

## NEWSLETTER NO 28 (INCLUDING GST) – JAN 1, 2022 TO JAN 31, 2023

### Contents

I. Income tax: Updated upto Jan 31, 2023: .....	1
II. Central GST: Updated upto 31-1-2023:.....	9
III. Imp updates in Maha GST, MVAT, CST and Prof tax: Updated upto Jan 31, 2023 .....	35
IV. Companies Act and LLP: Updated upto Jan 31, 2023:.....	36

### **I. Income tax: Updated upto Jan 31, 2023:**

1. Cir 1/2023 dt 6-1-2023: For the purpose of claiming any exemption under the provisions contained in Sections 54 to 54 GB of the Act, for which the last date of such compliance falls between 1st April, 2021 to 28th February, 2022 (both days inclusive), may be completed on or before 31st March, 2023.
2. Noti 1/2023 [DGIT(System)] dt 5-1-2023: Earlier, SFT as per Rule 114E required reporting of interest income if it exceeded Rs 5,000. Now, such information to be reported for any interest income, right from Re 1.
3. Cir 25/2022 dt 30-12-2022: It is clarified that in respect of Co-operative Societies, a dealership/ distributorship contract by itself may not constitute an event or occasion for the purposes of clause (c) of Section 269ST. Receipt related to such a dealership/distributorship contract by the Co-operative Society on any day in a previous year, which is within 'the prescribed limit' and complies with clause (a) as well as clause (b) of Section 269ST, may not be aggregated across multiple days for purposes of clause (c) of Section 269ST for that previous year.
4. Office memorandum F.No. 1/4/2019-NS, dated 30-12-2022: Revision of interest rates for small savings schemes.
5. Cir 2022/9227 dt 12-12-2022: If PAN not available with the non-resident, then exemption from e-filing form 10F upto Mar 31, 2023. If may be filed manually as before.
6. Cir 24/2022 dt 7-12-2022: Deduction of tax at source - salary -income-tax deduction from salaries during financial year 2022-23. Detailed 43 page circular explaining all provisions related to salary income.

7. Interest rates on Kisan Vikas Patra, National Savings Time deposits, National Income Monthly Income Account Senior Citizens Savings Scheme increased wef 1-10-2022.
8. Order No 282/15/2022 dt 22-11-2022: Authorization for action under section 133A (Survey) of the Act shall be issued by an income-tax authority not below the rank of Joint Director or Joint Commissioner with the prior approval of the Director General/Chief Commissioner in the case of Directorate of Investigation, Directorate of I & CI, Central, and TDS charges, and the Principal Chief Commissioner in case of all other charges. Where TDS charge is headed by the Principal Chief Commissioner, approval shall be granted by the Principal Chief Commissioner.
9. Cir 23/2022 dt 3-11-22: Explanatory notes to Provisions of Finance Act, 2022 released. These may be very useful while drafting replies and filing appeals. Please refer to this 94 page circular for details.
10. Cir 22/2022 dt 1-11-22: Due date for filing Form 10A (for 12A/ 80G etc) was extended from time to time upto 31-3-22. Now condonation for delay in filing the same is granted upto Nov 25, 22.
11. Press release dt 1-11-22: CBDT releases draft common ITR form for public consultation.
12. Cir 21/2022 dt 27-10-22: Due date of filing TDS return in Form 26Q for second quarter of FY 22-23 which was Oct 31, 2022 has been extended to Nov 30, 2022.
13. Cir 20/2022 dt 26-10-22: Due date of filing various ITRs in case of audited assesses for FY 21-22 which was Oct 31, 2022 has been extended to Nov 7, 2022.
14. Cir 19/2022 dt 30-9-22: Due date of filing various audit reports for FY 21-22 which was Sep 30, 2022 has been extended to Oct 7, 2022.
15. Noti 111/2022 dt 28-9-22: Some assesses claimed surcharge and cess on income tax as deduction from total income pursuant to some court decisions. This was retrospectively disallowed vide FA 2022. An application in Form 69 can be made u/s 156(18) for recomputation of income upto Mar 31, 2023.
16. F.No.285/08/2014-IT(Inv.V)/196 Dated 16th September, 2022: Guidelines related to compounding of offences u/s 279(2) of IT Act. These are in supersession of earlier guidelines dated 14-6-2019.

17. Cir 18/2022 dt 13-9-22: Additional guidelines for removal of difficulties while deducting TDS u/s 194R (TDS on business perquisites). These are in addition to Cir 12/2022 already issued. Important clarifications are as below:
- One-time loan settlement with borrowers or waiver of loan granted on reaching settlement with the borrowers by the following would not be subjected to tax deduction at source under section 194R of the Act.
  - In the case of "pure agent", if all the conditions are satisfied, the GST input credit is allowed to the recipient and it is not considered as supply of the pure agent, it is clarified that amount incurred by such "pure agent" for which he is reimbursed by the recipient would not be treated as benefit/perquisite for the purpose of section 194R of the Act
  - Please refer to detailed answer in case benefit against individual dealers in a group activity/ business conference etc. Answer is strange. It says such expenses to be disallowed while computation of income.
  - Company "A" gifts a car to its dealer "B" and deducted tax on this benefit under section 194R of the Act. Dealer "B" uses this car in his business. He will get deduction for depreciation.
  - Tax under section 194R of the Act is not required to be deducted on issuance of bonus or right shares by a company in which the public are substantially interested as defined in clause (18) of section 2 of the Act, where bonus shares are issued to all shareholders by such a company or right shares are offered to all shareholders by such a company, as the case may be.
18. Noti 100/2022 dt 18-8-22: Very important amendment in Rule 128(9) related to claim of **foreign tax credit**. Form 67 was required to be filed upto due date of return u/s 139(1). Now, it may be filed upto due date u/s 139(4). This amendment shall be deemed to have come into force from 1st day of April, 2022.
19. Noti 99/2022 dt 17-8-22: TCS u/s 206(1G) (authorized dealer or tour operator) shall not apply to a person (being a buyer) who is a non-resident in terms of section 6 of the Act and who does not have a permanent establishment in India.
20. Noti 622(E) dt 10-8-22: IT (24<sup>th</sup> Amendment) Rules, 2022: Rule 17AA inserted to prescribe books of account and other documents to be kept and maintained by trusts.

21. Noti 3705 dt 5-8-22: Covid treatment expenses received are not treated as income in view of clause (XIII) of first proviso to Sec Sec 56(2)(x). Documents to be maintained for the same have been prescribed.
22. Noti 3704 dt 5-8-22: Covid treatment expenses received by any person from any other person for his treatment or any family member are not treated as income in view of clause (XII) of first proviso to Sec Sec 56(2)(x). Documents to be maintained for the same have been prescribed.
23. Noti 3703 dt 5-8-22: Covid treatment expenses of employee or any family member of employee are not treated as perquisite in view of clause ii(c) of Sec Sec 17(2). Documents to be submitted for the same have been prescribed.
24. Important: Noti 5/2022 dt 29-7-22: Where ITR is e-filed, it should e-verified or ITR V should be submitted within 30 days (reduced from earlier 120 days). **ITR V must be sent by Speed Post only** to CPC, Bangalore and date of sending by speed post shall be considered as date of submission.

This notification would be applicable from 1-8-2022. For earlier e-filed returns, limit of 120 days would apply.

25. Noti 4/2022 dt 26-7-22: PAN application for newly incorporated LLP shall be done by MCA. Form FiLLiP has been prescribed.
26. Cir 17/2022 dt 19-7-22: Provision of condonation of delay in filing Form 9A (for exercise of option u/s 11(1)) and 10 (for accumulation or set apart of unutilized funds) upto 3 years for AY 18-19 and subsequent years.
27. Cir 16/2022 dt 19-7-22: Provision of condonation of delay in filing Form 10B (Audit Report by CA) upto 3 years for AY 18-19 and subsequent years.
28. Cir 15/2022 dt 19-7-22: Provision of condonation of delay in filing Form 10BB (for approval under Sec 10(23C)) upto 3 years for AY 18-19 and subsequent years.
29. Noti SO 2958 (E) dt 30-6-2022 and Noti SO 2959 dt 30-6-2022:

In exercise of the powers conferred by proviso to clause (47A) of section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies following virtual digital assets which shall be excluded from the definition of virtual digital asset:

(i)	Gift card or vouchers, being a record that may be used to obtain goods or services or a discount on goods or services;
(ii)	Mileage points, reward points or loyalty card, being a record given without direct monetary consideration under an award, reward, benefit, loyalty, incentive, rebate or promotional program that may be used or redeemed only to obtain goods or services or a discount on goods or services;
(iii)	Subscription to websites or platforms or application.
(iv)	A non-fungible token whose transfer results in transfer of ownership of underlying tangible asset and the transfer of ownership of such underlying tangible asset is legally enforceable.

30. Cir 13/2022 dt 22-6-2022 and Cir 14/2022 dt 28-6-22: Guidelines for removal of difficulties under Sec 194S(6) of IT Act, ie, payment for transfer of virtual digital asset.

One may go through the detailed circular for various clarifications given. It is important to understand that the department is willing to make things extremely complicated and almost impossible. One must read the clarifications/ solutions offered and its language.

31. Noti 463 (E) dt 21-6-22: IT (19<sup>th</sup> Amendment) Rules, 2022:

Rule 30(2D): Time limit for filing return cum challan in Form 26QE in respect of TDS u/s 194S (transfer of virtual digital asset) would be **30 days** from end of month. Please note it is not one month.

