALP of such transaction should be reduced to Nil by applying the CUP method. Thus, after considering the explanation of the assessee the Id TPO determined the ALP by payment of export commission of Rs.48,48,62,986/- and payment of royalty of Rs.12,00,22,040/- of Rs. Nil.
- The assessee urged that in respect of the transfer, pricing adjustment related to the royalty paid on sales he also submitted that the coordinate bench in assessee's own case for Assessment Year 2008-09 to 2014-15 allowed this ground in favor of the assessee.

Decision of the Case

- The coram of Amit Shukla and Prashant Maharishi held that the issues of transfer pricing adjustment with respect to the determination of ALP of Rs. Nil on export commission and payment of royalty is decided in favor of the assessee.
- The department could not show as well as the assessee vehemently submitted that there is no change in the facts and circumstances of the case.

- In relief to the Honda Motorcycle & Scooter India, the Income Tax Appellate Tribunal (ITAT), Delhi Bench directed the AO to delete the addition on account of export commission.

On-Money not found Credited in Books of Account during Search proceedings can't be brought to Tax

Fact of the Case

- In the present problem the assessee company is engaged in the business of a builder and developer had filed its original return of income for A.Y. 2013-14 on 30.09.2013, declaring a total income of 16,53,43,100/-.
- The grievance of the revenue was that the Commissioner of Income Tax (Appeals) CIT(A) had erred in concluding that as the amount of on-money was not found credited in the books of account of the assessee but was found noted on some loose sheets and in the data retrieved from the mobile phones in the course of the search proceedings and therefore, it could not have been brought to tax u/s 68 of the Act.

Decision of the Case

- Judicial member Ravish Sood and Accountant Member S. Rifaur Rahman referred previous multiple cross appeals and dismissed the appeal by the revenue.
- The Income Tax Appellate Tribunal (ITAT) uphold the order of the CIT(A) to the extent she had concluded that the impugned addition of on-money could not have been made u/s 68 of the Act."
- The Income Tax Appellate Tribunal (ITAT) Mumbai has ruled that On-money that is not found credited in the books of account during search proceedings but in loose sheets cannot be brought to tax.

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	April, 2021	> Rs. 5 Cr.	20th May	9%	18%	18%	4 th June, 2021
		Up to Rs. 5 Cr	20th May	Nil	9%	18%	4 th July, 2021
2	May, 2021	> Rs. 5 Cr.	20th June	9%	18%	18%	5 th July, 2021
		Up to Rs. 5 Cr	20th June	Nil	9%	18%	20 th July, 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
				from Due date to 10th July	After 10 th July to 25 th July, 2021	After 25 th July, 2021	
1	May, 2021	Form GST PMT-06	25th June, 2021	Nil	9%	18%	NA
		IFF	28th June, 2021	Nil	9%	18%	NA

Due Date			
Form	For month/Quarter	Due Date	Extended Due Date
GSTR-1	Monthly		
	May, 2021	11 th June, 2021	26 th June, 2021

