

Thinking Beyond

The Academy's Monthly Newsletter

A knowledge sharing initiative

June 2023



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Hiregange Academy
1010, 26th Main, Above Union Bank of India,
Jayanagar 4th T Block, Bengaluru KA 560041



vignesh.p@hiregangeacademy.com,
chandana@hiregangeacademy.com,
divyashree@hiregangeacademy.com

GST Pre-Audit Advantages & Other Updates



CA Akshay M Hiregange

They say, 'A good doctor cures the disease, but a great doctor cures the cause'. Identifying the root cause of non-compliance and putting in place controls and checkpoints is key to the growth and sustainability of any organization. In this article we focus on certain advantages taxpayers can obtain through pre-departmental audits conducted by competent professionals.

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Legal Updates – May 2023

- Rectification of FORM GSTR-1 is allowed in cases of inadvertent mistake
- Taxability of the game of Skill and game of chances
- Service Tax not leviable on user development fees collected by Airport authority, being a statutory levy
- GST Registration cannot be cancelled with effect from retrospective date
- Unsigned scanned copy of declaration uploaded with RFD-01 is not an “Illegality”
- Notices u/s 61 not mandatory before initiation of proceedings u/s 74
- Writ Petition filed before receiving order is premature
- Invoice in physical form is necessary along with e-way bill during movement of goods
- Appeal cannot be dismissed on the ground of not uploading self-Certified copy of Order-in original
- Whether the Sales tax/VAT is leviable on credit notes issued to the dealers for replacement of the defective parts under warranty
- GST Registration cannot be cancelled for reasons other than as mentioned u/s 29(2) of the CGST Act
- The pre-import condition for availing exemption benefit is not arbitrary, unreasonable, or unconstitutional
- Waiver of pre-deposit as per Section 129E of the Customs Act, 1962 in case of the financial hardship being the only exception

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Sl. No	Functionality	Particulars
1	<u>Advisory: Online Compliance Pertaining to Liability / Difference Appearing in R1 – R3B (DRC-01B)</u>	<ol style="list-style-type: none"> 1. It is informed that GSTN has developed a functionality to enable the taxpayer to explain the difference in GSTR-1 & 3B return online as directed by the GST Council. This feature is now live on the GST portal. 2. The functionality compares the liability declared in GSTR-1/IFF with the liability paid in GSTR-3B/3BQ for each return period. If the declared liability exceeds the paid liability by a predefined limit or the percentage difference exceeds the configurable threshold, taxpayer will receive an intimation in the form of DRC-01B. 3. To further help taxpayers with the functionality, a detailed manual containing the navigation details is available on the GST portal. It offers step-by-step instructions and addresses various scenarios related to the functionality. The link is stated below: https://tutorial.gst.gov.in/return_compliance_in_form_drc_01b.pdf
2	<u>Advisory: Update on Enablement Status for Taxpayers for e-Invoicing</u>	<ol style="list-style-type: none"> 1. It is to inform that as per Notification No. 10/2023 - Central Tax dated 10th May 2023, the threshold for e-Invoicing for B2B transactions has been lowered from 10 crores to 5 crores. This change will be applicable from 1st August 2023. 2. To this effect GSTN has enabled all eligible taxpayers with an Aggregate Annual Turnover (AATO) 5 crores and above as per GSTN records in any preceding financial year for e-Invoicing. These taxpayers are now enabled on all six IRP portals including NIC-IRP for e-Invoice reporting. 3. You can check your enablement status on the e-Invoice portal at https://einvoice.gst.gov.in.
3	<u>E-Invoice Verifier App by GSTN - Advisory</u>	The E-Invoice Verifier App developed by GSTN, has been introduced which offers a convenient solution for verifying e-Invoices and other related details. GSTN understands the importance of efficient and accurate e-invoice verification, and this app aims to simplify the process for taxpayers' convenience.

Customs	
Circulars	
Circulars No. and Date of issue	Subject
14/2023-Customs, Dated- 03-06-2023	<p>Electronic Repairs Services Outsourcing (ERSO) – initiation of pilot at ACC Bengaluru- reg.</p> <p><u>Summary:</u> Govt lunched a pilot program for the electronics repair services outsourcing industry as on 31-05-2023. The program will start in Bengaluru and run for 3 months on a trial basis. CBIC relaxing customs and e-waste rules. Therefor this circular address Few aspects of the Customs procedure for import and re-export via the Customs Station at Air Cargo Complex, Bengaluru. <u>Read more:</u></p>
15/2023-Customs, Dated- 07-06-2023	<p>Mandatory additional qualifiers in import/export declarations in respect of certain products w.e.f. 1.7.2023 -reg</p> <p><u>Summary:</u> Mandatory additional qualifiers were added for purposes of import/ export declarations under specified chapters. These additional qualifiers were made mandatory for all Bills of entry/ Shipping bills filed on or after July 01, 2023. Such additional declaration is-</p> <p>Imports: - Declaration of IUPAC name and CAS number of the constituent chemicals.</p> <p>Export: - a) Declaration of the name of the medicinal plant, for exports of parts of plant, b) Declaration of the name of the formulation, for exports of formulations of different streams of medicine, c) Declaration of the surface material that comes into contact with the chemical, for exports of various products. <u>Read more:</u></p>