32. Important: Cir 12/2022 dt 16-6-2022: Guidelines for removal of difficulties u/s 194R(2) – TDS on perquisites. This circular clarifies on many issues. Some important ones are summarized below:

- Sales discounts, cash discount or rebates allowed to customers from the listed retail price represent lesser realization of the sale price itself. To that extent purchase price or customer is also reduced.

Logically these are also benefits though related to sales/purchase. Since TDS under section 194R of the Act is applicable on all forms of benefit/perquisite, tax is required to be deducted. However, it is seen that subjecting these to tax deduction would put seller to difficulty. To remove such difficulty it is clarified that no tax is required to be deducted under section 194R of the Act on sales discount, cash discount and rebates allowed to customers.

It is clarified that situation is different when free samples are given and the above relaxation would not apply to a situation of free samples.

- The valuation would be based on fair market value of the benefit or perquisite except in following cases: —
    - i. The benefit/perquisite provider has purchased the benefit/perquisite before providing it to the recipient. In that case the purchase price shall be the value for such benefit/perquisite.
    - ii. The benefit/perquisite provider manufactures such items given as benefit/perquisite, then the price that it charges to its customers for such items shall be the value for such benefit/perquisite.
  - Please refer to detailed circular for more clarity on reimbursement of out of pocket expenses. If bills are in the name of recipient, then it would be treated as perquisite.
  - Please refer to detailed circular for more clarity on expenses on dealer conferences. Such conference must not be in the nature of incentives/benefits to select dealers/customers who have achieved particular targets. Expense attributable to leisure trip or leisure component, even if it is incidental to the dealer/business conference.
  - Sometimes, where benefit is given in kind or partly in kind, cash may not be sufficient to deduct TDS. In such situation, solution offered by circular is weird and very difficult to understand and follow. Refer to question 9 of circular.
33. Important: Press release dt 16-6-2022: In line with CBDT's policy and commitment towards providing enhanced taxpayers' services and reduce taxpayers' grievances, CBDT has issued revised Instruction for constitution and functioning of Local Committees to deal with taxpayers' grievances arising out of high-pitched Scrutiny Assessment through F.No.225/101/2021-ITA-II, dated 23rd April, 2022.

This instruction also provides for initiation of suitable administrative action against the officer concerned, in cases where assessments are found by the Local Committee to be high-pitched or where there is non-observance of principles of natural justice, non-application of mind or gross negligence of Assessing Officer/ Assessment Unit.

The revised Instruction dated 23rd April, 2022 in F.No.225/101/2021-ITA-II is available on [www.incometaxindia.gov.in](http://www.incometaxindia.gov.in) at:

<https://www.incometaxindia.gov.in/Lists/Latest%20News/Attachments/518/Instruction-225-101-2021.pdf>

34. Noti 2735 dt 14-6-2022: Cost inflation index for FY 22-23 is declared as 331.
35. Cir 500/09/2016 dt 10-6-22: Updated Mutual Agreement Procedure (MAP) Guidance: The Board has issued a guidance on MAP procedure and matters connected thereto for the benefit of taxpayers, tax practitioners, tax authorities, and Competent Authorities (CAs) of India and of treaty partners vide F.No. 500/09/2016-APA-I, dated 7th August, 2020. Subsequently, stakeholders have raised queries on certain related aspects of MAP, which are not covered by existing guidance. Some partner countries have also requested for clarity on certain issues, such as consequences of the Vivad se Vishwas scheme on MAP. Considering all these inputs and suggestions for clarity, the Board has decided to update the MAP guidance as detailed in this Circular.
36. Noti 1 of 2022 dt 9-6-22: Compliance check functionality for Sec 206AB and 206CCA of IT Act.
37. Noti Inv/4670 dt 3-6-2022: Rate of interest for the Employees' Provident Fund Members account for the year 2021-22 is declared as 8.10%.
38. Noti SO 2426 (E) dt 27-5-22: Procedure for imposition of – Directions for Faceless Penalty Scheme, 2021. Amendment to Noti 118 (E) dt 12-1-2021.
39. Noti SO 2425 (E) dt 27-5-22: Faceless Penalty (Amendment) Scheme, 2022.
40. Cir 10 of 2022 dt 17-5-22: Circular regarding use of utility/ functionality u/s 206AB and 206CCA of IT Act. Detailed instructions are given. Circular no. 11 of 2021 was issued on 21st June, 2021. It was seen that even though this user friendly functionality has been provided to tax deductors/collectors, and explained through a circular, some of these deductors/collectors were asking the deductee/collectee to produce evidences of their filing of return of income. It may be again highlighted that this functionality has been developed to ease compliance for tax deductors/collectors. Asking the deductee/collectee to file evidence of furnishing of their return defeat the purpose of this taxpayer friendly measure. All tax deductors/collectors are requested to make note of this circular for compliance.

41. Cir No 225/ 81/ 2022/ ITA-II dt 11-5-2022: The parameters for compulsory selection of returns for Complete Scrutiny during Financial Year 2022-23 and procedure for compulsory selection in such cases are prescribed.
42. Instruction No 1/2022 dt 11-5-2022: Instruction regarding implementation of judgement of Hon Supreme Court in case of UOI v. Ashish Agrawal related to validity of reassessment notices issued by AO during 1-4-2021 to 30-6-2021.
43. Noti 346(E) dt 10-5-2022: IT (15<sup>th</sup> amendment) Rules, 2022:  
Rule 114BA inserted to provide that in pursuance to Sec 139A(1)(vii), following persons shall have to obtain PAN:
  - Cash deposits of Rs 20 lacs or more in one or more bank accounts.
  - Cash withdrawal of Rs 20 lacs or more from one or more bank accounts.
  - Opening of current account or cash credit account.
44. Noti GSR 325(E) dt 29-4-2022: IT (11<sup>th</sup> amendment) Rules, 2022:  
Rule 12AC inserted in pursuance to Sec 139(8A) related to updated return:
  - Updated return shall be in Form ITR-U.
  - It can be filed with DSC/ EVC as applicable for other returns.
45. Important: Instruction No 225/ 101/ 2021 - ITA-II dt 23-4-2022: Revised instruction for constitution and functioning of committee for handling Taxpayers' **Grievances from High-Pitched scrutiny assessment**:
  - Shall deal with both faceless and non-faceless assessments.
  - Grievance in case of faceless assessments shall be filed at [samadhan.faceless.assessment@incometax.gov.in](mailto:samadhan.faceless.assessment@incometax.gov.in).
  - It shall be filed physically or through e-mail in case of non-faceless.
  - Committee shall examine to ascertain whether there is prima facie case of High-Pitched Assessment, non-observance of principles of natural justice, non-application of mind or gross negligence of assessing officer/ assessment unit.
  - There shall be endeavor to dispose of each grievance within two months from the end of the month in which such petition is received by it.
  - Administrative actions shall be taken and Coercive recovery shall be prevented in cases identified as high-pitched.
  - Local committees cannot be treated as an alternate forum to dispute resolution/ appellate proceedings.
  - Committee shall be constituted latest upto Apr 30, 2022.
46. Important: Noti GSR 307(E) dt 21-4-2022: IT (9<sup>th</sup> amendment) Rules, 2022:



In view of clause (iv) of Seventh Proviso to Sec 139(1)(b), Rule 12AB inserted to provide for **following 4 additional grounds for compulsory filing of ITR:**

- Sales/ TO/ Gross receipts in business exceeds Rs 60 lacs during the year.
- Gross receipts in profession exceeds Rs 10 lacs during the year.
- Aggregate TDS/ TCS during the year exceeds Rs 25,000 (Rs 50,000 in case of Individual who is senior citizen).
- Deposits in one or more savings account exceeds Rs 50 lacs.

Above is in addition to the existing three grounds given in the seventh proviso.

47. Noti 252(E) dt 1-4-2022: Form ITR 7 amended wef 1-4-2022.
48. Press release dt 31-3-2022: The application for registration or approval under section 10(23C), 12A or 80G of the Act in Form No.10AB, for which the last date for filing falls on or before 29th September, 2022, is extended to 30th September, 2022.  
CBDT's Circular No. 8/2022 in F. No. 197/59/2022-ITA-I, dated 31-3-2022 has also been issued.
49. Noti 21/2022 dt 30-3-2022: Income-tax return forms for AY 22-23 notified.
50. Noti 20/2022 dt 30-3-2022: TCS on foreign remittance u/s 206C(1G) not applicable to non-residents u/s 6(1) or 6(1A) and who is visiting India.
51. Noti 17/2022 dt 29-3-2022: Income tax (3<sup>rd</sup> Amendment) Rules, 2022: Sub-rule (5A) inserted in Rule 114: PAN – Aadhaar linking must be done upto Mar 31, 2022. Else, Rs 500 late fees upto 3 months and Rs 1,000 thereafter.  
As per Press Release dt 30-3-2022, PAN shall remain active till Mar 31, 2023. Detailed Cir 7/2022 dt 30-3-2022 also issued in this regard.
52. Noti SO 5429(E) [139/2021] dt 7-1-22: Faceless Appeal Scheme, 2021 launched in supersession of earlier Faceless Appeal Scheme, 2020. Please refer to this 18 page notification for details.