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

DIRECT TAX CALENDAR - MAY, 2021

Important due dates for the Income Tax	
7.06.2021	Due date for deposit of Tax deducted/collected for the month of May, 2021. However, all sum deducted/collected by an office of the government shall be paid to the credit of the Central Government on the same day where tax is paid without production of an Income-tax Challan
14.06.2021	Due date for issue of TDS Certificate for tax deducted under section 194-IA, 194-IB&194M in the month of April, 2021
15.06.2021	Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of May, 2021 has been paid without the production of a challan The due date for furnishing of Form 24G for month of May, 2021 has been extended from June 15, 2021 to June 30, 2021 vide Circular no. 9/2021, dated 20-05-2021
15.06.2021	Quarterly TDS certificates (in respect of tax deducted for payments other than salary) for the quarter ending March 31, 2021
15.06.2021	First instalment of advance tax for the assessment year 2022-23
15.06.2021	Due date for furnishing statement in Form no. 3BB by a stock exchange in respect of transactions in which client codes been modified after registering in the system for the month of May, 2021
29.06.2021	Due date for e-filing of a statement (in Form No. 3CEK) by an eligible investment fund under section 9A in respect of its activities in financial year 2020-21
30.06.2021	Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA, 194-IB&194Min the month of May, 2021
30.06.2021	Return in respect of securities transaction tax for the financial year 2020-21
30.06.2021	Quarterly return of non-deduction of tax at source by a banking company from interest on time deposit in respect of the quarter ending March 31, 2021
30.06.2021	Statement to be furnished (in Form No. 64C) by Alternative Investment Fund (AIF) to units' holders in respect of income distributed during the previous year 2020-21 The due date for furnishing of statement in Form no. 64C has been extended from June 30, 2021 to July 15, 2021 vide Circular no. 9/2021, dated 20-05-2021
30.06.2021	Report by an approved institution/public sector company under Section 35AC(4)/(5) for the year ending March 31, 2021
30.06.2021	Due date for furnishing of statement of income distributed by business trust to its unit holders during the financial year 2020-21. This statement is required to be furnished to the unit holders in form No. 64B
30.06.2021	Due date for linking of Aadhaar number with PAN The due date for linking Aadhaar number with PAN has been extended from March 31, 2021 to June 30, 2021 vide Notification S.O. 1432(E), dated 31-03-2021

30.06.2021	<p>Payment of tax under the Direct Tax Vivad se Vishwas Act, 2020 without additional charge</p> <p>The due date for payment of tax under the Direct Tax Vivad se Vishwas Act, 2020 without additional charge has been extended to June 30, 2021 vide Notification S.O. 1704 (E), dated 27-04-2021</p>
30.06.2021	<p>Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of May, 2021 has been paid without the production of a challan</p> <p>The due date for furnishing of Form 24G for month of May, 2021 has been extended from June 15, 2021 to June 30, 2021 vide Circular no. 9/2021, dated 20-05-2021</p>
30.06.2021	<p>Quarterly statement of TDS deposited for the quarter ending March 31, 2021</p> <p>The due date for furnishing of quarterly statement of TDS has been extended from May 31, 2021 to June 30, 2021 vide Circular no. 9/2021, dated 20-05-2021</p>
30.06.2021	<p>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 for financial year 2020-21</p> <p>The due date for furnishing statement of financial transaction for financial year 2020-21 has been extended from May 31, 2021 to June 30, 2021 vide Circular no. 9/2021, dated 20-05-2021</p>
30.06.2021	<p>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</p> <p>The due date for furnishing statement of reportable accounts for calendar year 2020 has been extended from May 31, 2021 to June 30, 2021 vide Circular no. 9/2021, dated 20-05-2021</p>
30.06.2021	<p>Return of tax deduction from contributions paid by the trustees of an approved superannuation fund</p> <p>The due date for furnishing return of tax deduction has been extended from May 31, 2021 to June 30, 2021 vide Circular no. 9/2021, dated 20-05-2021</p>
30.06.2021	<p>Furnishing of statement (in Form No. 64D) of income paid or credited by an investment fund to its unit holder for the Previous year 2020-21</p> <p>The due date for furnishing of statement in Form no. 64D has been extended from June 15, 2021 to June 30, 2021 vide Circular no. 9/2021, dated 20-05-2021</p>

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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Contact Details:

Tax Research Department
12, Sudder Street, Kolkata - 700016

Phone: +91 33 40364747/ +91 33 40364798/ +91 33 40364711

E-mail: trd@icmai.in



THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

Statutory Body under an Act of Parliament

www.icmai.in

Headquarters: CMA Bhawan, 12 Sudder Street, Kolkata - 700016

Ph: 091-33-2252 1031/34/35/1602/1492

Delhi Office: CMA Bhawan, 3 Institutional Area, Lodhi Road, New Delhi - 110003

Ph: 091-11-24666100