## **II. Central GST: Updated upto 31-1-2023:**

1. Cir 190/02/2023 dt 13-1-2023: Clarification regarding GST rates on certain services based on the recommendations of GST council in its 48th meeting held on 17-12-2022:
  - Accommodation services provided by Air Force Mess and other similar messes, such as, Army mess, Navy mess, Paramilitary and Police forces mess to their personnel or any person other than a business entity are

covered by Sl. No. 6 of Notification No. 12/2017 – Central Tax (Rate), dated 28-6-2017 provided the services supplied by such messes qualify to be considered as services supplied by Central Government, State Government, Union Territory or local authority.

- Incentives paid by MeitY to acquiring banks under the Incentive scheme for promotion of RuPay Debit Cards and low value BHIM-UPI transactions are in the nature of subsidy and thus not taxable.
2. Cir 189/01/2023 dt 13-1-2023: Clarification regarding GST rates and classification of certain goods based on the recommendations of GST council in its 48th meeting held on 17-12-2022 –
- HSN code of Carbonated beverages of Fruit drink or Carbonated beverages with fruit juice is 220299.
  - GST rate on snack pellets manufactured through extrusion process (such as fryums) taxable at 18% vide Sl No 16 of Sch III of Noti 1/2017 CTR. HSN code 19059030.
  - Compensation rate @ 22% is applicable under entry 52B of Noti 1/2017 CSR only if the vehicle satisfies all four conditions:
    - It is popularly known as sports utility vehicle (SUV)
    - Engine capacity exceeds 1500 cc
    - Length of vehicle exceeds 4000 mm
    - Ground clearance is 170 mm or above.Thus, for vehicles other than SUV even if satisfying other conditions would be liable to tax @ 20% under entry 52A.
3. Noti 15/2022 CTR dt 30-12-2022: If residential house is given on rent to a person (who is a proprietor) for his personal use and not for business, then it would be exempt and accordingly recipient shall not pay RCM.
4. Noti 14/2022 CTR dt 30-12-2022: Amendment in Noti 4/2017 CTR related to RCM on goods wef 1-1-2023 –
- Peppermint and other mint oils purchased from unregistered persons by a registered person brought under RCM.
5. Noti 12 and 13/2022 CTR dt 30-12-2022: Some rate changes wef 1-1-2023:
- Carbonated beverages of fruit drink/ juice shall no more get concessional rate of 12%. Non carbonated shall continue to be taxed at 12% and carbonated ones would be taxed at 28% and compensation cess @ 12%.
  - Pencil sharpeners would be taxable at 18% from earlier 12%.

- Ethyl alcohol supplied to Oil Marketing Companies or Petroleum refineries for blending with motor spirit (petrol) would be taxable at 5% instead of earlier 18%.
  - Chuni and Churi (by products in Dal Mill) expressly made tax free. Earlier, there was confusion that it may be liable to taxed at 5%. Please also refer important circular number 179/11/2022 regarding taxability of earlier periods.
6. Cir 188/20/2022 GST dt 27-12-2022: Prescribing manner of filing an application for refund by unregistered persons and certain clarifications.
  7. Cir 187/19/2022 GST dt 27-12-2022: Clarification regarding treatment of statutory dues under GST law in respect of the taxpayers for whom the proceedings have been finalised under Insolvency and Bankruptcy Code, 2016.
  8. Cir 186/18/2022 GST dt 27-12-2022: Certain clarifications –
    - No claim bonus given by insurance companies is an allowable deduction from value of supply. It is not supply of service by the insured person to insurance company.
    - Exemption granted vide Noti 13/2020 CT to an entity from generation of e-invoice is applicable to the entity as a whole and not restricted to particular supplies made by it. Eg. If banking company is exempted from e-invoice, then it need not generate e-invoice even in respect of any other supply (eg bullion etc) made by it.
  9. Cir 185/17/2022 GST dt 27-12-2022: Clarification with regard to applicability of provisions of section 75(2) of the CGST Act, 2017 and its effect on limitation. If charges under Sec 74(1) (fraud cases) are not sustainable in appeal, then proper officer to redetermine the same u/s 73(1) (non fraud cases). However, period of limitations are different. This circular clarifies issues arising out of the same. Most important the SCN for Sec 74 should have been issued within time limit given under Sec 73. Otherwise, provisions of Sec 75(2) may be misused.
  10. Cir 184/16/2022 GST dt 27-12-2022: Clarification in case of mail or courier services provided where goods are delivered outside India and both supplier and recipient of services are located in India. It is clarified that it would be interstate sale with recipient state code as '96 – Foreign Country'. IGST would be leviable and recipient shall be eligible to take ITC subject to Sec 16 and 17 of CGST Act.
  11. **Very important** Circular - Cir 183/15/2022 GST dt 27-12-2022: Clarification to deal with difference in ITC availed in 3B compared to that in 2A for FY 17-18 and

18-19. This circular is similar to the Circular 02A issued by Maharashtra State. Important points – Sec 16(4) restriction would be applicable. Instructions are applicable to bonafide cases which are ongoing in scrutiny/ audit/ investigation etc. Shall be applicable in appeal proceedings also.

12. Noti 27/2022 CT dt 26-12-2022: Rule 8(4A) for biometric aadhar authentication and photograph in certain cases shall be applicable only in the state of Gujarat.

13. Noti 26/2022 CT dt 26-12-2022: CGST (5<sup>th</sup> amendment) Rules, 2022. Unless otherwise mentioned, these Rules are effective from 26-12-2022. Some important amendments are:

- OTP shall be sent to mobile number and e-mail address registered on the PAN and not the ones that we provide for registration.
- Rule 12: There was no provision for suo-motu cancellation of GST number taken for TDS/ TCS. Now, such number can be cancelled on application also.
- Sub-rule (1) of rule 37 of CGST Rules, 2017 amended retrospectively with effect from 1-10-2022 to provide for reversal of input tax credit, in terms of second proviso to section 16 of CGST Act, only proportionate to the amount not paid to the supplier vis a vis the value of the supply, including tax payable. Otherwise, it had become a draconian provision.
- Another cumbersome Rule for compliance: Rule 37A inserted – Reversal of ITC in case of non-payment of tax by supplier upto Sep 30 of next year (ie supplier filed GSTR 1 but did not file 3B). It is to be reversed in 3B return filed upto Nov 30. If 3B is subsequently filed, buyer may reclaim the ITC.
- Another draconian provision added: Rule 88C inserted to deal with difference in liability reported in outward supplies in GSTR 1 and that in 3B. Rule 59(6)(d) inserted to so that if any intimation under Rule 88C(1) remains unresponded, then the registered person shall not be allowed to file subsequent GSTR 1 or IFF.
- Rule 89(2)(ka) and (kb) inserted to provide list of documents in case of refund by an unregistered person. Also, corresponding amendment in proviso to clause (m).
- Rule 108(3) substituted – No need to submit department certified copy of the order appealed against. Self certified copy is good enough. Appeal shall be treated as final only when final acknowledgement in APL 02 is issued. So, one would have to face departmental harassments while receiving APL 02.
- Rule 109 substituted: Similar amendment as in Rule 108 in case of appeal by department.
- Rule 109C inserted: Provision for withdrawal of appeal is inserted. It is subject to certain conditions and approval of appellate authority.

- Rule 138(14) amended – e-way bill would now be required for imitation jewellery.
  - Some changes Form GSTR 1: Among others, provision for reporting supplies through e-commerce operator on which operator is liable to collect tax u/s 52 or is liable to pay under RCM u/s 9(5).
14. Press release of 48<sup>th</sup> GST Council Meeting held virtually in New Delhi on 17-12-2022. Important points:
- Husk of pulses to be taxed to Nil from 5%. For intervening period from 3-8-2022 till date, tax to be accepted on 'as is basis'.
  - No RCM if residential house is taken by proprietor for personal use.
  - Incentive paid to banks by Central Government under the scheme for promotion of RuPay Debit Cards and lowvalue BHIM-UPI transactions are in the nature of subsidy and thus not taxable.
  - Decriminalise certain offences under section 132, increase in threshold of amount of tax for prosecution and reduction in amount of compounding in GST.
  - Facility for refund would be given to unregistered persons also in certain cases.
  - Important: The Council has recommended to amend sub-rule (1) of rule 37 of CGST Rules, 2017 retrospectively with effect from 1-10-2022 to provide for reversal of input tax credit, in terms of second proviso to section 16 of CGST Act, only proportionate to the amount not paid to the supplier vis a vis the value of the supply, including tax payable.
  - Sub-rule (3) of rule 108 and rule 109 of the CGST Rules, 2017 to be amended to provide clarity on the requirement of submission of certified copy of the order appealed against and the issuance of final acknowledgment by the appellate authority This would facilitate timely processing of appeals and ease the compliance burden for the appellants.
  - Sections 37, 39, 44 and 52 of CGST Act, 2017 to be amended to restrict filing of returns/ statements to a maximum period of three years from the due date of filing of the relevant return / statement.
  - Many more proposals mentioned. Please refer press release for further details.
15. Noti 22/2022 CT dt 15-11-2022: Due date for correction of data in GSTR 3B or GSTR 1 can now be done upto Nov 30 of subsequent year. This benefit shall be available for corrections pertaining to FY 2021-22 also.
16. Department issued e-Brochures on many issues like e-invoice, e-way bill, registration etc. Total of 74 pages. Can be useful for some issue.

17. Cir 182/14/2022 dt 10-11-2022: Sec 140 of CGST Act – Transitional arrangements for ITC - Guidelines for verifying transitional credit in light of orders of the Hon'ble Supreme Court in UOI vs. Filco Trade Centre Pvt. Ltd. [2022] 142 taxmann.com 89 and [2022] 140 taxmann.com535.
18. Cir 181/13/2022 dt 10-11-2022: Rule 89(5) related to refund u/s 54(3) (ie on account of inverted duty structure) is amended vide Noti 14/2022 CT wef 5-7-2022 and certain goods falling under Chapter 15 and 27 have been excluded vide Noti 9/2022 CTR wef 18-7-2022.

It is clarified that above amendments would be applicable for the refund applications filed on or after 5-7-2022 or 18-7-2022.

**It is very surprising that it is not clarified whether the same would be applicable for the applications pertaining to periods upto above periods.**

19. Imp instruction No 240137/14/2022 Service tax dt 28-10-2022: DRC 03 **cannot** be used for making pre-deposit for filing appeal under Central Excise or Service tax.
20. Noti 21/2022 CT dt 21-10-2022: Due date for GSTR 3B for September 2022 increased from Oct 20, 2022 to Oct 21, 2022 (ie one day).
21. Press release dt 4-10-22: Certain due dates for claiming ITC etc were extended to Nov 30 from earlier Oct 20. It is clarified that these extended due dates are applicable for compliances for FY 21-22 also. Also, data can be revised in the returns filed upto Nov 30 and not for the month of November.
22. Noti 20/2022 CT dt 28-9-2022: Section 55 of the CGST Act, 2017 - refund in certain cases - notified specialised agencies entitled to claim a refund of taxes paid on supplies of goods or services or both received by them - rescission of notification no. 20/2018-central tax, dated 28-3-2018.
23. Noti 19/2022 CT dt 28-9-2022: CGST (2<sup>nd</sup> amendment) Rules, 2022: These are applicable from Oct 1, 2022. Important amendments are:
  - Rule 21 – addition to conditions for cancellation of registration – if six monthly returns are not filed or two quarterly returns are not filed.
  - Rule 36 – Conditions for claiming ITC – No need to confirm the purchase details by filing GSTR 2.
  - Important - Rule 37 – reversal of ITC in case of non-payment of consideration: Earlier, there was proportionate disallowance in case of non-payment and there was also requirement of reporting in GSTR 2.

Now, even if a single rupee is unpaid, entire ITC would be disallowed. Interest shall be applicable as per Sec 50. It would be interesting to see if some deduction in payment is done on account of some discount etc, how would department treat it.

- Rule 38 – ITC by banking company or financial institution – After availing eligible ITC of 50%, remaining ITC shall be reversed in 3B. This means that one cannot directly claim eligible ITC. First full ITC to be claimed including ineligible ITC and then it needs to be reversed. Not an easy task practically.
- Rule 69 to 77 and Rule 79 related to matching of ITC etc are deleted.
- Forms GSTR 1A, 2 and 3 are deleted.

24. Very important: Noti 18/2022 CT dt 28-9-2022: Sec 100 to 114 except clause (c) of Sec 110 and Sec 111 of Finance Act 2022 made effective from Oct 1, 2022. Certain due dates for claiming ITC, rectification of invoices, debit notes, credit notes etc upto Nov 30 or Nov 13 has been made effective.

Other two Sections - Sec 110(c) (transfer of balance in electronic cash ledger to distinct person also) and Sec 111 (Interest would be applicable on ITC wrongly availed and utilized) are already made effective vide Noti 9/2022 CT dt 5-7-2022.

25. Very important: Press release dt 12-9-2022: As per the Government recommendation in 47<sup>th</sup> GST council meeting, E-Way Bill generation has been provisioned for movement of Gold (HSN Chapter 71) for all Intrastate and Interstate transactions. The taxpayers of the state may generate the E-Way bill for Gold as per the notification issued by their respective states.

However, till Dec 15, 2022, there is no such notification issued by Maharashtra Govt. So, e-way bill is not currently applicable in Maharashtra for Gold. But, it may come very soon.

26. Cir 180/12/2022 GST dt 9-9-2022: Guidelines for filing/ revising TRAN 1 and TRAN 2 in terms of order dated 22-7-2022 and 2-9-2022 of Hon SC in case of UOI v FILCO Trade Centre Pvt Ltd.
27. Inst 4/2022 dt 1-9-22: Important – Guidelines for launching of Prosecution under the CGST Act. Very nicely drafted instructions which indicate that prosecution is serious option and must be exercised judiciously.
28. Instruction No 03/2022-23 (GST – Investigation) dt 17-8-2022 – Guidelines on issuance of summons u/s 70 of CGST Act: Important highlights:

- While issuing of summons is one of the instruments with the Department to get/obtain information or documents or statement from any person to find out the evasion of the tax etc., however, it needs to be ensured that exercise of such power is done judiciously and with due consideration. Officers are also advised to explore instances when instead of resorting to summons, a letter for requisition of information may suffice.
  - Summons should normally indicate the name of the offender(s) against whom the case is being investigated unless revelation of the name of the offender is detrimental to the cause of investigation, so that the recipient of summons has prima-facie understanding as whether he has been summoned as an accused, co-accused or as witness.
  - Issuance of summons may be avoided to call upon statutory documents which are digitally/ online available in the GST portal.
  - Senior management officials such as CMD/ MD/ CEO/ CFO/ similar officers of any company or a PSU should not generally be issued summons in the first instance.
29. Instruction No 02/2022-23 (GST – Investigation) dt 17-8-2022 – Guidelines for arrest and bail in relation to offences punishable under CGST Act: Important highlights:
- Personal liberty is an important aspect of our constitutional mandate.
  - Sub-section (1) of Section 69 gives the power to the Commissioner to arrest a person where he has reason to believe that the alleged offender has committed any offence specified in clause (a) or clause (b) or clause (c) or clause (d) of sub-section (1) of Section 132
  - The arrest should not be made in routine and mechanical manner. Even if all the legal conditions precedent to arrest mentioned in Section 132 of the CGST Act, 2017 are fulfilled, that will not, ipso facto, mean that an arrest must be made. Once the legal ingredients of the offence are made out, the Commissioner or the competent authority must then determine if the answer to any or some of the given questions is in the affirmative.
  - Arrest should, however, not be resorted to in cases of technical nature i.e. where the demand of tax is based on a difference of opinion regarding interpretation of Law. The prevalent practice of assessment could also be one of the determining factors while ascribing intention to evade tax to the alleged offender. Other factors influencing the decision to arrest could be if the alleged offender is co-operating in the investigation, viz. compliance to summons, furnishing of documents called for, not giving evasive replies, voluntary payment of tax etc.
30. Cir 179/11/2022 dt 3-8-2022: Clarification on GST rates and classification based on 47<sup>th</sup> GST council meeting on June 28-29, 2022 at Chandigarh:



- i. Electric vehicles whether or not fitted with a battery pack, attract GST rate of 5%.
- ii. Stones otherwise covered in S. No. 123 of Schedule-I (such as Napa stones), which are not mirror polished, are eligible for concessional rate under said entry.
- iii. Fresh falling under heading 0804 are exempt; Mangoes, sliced and dried, falling under 0804 are chargeable to a concessional rate of 5%; while all other forms of dried mango, including Mango pulp, attract GST at the rate of 12%.
- iv. Treated sewage water attracts Nil rate of GST. Treated sewage water was not meant to be construed as falling under "purified" water for the purpose of levy of GST.
- v. Nicotine Polacrilex Gum attracts a GST rate of 18%.
- vi. Important: Applicability of GST on by-products of milling of Dal/ Pulses such as Chilka, Khanda and Churi –

The dispute in applicable GST rate revolves around the central argument as to whether the above-mentioned by-products are meant for direct consumption as cattle feed and therefore attract exemption under S. No. 102 of Noti 2/2017 CTR or are otherwise not meant for direct consumption and thus covered under S. No. 103A of [notification No. 1/2017-Central Tax \(Rate\)](#), dated 28th June, 2017 attracting a GST rate of 5%.

While milling of pulses/ dal, a wide range of by-products such as chilka, khanda, churi, among others, are obtained which are preferred as cattle feed by dairy industry for better palatability and higher nutritive value. The mentioned by-products are required to go through varying degrees of processing in order to customize the color, size, aroma, nutrition, purity, etc., of the cattle feed so produced, depending upon the dietary and nutritional requirement of the cattle and the budget availability of the customer(s). Further, as per the Indian Standards 2052:2009 -Compounded Feeds for Cattle — Specification, issued by the Bureau of Indian Standards, Ministry of Consumer Affairs, Food & Public Distribution, Government of India, grain by-products have been categorized as one of the ingredients of the compounded cattle feed.

The GST Council examined the issue and recommended that a clarification be issued in this regard. It also recommended that in view of the prevailing multiple interpretations and genuine doubts regarding the applicability of GST, the issue for past periods may be regularized on as is basis.

Accordingly, it is hereby clarified that the subject goods which **inter alia** is used as cattle feed ingredient are appropriately classifiable under heading 2302 and attract GST at the rate of 5% *vide* S. No. 103A of Schedule-I of [notification no. 1/2017-Central Tax \(Rate\)](#), dated the 28th June, 2017 and that for the past, the matter would be regularized on as is basis as mentioned in para 8.6.

31. Cir 178/10/2022 dt 3-8-2022: GST applicability on liquidated damages, compensation and penalty arising out of breach of contract or other provisions of law:

Its an interesting 14 page circular.

"Agreeing to the obligation to refrain from an act or to tolerate an act or a situation, or to do an act" has been specifically declared to be a supply of service in para 5(e) of Schedule II of CGST Act if the same constitutes a "supply" within the meaning of the Act. This has given rise to many litigations. This circular throws light on many important issues that may not only be relevant in these specific cases but also in many other similar situations. Reasoning given for various issues is quite interesting. Following important issues are highlighted:

- i. Liquidated damages paid for breach of contract - The key in such cases is to consider whether the impugned payments constitute consideration for another independent contract envisaging tolerating an act or situation or refraining from doing any act or situation or simply doing an act. If the answer is yes, then it constitutes a 'supply' within the meaning of the Act, otherwise it is not a "supply". Detailed discussion given in the circular is interesting to read.  
Payments being merely flow of money are not a consideration for any supply and are not taxable.
- ii. Compensation given to previous allottees of coal blocks for cancellation of their licenses pursuant to Supreme Court Order – Not taxable.
- iii. Cheque dishonour fine/penalty charged by a power distribution company from the customers – not taxable.
- iv. Penalty imposed for violation of laws – not taxable.
- v. Bond amount recovered from an employee leaving the employment before the agreed period – not taxable.
- vi. **Important: Compensation for not collecting toll charges – it would receive the same treatment as normal toll charges. The fact that, for the same service, consideration came from a person other than the actual user of service does not mean that the service has changed.**
- vii. Late payment charges/ surcharge or fee – same rate as applicable to principal supply.

- viii. Fixed capacity charges for power – same rate as principal supply – not taxable as electricity is exempt from GST.
- ix. Cancellation charges recovered by railways/ hotels for cancellation of tickets/ bookings, etc. – same rate as applicable to principal supply. Non AC sleeper class ticket is exempt from GST and so its cancellation charges would also be exempt. Cancellation charges for AC ticket would attract GST @ 5%.

“Field formations are advised that while the taxability in each case shall depend on facts of that case, the above guidelines may be followed in determining whether tax on an activity or transaction needs to be paid treating the same as service by way of agreeing to the obligation to refrain from an act or to tolerate an act or a situation, or to do an act.” These are very important lines since department officials tend to apply the above circular for the specific cases only.

32. Cir 177/09/2022 dt 3-8-2022: Clarification on applicability of GST rates and exemptions on certain services:

- i. Ice cream sold by ice cream parlours attract 18% GST with ITC. Ice cream parlours are not restaurants and therefore tax of 5% without ITC is not correct. However, for past events from 1-7-2017 to 5-10-2021, if GST is paid at 5% without ITC, it would be treated as fully paid.
- ii. Educational institutions: Application fee charged for entrance or fee charged for issuance of eligibility certificate for admission or for issuance of migration certificate by educational institutions are also exempt vide entry 66 of Noti 12/2017 CTR.
- iii. Warehousing of ginned cotton or cotton bales were also covered under entry 24B of Noti 12/2017 CTR. Accordingly, it was also exempt till 18-7-2022. This exemption is withdrawn wef 18-7-2022. Important logic given is ginned cotton is nothing but raw cotton fibre as decided by CESTAT Chandigarh in case of RK Sons v CCE dt 14-7-2016.
- iv. Exemption under SI No 9B of Noti 12/2017 CTR covers services associated with transit cargo both to and from Nepal and Bhutan.
- v. Sanitation and conservancy services supplied to Army and other Central and State Government departments would be taxable if such services are procured by Army or Govt department which does not perform any functions listed in the 11<sup>th</sup> and 12<sup>th</sup> schedule of Constitution.

- vi. Space for advertisement in souvenir book is covered under entry 21(i) of Noti 11/2017 CTR and attracts GST @ 5%.
- vii. Transport of minerals from mining pit head to railway siding, beneficiation plant etc by vehicles deployed with driver for a specific duration of time is to be treated as “rental services of transport vehicles with operator” under entry 10(iii) of Noti 11/2017 CTR. It would be taxable at 18%. Rate is reduced to 12% wef 18-7-2022 if charges include cost of fuel also.
- viii. Location charges or preferential location charges (PLC) collected in addition to the lease premium for long term lease of land constitute part of the lease premium or upfront amount charged for long term lease of land and are eligible for the same tax treatment as long term lease. Accordingly, it would be exempt under entry 41 of Noti 12/2017 CTR.
- ix. Payment of honorarium to the Guest Anchors taxable at 18%.
- x. Additional fee collected in the form of higher toll charges from vehicles not having Fastag is essentially payment of toll for allowing access to roads or bridges to such vehicles and may be given the same treatment as given to toll charges. Accordingly, it would be exempt under entry 23 of Noti 12/2017 CTR.
- xi. Services in form of Assisted Reproductive Technology (ART)/ In vitro fertilization (IVF) are also covered under the definition of health care services for the purpose of above exemption notification.
- xii. Important: Land may be sold either as it is or after some development such as levelling, laying down of drainage lines, water lines, electricity lines, etc. It is clarified that sale of such developed land is also sale of land and is covered by Sr. No. 5 of Schedule III of the Central Goods and Services Tax Act, 2017 and accordingly does not attract GST.
- xiii. Where the body corporate hires the motor vehicle (for transport of employees etc.) for a period of time, during which the motor vehicle shall be at the disposal of the body corporate, the service would fall under Heading 9966 (@ 5%), and the body corporate shall be liable to pay GST on the same under RCM. It may be seen that reverse charge thus would apply on act of renting of vehicles by body corporate and in such a case, it is for the body corporate to use in the manner as it likes subject to agreement with the person providing vehicle on rent.

However, where the body corporate avails the passenger transport service for specific journeys or voyages and does not take vehicle on rent for any particular period of time, the service would fall under Heading 9964 and the body corporate shall not be liable to pay GST on the same under RCM. Its taxability is governed by various entries. In many cases, it may be exempt also.

- xiv. Hiring of vehicles by firms for transportation of their employees to and from work is not exempt under Sr. No. 15(b) of Noti 12/2017 CTR - transport of passengers by non-air conditioned contract carriage.
  - xv. supply of service of construction, supply, installation and commissioning of dairy plant on turn-key basis - such works contract services were eligible for concessional rate of 12% GST under serial number 3(v)(f) of Noti 11/2017 CTR prior to 18-7-2022. With effect from 18-7-2022, such works contract services would attract GST at the rate of 18% in view of amendment carried out vide Noti 3/2022- Central Tax (Rate).
  - xvi. As per Sl. No. 17 (d) of Noti 12/2017 CTR, "transportation of passengers by public transport, other than predominantly for tourism purpose, in a vessel between places located in India" is exempted. It is clarified that this exemption would apply to tickets purchased for transportation from one point to another irrespective of whether the ferry is owned or operated by a private sector enterprise or by a PSU/government. It is further clarified that, the expression 'public transport' used in the exemption notification only means that the transport should be open to public. It can be privately or publicly owned. Only exclusion is on transportation which is predominantly for tourism, such as services which may combine with transportation, sightseeing, food and beverages, music, accommodation such as in shikara, cruise etc.
33. Important: Noti 17/2022 CT dt 1-8-2022: Further amends Noti 13/2020 CT dt 21-3-2020. Wef Oct 1, 2022, e-invoice would be applicable if turnover in any of the previous years (from FY 17-18) exceeds Rs 10 crore.
34. Cir No I-10/14/2020 dt 1-8-2022: This is circular under Legal Metrology (Packaged Commodities) Rules, 2011. Manufactueres/ packers/ importers are allowed to change MRP due to change in GST rates. There are just few impossible conditions to be fulfilled.
35. Order F No RCD 01001/7/2021 dt 27-7-2022: GST on payments made towards FSSAI would be at 18% and it would be under RCM. The same is also printed on the online receipt generated through FoSCoS.

36. Cir No 190354/172/2022-TRU dt 17-7-22: Basic food items such as pulses, cereals, flour etc are brought within purview of GST if pre-packaged and labelled. To remove many confusions, a very important FAQ is released. Important contents of the same are:

- For such commodities (food items - pulses, cereals, flour, etc.), rule 3 (a) of Chapter-II of Legal Metrology (Packaged Commodities) Rules, 2011, prescribes that package of commodities containing quantity of more than 25 kg or 25 litre do not require a declaration to be made under rule 6 thereof. Accordingly, GST would apply on such specified goods where the pre-packaged commodity is supplied in packages containing quantity of less than or equal to 25 kilogram or 25 litre.
- Illustration: Supply of pre-packed atta meant for retail sale to ultimate consumer of 25 Kg shall be liable to GST. However, supply of such a 30 Kg pack thereof shall be exempt from levy of GST. Thus, it is clarified that a single package of these items [cereals, pulses, flour etc.] containing a quantity of more than 25 Kg/25 litre would not fall in the category of prepackaged and labelled commodity for the purposes of GST and would therefore not attract GST.
- If several packages intended for retail sale to ultimate consumer, say 10 packages of 10 Kg each, are sold in a larger pack, then GST would apply to such supply. Such package may be sold by a manufacturer through distributor. These individual packs of 10 Kg each are meant for eventual sale to retail consumer. However, a package of say rice containing 50 Kg (in one individual package) would not be considered a pre-packaged and labelled commodity for the purposes of GST levy, even if rule 24 of Legal Metrology (Packaged Commodities) Rules, 2011, mandates certain declarations to be made on such wholesale package.
- If for any reason, retailer supplies the item in loose quantity from such package, such supply by retailer is not a supply of packaged commodity for the purpose of GST levy.
- Supply of packaged commodity for consumption by industrial consumer or institutional consumer is excluded from the purview of the Legal Metrology Act by virtue of rule 3 (c) of Chapter-II of Legal Metrology (Packaged Commodities) Rules, 2011. Therefore, if supplied in such manner as to attract exclusion provided under the said rule 3(c), it will not be considered as prepackaged and labelled for the purposes of GST levy.

- If any manufacturer/ supplier is required to make declaration as per Legal Metrology Act or Rules but he does not make such declaration, he would still be liable to pay GST.

37. Noti 16/2022 CT dt 13-7-2022: As per Noti 14/2019 CT dt 7-3-2019, there are 7 items, suppliers of which are not entitled to opt for Composition Levy.

These mainly include ice cream and other edible ice, pan masala, tobacco, building bricks, earthen or roofing tiles. In this list, the item "Fly ash bricks or fly ash aggregate with 90 per cent. or more fly ash content, fly ash blocks" has been replaced with "Fly ash bricks; Fly ash aggregates; Fly ash blocks"

38. Noti 15/2022 CT dt 13-7-2022: As per Noti 10/2019 CT dt 7-3-2019, there are 7 items, suppliers of which are compulsorily required to get registered irrespective of their turnover.

These mainly include ice cream and other edible ice, pan masala, tobacco, building bricks, earthen or roofing tiles. In this list, the item "Fly ash bricks or fly ash aggregate with 90 per cent. or more fly ash content, fly ash blocks" has been replaced with "Fly ash bricks; Fly ash aggregates; Fly ash blocks".

39. Noti 11/2022 CTR dt 13-7-22: Noti 45/2017 CTR dt 14-11-2017 rescinded, thereby exemption on supply of certain goods to certain Government funded institutions, research institutions etc has been withdrawn.

40. Noti 10/2022 CTR dt 13-7-22: Amends Noti 2/2022 CTR which relates to option of paying tax @ 6% on certain goods without ITC. Earlier this list included - "Fly ash bricks or fly ash aggregate with 90 per cent. or more fly ash content; Fly ash blocks". Now, it is changed to "Fly ash bricks; Fly ash aggregates; Fly ash blocks".

41. Noti 9/2022 CTR dt 13-7-22: Amends Noti 5/2017 CTR which prohibits refund of unutilized ITC due to inverted duty structure. Now, wef 18-7-22, on following goods, refund due to inverted duty structure would not be allowed:

Among others, it mainly includes Soya oil, Ground nut oil, Sunflower oil etc and their mixtures.

42. Noti 8/2022 CTR dt 13-7-22: Certain petroleum related goods made taxable from 5% to 12%.

43. Noti 7/2022 CTR dt 13-7-22: Amendment to Noti 2/2017 CTR related to exempt goods:

- a. Corresponding amendment related to change in taxation to “pre-packaged and labelled” discussed in Noti 6/2022 CTR.
  - b. Entry 99 is amended to exclude “purified water” from the list of taxable goods. It should mean that purified water sold in un-sealed containers should not be taxable. But I am not very sure on this.
  - c. Cheques, loose or in book form are no more exempt. It would be taxable at 18% under entry 157B.
44. Noti 6/2022 CTR dt 13-7-22: Amendment to Noti 1/2017 CTR related to tax on goods:
- a. One more rate schedule number VII @ 0.75% CGST (ie 1.50%) is added.
  - b. Till now, many items were taxable at 5% if those were put up in unit container and (a) bearing a registered brand name; or (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily.

But now, the entire basis of taxation is changed. Now, these items would be taxable if “pre-packaged and labelled”. This expression has been defined as *“The expression 'pre-packaged and labelled' means a 'pre-packaged commodity' as defined in clause (l) of section 2 of the Legal Metrology Act, 2009 (1 of 2010) where, the package in which the commodity is pre-packed or a label securely affixed thereto is required to bear the declarations under the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the rules made thereunder”*

The items mainly covered by this notification are:

- Entry No 1: Meat (other than fresh or chilled),
- Entry No 2: Fish (other than fresh or chilled),
- Entry No 9A: Curd, Lassi or Buttermilk,
- Entry No 11: Chena or paneer,
- Entry No 13: Honey natural,
- Entry No 16: Guts, bladders and stomachs of animals,
- Entry No 25: Dried leguminous vegetables, shelled, whether or not skinned or split,
- Entry No 26: Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, frozen, whether or not sliced or in the form of pellets,
- Entry No 30: Makhana, dried whether or not shelled or peeled,



- Entry 45 to 56: Cereals, Wheat and meslin, Rye, Barley, Oats, Maize (corn), Rice, Grain sorghum, Buckwheat, millet and canary seed; other cereals such as Jawar, Bajra, Ragi, Wheat or meslin flour, Cereal flours other than of wheat or meslin i.e. maize (corn) flour, Rye flour, etc., Cereal groats, meal and pellets, including suji and dalia,
  - Entry 58: Meal, powder, Flour, flakes, granules and pellets of potatoes,
  - Entry 59: Meal and powder of the dried leguminous vegetables of heading 0713 (pulses) [other than guar meal 1106 10 10 and guar gum refined split [0713]], of sago or of roots or tubers of heading 0714 or of the products of Chapter 8.
  - Entry 91A: Jaggery of all types including Cane Jaggery (gur), Palmyra Jaggery, pre-packaged and labelled; Khandsari Sugar,
  - Entry 98A: Puffed rice, commonly known as Muri, flattened or beaten rice, commonly known as Chira, parched rice, commonly known as khoi, parched paddy or rice coated with sugar or gur, commonly known as Murki,
  - Entry 182: All goods i.e. animal or vegetable fertilisers or organic fertilisers,
  - Entry 215: All goods [other than coconut coir fibre] including yarn of flax, jute, other textile bast fibres, other vegetable textile fibres; paper yarn, including coir pith compost
- c. Till now, some items were taxable at 12% if those were put up in unit container and (a) bearing a registered brand name; or (b) bearing a brand name on which an actionable claim or enforceable right in a court of law is available [other than those where any actionable claim or enforceable right in respect of such brand name has been foregone voluntarily.

But now, the entire basis of taxation is changed. Now, these items would be taxable if “pre-packaged and labelled”. The items mainly covered by this are:

- Entry No 41A: Tender coconut water,
  - Entry 101A: Namkeens, bhujia, mixture, chabena and similar edible preparations in ready for consumption form [, other than those pre-packaged and labelled] would be taxable at 5%. Pre-packaged and labelled would be taxable at 12% under entry 46.
- d. Various types of leather which were erstwhile taxable at 5% would now be taxable at 12% under entry 85B to 85F.
- e. Maps, atlases etc would be taxable at 12% under entry 125A from earlier exempt list under entry 122.
- f. All types of Fly ash bricks; Fly ash aggregates; Fly ash blocks would be taxable at 12% under entry 176B.

- g. Solar water heater and system would be taxable at 12% under entry 194A.
  - h. All Goods, including **printing ink, writing or drawing ink** and other inks, whether or not concentrated or solid, fountain pen ink, ball pen ink would be taxable at 18% under entry 54C from earlier 12%.
  - i. Knives, spoons etc would be taxable at 18% under entry 301A from earlier 12%.
  - j. Pencil sharpeners etc would be taxable at 18% under entry 302A from earlier 12%.
  - k. Motor pumps, bicycle pumps, parts etc would be taxable at 18% under entry 317A, 317B, 317C, 317D from earlier 12%.
  - l. Sorting machines used in Dal mills, Milking machine, Dairy machines and various other machines as specified would be taxable at 18% under entry 328A, 328B and 329A.
  - m. E-waste would be taxable at 18% under entry 371A.
  - n. **LED lamps** would be taxable at 18% under entry 390, 438A from earlier 12%.
  - o. Drawing instruments etc would be taxable at 18% under entry 413 from earlier 12%.
  - p. Change in GST rates on certain diamonds from 3% to 0.25% or 1.50%.
45. Noti 5/2022 CTR dt 13-7-22: Amendment to Noti 13/2017 CTR related to RCM on services:
- a. GTA services were covered under compulsory RCM if supplier has not charged GST at 12%. Now, wef July 18, 2022, option is given to GTA to levy tax under forward charge at 5% or 12% as per choice of supplier. So, RCM on GTA would not be applicable if –
    - Supplier is registered under GST, and
    - Supplier has issued tax invoice, and
    - Tax invoice issued by supplier bears following declaration:  
*I/we have taken registration under the CGST Act, 2017 and have exercised the option to pay tax on services of GTA in relation to transport of goods supplied by us during the Financial Year . . . . under forward charge.*
  - b. Services of department of post by way of speed post, express parcel post, life insurance, and agency services were chargeable under RCM. Now, they would be covered under Forward Charge. Basic mail services known as postal services such as post card, book post, registered post, media post, business post etc provided exclusively by Department of Post were exempt

and were not liable for RCM also. They continue to be exempt. Thus, now none of the services by department of post are not covered under RCM.

- c. Service by way of renting of Residential Dwelling to a Registered Person would be covered under RCM. Thus, even if a proprietor who is registered under GST takes residential house on rent for personal use, it would be liable to RCM. He will have to take it in the name of his wife.

46. Noti 4/2022 CTR dt 13-7-22: Amendments to Noti 12/2017 CTR. Following are some important amendments effective from 18-7-2022:

- Now all services provided by Department of Posts shall be taxable. Earlier, it was only speed post and express parcel post and life insurance were taxable.
- Services of renting of residential house for use as residence were exempt. But now if such services are provided to registered person, it would be taxable under RCM. Thus, if residential house is taken on rent by registered proprietor of business, then it appears that he would be liable for RCM even if such house is used for his personal residence. It is surprising.
- Services by GTA where consideration was upto Rs 750/ 1500 was exempt. Now, this exemption is withdrawn. So, now it would be taxable right from Rupee 1.
- Services by way of storage or warehousing of cereals, pulses, fruits, **nuts** and vegetables, **spices, copra, sugarcane, jaggery, raw vegetable fibres such as cotton, flax, jute etc., indigo, unmanufactured tobacco, betel leaves, tendu leaves, coffee and tea** – were exempt from tax. Now, this list is reduced to **only cereals, pulses, fruits and vegetables**.
- Services by post office related to post cards and ordinary post upto 10 gm is made exempt.
- Services by tour operator to a foreign tourist exempted subject to certain limits.
- Services by way of fumigation in a warehouse of agricultural produce were exempt. Now, this exemption is withdrawn.
- Services by way of slaughtering of animals were exempt. Now, this exemption is withdrawn.
- Services by cord blood banks for preservation of stem cells were exempt. Now, this exemption is withdrawn.

47. Noti 3/2022 CTR dt 13-7-22: Amendments to Noti 11/2017 CTR. Following are some important amendments effective from 18-7-2022:

- Works contract supplied to Government covered by entry (iii) to (vi) and (ix) of Sl No 3 were taxable at 12%. Now, it would be 18%. Some of the important ones covered are –
  - related to historical monuments, canal, dam, pipeline, water treatment, sewerage treatment etc.
  - road, bridges etc, slum development, PM Awas Yojana, Housing for economically weaker sections, funerals, buildings owned by trusts etc.
  - railways.
  - Single residential unit, low cost housing, agricultural godowns, cold storage, etc.
  - Affordable houses,

Thus, in almost all cases, except in respect of offshore works contract relating to oil and gas exploration and production (E&P) in the offshore area beyond 12 nautical miles from the nearest point of the appropriate base line, concessional rate of 12% is withdrawn and uniform rate of 18% is prescribed.

- Earth work including its sub-contract which was taxable at 5% increased to 12%.
- Hotel accommodation upto Rs 1,000 per day was exempt and then upto 7,500 was taxable at 12%. Now, 12% would be applicable right from Re 1 to Rs 7,500.
- Transport of passengers with ropeways would be taxable at 5% without ITC.
- GTA has been given option to pay tax under forward charge at 5% without ITC. Earlier, it was restricted to 12% with ITC. This option would also continue. Supplier has to opt by filing declaration in Annexure V on or before March 15 of preceding financial year. For FY 22-23, such option may be filed upto 16-8-2022.
- Renting of goods vehicle where cost of fuel is included in the consideration would be chargeable at 12%. Thus, where cost of fuel is not included would be chargeable at 18%. As per entry 22 of Noti 12/2017 CTR, services by way of giving on hire to a goods transport agency, a means of transportation of goods is exempt from tax. Thus, if a goods carriage is given to GTA as a means of transportation, it would be exempt.
- Supporting service in transport would be taxable at 18%. It is not clear to me as exactly which services would be covered here.
- Services of job work in relation to processing of hides, skins and leather; manufacture of leather goods or footwear; manufacture of clay bricks were taxable at concessional rate of 5%. This concession is removed. So, it should now be taxable at 12% under entry 26(id).

- GST now levied @ 5% (without ITC) on room rent of hospital (other than ICU, CCU, NICU etc) exceeding Rs 5,000 per day. This is an extremely surprising amendment. It would affect all big hospitals.
48. Office Memorandum dt 6-7-22: Constitution of Group of Ministers (GOM) on Goods and Services Tax Appellate Tribunal (GSTAT).
  49. Cir 176/08/2022 dt 6-7-22: Withdrawal of Circular No. 106/25/2019-GST dated 29-6-2019 wherein certain clarifications were given in relation to rule 95A, inserted in the Central Goods and Services Tax Rules, 2017 w.e.f. 01.07.2019, for refund of taxes paid on inward supply of indigenous goods by retail outlets established at departure area of the international airport beyond immigration counters when supplied to outgoing international tourist against foreign exchange.
  50. Cir 175/07/2022 dt 6-7-22: In order to clarify various issues and procedure for filing of refund claim pertaining to export of electricity, the Board hereby prescribes the procedure for filing and processing of refund of unutilised ITC on account of export of electricity.
  51. Cir 174/06/2022 dt 6-7-22: Prescribes manner of re-credit in electronic credit ledger using GST PMT 03A in case of erroneous refund.
  52. Cir 173/05/2022 dt 6-7-22: Normally, refund under inverted duty structure is not allowed if the commodity is same and there is tax rate difference at different points. It is now clarified that where supply is under some concessional notification, then refund under inverted duty structure would be available even if the commodity is same. However, it would still not be available if output tax is Nil or exempt.
  53. Cir 172/04/2022 dt 6-7-22: Clarification of various issues under GST. Some important points are:
    - Clarifies about certain issues related refund in case of exporters.
    - Perquisites provided by employer to employee in terms of contractual agreement not liable for GST.
    - Important – It is clarified that any payment towards output tax whether self-assessed in the return or payable as a consequence of any proceeding instituted under the provisions of GST laws, can be made by utilisation of amount available in electronic credit ledger of registered person.

54. Cir 171/03/2022 dt 6-7-22: Clarification on demand and penalty in case of fake invoices. It is a welcome circular. Instances and logics given in the circular would have lot of reference value in other cases also.
55. **Cir 170/02/2022 dt 6-7-22: Mandatory furnishing of Correct and Proper information of inter-state supplies and ineligible/ blocked ITC and Reversal thereof in 3B and GSTR 1:**
- Circular expects lot of perfection while furnishing 3B and 1. But there are lot of practical difficulties at our end.
  - Permanent reversals to be reported in 4B(1) of 3B and temporary ones to be reported in 4B(2).
  - Example also given in circular. But it gives Reporting for 4D(1) and (2) as per 3B before amendment. I have doubts about what to be reported 4D(1) [ie “ITC reclaimed which was reversed under Table 4(B)(2) in earlier tax period”] and (2) and whether amount in 4D(1) would get credited to electronic credit ledger.
  - Also, whether amount at 4D(2) [ie “Ineligible ITC under section 16(4) and ITC restricted due to PoS provisions”] would be reduced from electronic credit ledger?
56. Noti 14/2022 CT dt 5-7-22: CGST (Amendment) Rules, 2022. All effective immediately.
- i. Proviso inserted in Rule 21A(4) – If registration is suspended due to non filing of returns, then it would be automatically revoked on filing of pending returns.
  - ii. Rule 48(s) inserted – additional declaration to be given on tax invoice.
  - iii. Rule 86(4B) – If refund erroneously given is paid back with interest and penalty as applicable, then amount can be re-credited by issuing PMT 03A.
  - iv. Rule 87(3) – Payment may also be made by UPI and IMPS.
  - v. Rule 87(14) – Amount in cash ledger of one distinct person can now be transferred to another distinct person with PMT 09, if there is no unpaid liability in transferor’s liability ledger.
  - vi. Rule 88B inserted to prescribe manner of calculating interest on delayed payment of tax.
  - vii. Some important amendments done in GSTR 3B. These would have practical difficulties and stricter accounting. Now, **inter-state sales** to composition dealers and **inter-state** state sales to unregistered persons to be reported separately.
  - viii. Some changes in GSTR 9 also made. Non-GST sales to be reported separately at Table 5F. Nil rated and exempt sales may be shown separately or clubbed at 5D (exempted) **ONLY**.

- ix. 6 digit HSN is compulsory for reporting HSN wise outward supplies at Table 17 if turnover is exceeding Rs 5 crore.
- x. HSN wise inward supplies at Table 18 is optional.
57. Noti 13/2022 CT dt 5-7-22: Time limit for issuance of order u/s 73(9) is 3 years from due date of filing GSTR 9. Accordingly, for FY 17-18, it works out to be 31-1-2023. However, it is extended to 30-9-2023. It also states that period from 1-3-20 to 28-2-22 shall be excluded. So, does it mean that date is extended upto 30-9-25?
- Also, one welcome amendment – period from 1-3-20 to 28-2-22 excluded from calculating limitation for filing refund application u/s 54 or 55. Earlier, very smart and learned officers were not giving benefit on account of SC judgement citing that it is applicable for appeals etc.
58. Noti 12/2022 CT dt 5-7-22: Late fee in respect of GSTR 4 (composition) for FY 21-22 waived till July 28, 2022.
59. Noti 11/2022 CT dt 5-7-22: Due date of filing CMP 08 for quarter ending June 2022 extended from July 18 to July 31, 2022.
60. Noti 10/2022 CT dt 5-7-22: Taxpayers having turnover upto Rs 2 crore exempted from filing annual return in GSTR 9 for FY 21-22 also.
61. Noti 9/2022 CT dt 5-7-2022: Following two sections of Finance Act 2022 made effective:
- Sec 110(c) of Finance Act, 2022 – Sec 49(10) amended so that amount in cash ledger may be transferred between distinct persons.
  - Sec 111 of Finance Act, 2022 - Sec 50(3) amended retrospectively from 1-7-2022 – interest applicable on ITC wrongly availed and utilized.
62. Press release dt 29-6-22: 47<sup>th</sup> GST council meeting was held at Chandigarh and some changes proposed which will be effective from July 18, 2022. Those changes would be covered in respective notifications but some important ones are:
- Rate rationalization (basically increasing rates) of some goods to remove inverted duty structure. Important ones are LED, solar water heater, printing, writing or drawing ink.
  - Refund of accumulated ITC not allowed on **edible oils** and coal.
  - Rates increased on services – Govt works contract increased to 18%, earth work increased to 12%, many job work increased from 5% to 12%.

- No more exemption for storage or warehousing of commodities which attract tax. Hotel accommodation even upto Rs 1000 to be taxed at 12%. Hospital room rent above 5000 would be taxed at 5%.
  - Renting of vehicle with operator for transportation of goods on time basis is taxed at 18% under heading 9966. It would be taxable at 12% if consideration includes cost of fuel also.
  - Sale of land after leveling, laying down of drainage lines etc. is sale of land and does not attract GST.
  - GTA to be given option to pay at 5% or 12% under forward charge.
  - Amendment to Sec 50(3) to be notified wef 1-7-2017.
  - Amdt to Sec 49(10) – transfer of balance in electronic cash ledger between distinct persons to be allowed.
63. Instruction No 3/2022 dt 14-6-2022 – Procedure related to sanction, post audit and review of refund claims: Some important observations are:
- Pre-audit of refund claims not required – Cir 17/17/2017.
  - Speaking order should be passed.
  - Details of case laws relied upon in deciding the matter should be mentioned. This is important to conclude that department officers can and should rely on case laws in other cases also.
  - Certain additional details to be mentioned in the order in case of the refund of accumulated ITC (on account of zero-rated supplies/ inverted rated structure) and refund of IGST paid on account of zero-rated supplies.
  - Certain additional details in case of refund of tax paid in various other cases.
  - All refund orders to be reviewed for examination of legality and propriety. In view of large refund claims, refund claims of Rs 1 lac or more to be reviewed till further instructions.
64. Noti 8/2022 CT dt 7-6-2022: Some e-commerce operators could not file GSTR 8 due to technical reasons. So, for specific GST numbers, interest rate reduced to Nil for certain period. Thus, technical errors are acceptable at department level but not at the level of taxpayer.
65. Noti 7/2022 CT dt 26-5-22: Late fee in respect of GSTR 4 for FY 21-22 waived till Jun 30, 2022.
66. Instruction No 1/2022-23 GST Investigation dt 25-5-2022 – Deposit of tax during search, inspection or investigation should never be forced. Tax may be paid after following due legal process and issuance of order. Strict action to be taken against erring officers.



67. Memo no 362/ GST dt 19-5-2022 issued by Haryana Excise department – taxpayer friendly measures – guidelines issued on 4 issues including for visits by officers without proper authorization.
68. Noti 6/2022 CT dt 17-5-2022: Due date of deposition of tax as per 3B [proviso to Sec 39(7)] for April 2022 extended to May 24, 2022.
69. Noti 5/2022 CT dt 17-5-2022: Due date of filing 3B for April 2022 extended to May 24, 2022.
70. GST Network issued advisory on GSTR 2B issues:

Incomplete GSTR-2B in some cases - regarding.  
15/05/2022

1. It has been noticed that in a few cases, certain records are not reflected in the GSTR-2B statement for the period of April 2022. However, such records are visible in GSTR-2A of such recipients.

2. The technical team is working to resolve this issue for the impacted taxpayers and generate fresh GSTR-2B at the earliest.

3. In the interim, affected taxpayers interested in filing GSTR-3B are requested to file the return on self-assessment basis using GSTR-2A.

Inconvenience caused in this regard is deeply regretted.

Regards,

Team GSTN

71. Noti 4/2022 CT dt 31-3-2022: Wef Apr 1, 2022, following goods added to Noti 14/2019 CT manufacturers of which shall not be eligible for composition. It means persons manufacturing these goods would not be eligible to opt for composition scheme wef 1-4-22:

- Fly ash bricks or fly ash aggregate with 90 per cent. or more fly ash content;  
Fly ash blocks
- Bricks of fossil meals or similar siliceous earths
- Building bricks
- Earthen or roofing tiles.

72. Noti 3/2022 CT dt 31-3-2022: Wef Apr 1, 2022, following goods added to Noti 10/2019 CT for which benefit of not obtaining registration u/s 23(2) is not available. It means persons dealing in these goods would be compulsorily required to obtain registration irrespective of their turnover:

- Fly ash bricks or fly ash aggregate with 90 per cent. or more fly ash content;  
Fly ash blocks

- Bricks of fossil meals or similar siliceous earths
  - Building bricks
  - Earthen or roofing tiles.
73. Noti 2/2022 CTR dt 31-3-22: Normal GST rate on following goods is 12% as per Noti 1/2022 CTR. But, it would be restricted to 6% (in case of intra-state supplies) if ITC is not availed:
- Fly ash bricks or fly ash aggregate with 90 per cent. or more fly ash content;  
Fly ash blocks
  - Bricks of fossil meals or similar siliceous earths
  - Building bricks
  - Earthen or roofing tiles.
74. Noti 1/2022 CTR dt 31-3-22: GST rate on following goods increased from 5% to 12% wef 1-4-22:
- Fly ash bricks or fly ash aggregate with 90 per cent. or more fly ash content;  
Fly ash blocks
  - Bricks of fossil meals or similar siliceous earths
  - Building bricks
  - Earthen or roofing tiles.
75. Instruction No 2/2022 GST dt 22-3-2022: Standard Operating Procedure (SOP) for Scrutiny of Returns for FY 17-18 and FY 18-19.
- a. Normal provisions of law:
- Rule 99 – issuance of ASMT 10 – intimation of discrepancy
  - Reply within time allotted in notice which is not more than 30 days.
  - RP to accept discrepancy and pay and inform proper officer or file reply in ASMT 11.
  - If explanation of RP is accepted, officer to issue ASMT 12.
  - If explanation of RP is not satisfactory or if he fails to pay the accepted amount arising from discrepancy, then officer may initiate action u/s 65, 66 or 67 or determine tax u/s 73 or 74.
- b. Nothing great in SOPs. However, few important points from SOP:
- Point 3.2: In case of changing data, the proper officer shall rely upon the latest available data.
  - Vide Circular No. 3/3/2017 – GST, dated 5.7.2017, "Superintendent of Central Tax" has been assigned the functions as the proper officer in

relation to sub-section (1) and sub-section (3) of section 61 of the CGST Act.

- The proper officer shall conduct scrutiny of returns pertaining to minimum of 3 GSTINs per month.
- For convenience of proper officers, an indicative list of parameters to be verified is enclosed as Annexure B. It may be noted that the said list is only indicative, and not exhaustive.
- As far as possible, scrutiny of returns should have minimal interface between the proper officer and the registered person and, there should normally not be any need for seeking documents/ records from the taxpayers before issuance of FORM GST ASMT-10.
- Needless to mention, for proceeding under section 73 or section 74, monetary limits as specified in Circular No. 31/05/2018-GST dated 9 th February 2018 shall be adhered to.

76. Cir No 169/ 01/ 2022 dt 12-3-2022: This circular is in pursuance to Noti 2/2022 CT regarding change of administrative powers.
77. Noti 2/2022 CT dt 11-3-2022: Administrative powers related to passing of order or decision in respect of notices issued by the officers of Directorate General of Goods and Services Tax Intelligence under sections 67, 73, 74, 76, 122, 125, 127, 129 and 130 of Central Goods and Services Tax Act 2017 (exercisable throughout territory of India) have been delegated to few Principal Commissioners/ Commissioners.
78. Press release dt 8-3-22: Delhi Government issues guidelines for unblocking of ITC after one year as per Rule 86A(3).
79. Noti 1/2022 CT dt 24-2-22: Wef 1-4-2022, e-invoice as per Rule 48(4) shall be applicable if aggregate turnover in any preceding year from 17-18 exceeds Rs 20 crore.
80. Instruction No 1/2022 dt 7-1-22: Guidelines for recovery of self assessed tax as per Sec 75(12). An opportunity of being heard be given where liability as per GSTR 1 is more than that as per 3B.

### **III. Imp updates in Maha GST, MVAT, CST and Prof tax: Updated upto Jan 31, 2023**

1. Maharashtra Settlement of Arrears of Tax, Interest, Penalty or Late Fee Act, 2022 (Mah. Act No. XXIX of 2022) dt 28-3-2022:

Settlement scheme under VAT, CST, BST etc has come for the period from Apr 1, 2022 to Sep 30, 2022. Scheme details have been separately covered under paper presentations.

2. Noti No PFT 1222/ CR 8/ Taxation 3 dt 25-2-2022: Late fee waiver for PTRC returns who could not file due to technical difficulties of the automation system of the Maharashtra GST department. No late fees for any period upto March 2022 if return is filed upto May 31, 2022 and tax, interest is paid before filing of the return.
3. Noti No PFT 1222 dt 25-2-2022: Late fee waiver for PTRC returns who could not file due to Covid 19. No late fees for any period upto Dec 2021 if return is filed upto Mar 31, 2022 and tax, interest is paid before filing of the return..

#### **IV. Companies Act and LLP: Updated upto Jan 31, 2023:**

Covered only those amendments which are considered as important for our practice.

1. Noti GSR 235( E) dt 31-3-2022: MCA extends date for implementing audit trail in accounting software from FY 2022-23 to FY 2023-24.

*Disclaimer:*

*All efforts have been made to ensure correctness of data. However, readers are advised to confirm from their own sources also. Above updates are mainly confined to the general needs of clients associated with our office. Interpretations given above are our personal opinions at M/s Umesh Agrawal and Associates. We are not responsible for any loss arising due to the above information.*