Customs	
Circulars	
Circulars No. and Date of issue	Subject
16/2023-Customs, Dated- 07-06-2023	<p>Implementation of Honourable Supreme Court direction in judgement dated 28.04.2023 in matter of Civil Appeal No. 290 of 2023 relating to pre-import condition.</p> <p><u>Summary:</u> Hon'ble Supreme Court has allowed the appeal of Revenue directed against a judgement and order of the Hon'ble Gujarat High Court which had set aside the said mandatory fulfilment of the pre-import condition. (Imports under Advance authorization). While allowing the appeal of Revenue, the Hon'ble Supreme Court has however directed the Revenue to permit claim of refund or input credit (whichever is applicable and/or wherever customs duty was paid). For the sake of convenience, the revenue shall direct the appropriate procedure to be followed, conveniently, through this circular in this regard. Read more</p>
17/2023-Customs, Dated- 15-06-2023	<p>Simplified regulatory framework for e-commerce exports of Jewellery through Courier mode.</p> <p><u>Summary:</u> Circular No. 09/2022-Customs dated 30.06.2022 which provides a simplified regulatory framework for e-commerce export of jewellery through courier mode. Further, simplification in the procedures in cases where an exporter does not opt to avail the facility of re-import of the exported jewellery. Read more</p>

Customs	
Circulars	
Circulars No. and Date of issue	Subject
18/2023-Customs, Dated- 30-06-2023	<p>Mandatory additional qualifiers in import/export declarations in respect of certain products w.e.f. 1.7.2023 -reg</p> <p><u>Summary:</u> The due date for mandatory declaration of additional qualifiers in import/export declarations as prescribed in above Circular no. 15/2023-Customs dated 07.06.2023 is extended from 01.07.2023 to 01.10.2023.</p> <p><u>Read more</u></p>

Customs- Tariff	
Notifications	
Notification No. and Date of issue	Subject
39/2023-Customs Dated- 14-06-2023	<p>Seeks to further amend 48/2021-Customs dated 14.06.2023 to reduce BCD on Refined Soya Bean Oil and Refined Sunflower oil to 12.5%.</p> <p><u>Summary:</u> - Govt reduces BCD on Refined Soya Bean Oil & Sunflower oil to 12.5% from 17.5% <u>Read more</u></p>

One day seminar on “How to Face Department Audit”

Date : 11th June 2023 - Tuesday

Time: 9.30 am to 5.30 pm.

Venue: The Chancery Pavilion, #135, Residency Road, Bangalore - 560 025,
India (Location link: <https://maps.app.goo.gl/5Smhf1nSzqKywiih7>)

For registration [click here](#)



AUDIT

Hiregange Academy
www.hiregangeacademy.com

ONE DAY SEMINAR ON
**HOW TO FACE
GST DEPARTMENT AUDIT**

11 July 2023,
Tuesday

9.30 - 5.30
AM PM

The Chancery Pavilion,
135, Residency Rd, Shanthala Nagar, Ashok
Nagar, Bengaluru

Registration Fees -
₹1,500/-

THE SPEAKERS



CA Akbar Basha



CA Roopa Nayak



CA Mahadev R



CA Akshay M Hiregange



Adv Venkatanarayana GM

FOR ANY QUERIES
8951893203 - VIGNESH, 9620116163 - DIVYASHREE M.R
vignesh.p@hiregangeacademy.com | chandana@hiregangeacademy.com

**Registration
Now**
To register, please fill the
registration form

www.hiregangeacademy.com

Seminar Schedule

Timings	Topics	Speaker
9.30am to 10.15am	Approach towards GST Department Audit	CA Roopa Nayak
10.15am to 10.30am	Break	
10.30am to 11.30pm	Value Addition in Pre-Audit Reviews	CA Mahadev R
11.30am to 12.45pm	Reading Financial Statements & Impact in GST	CA Akshay M Hiregange
12.45pm to 2pm	Lunch Break	
2.00pm to 2.45pm	Common Issues in GST Audit for Exporters	Adv. Venkatanarayana GM
2.45pm to 4pm	Common Issues in Department Audit	CA Roopa Nayak
4pm to 4.15pm	Break	
4.15pm to 5.30pm	How to reply notices for GST Departmental Audit including ASMT-10	CA Akbar Basha

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Upcoming Activities

GST Grandmasters Virtual Series

SIX-DAY PROGRAMME DRILL

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- Engaging lectures
- Real-life case studies
- Interactive discussions
- Technical advice
- Practical knowledge



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RS. 2,500 (TAXES EXTRA)

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Ms. Kalpana Karthikeyan (Head - Business Development, Taxsutra)
+91 9820047188

In case of any queries, kindly email us at trainings@taxsutra.com

Taxsutra and Hiregange Academy Present "6 Part GST Grandmasters Virtual Series"

Date: **14th July, 2023** onwards.

For Registration

[Click here](#)



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GST GRANDMASTERS & EXPERTS



GST GRANDMASTERS








SENIOR ADVOCATE N. VENKATARAMAN, ADDITIONAL SOLICITOR GENERAL (ASG)

CA MADHUKAR N HIREGANGE

SENIOR ADVOCATE V RAGHURAMAN

SENIOR ADVOCATE TARUN GULATI

CA ASHOK BATRA

DR. (ADV.) AVINASH PODDAR

ESTEEMED EXPERTS







CA RAVI KUMAR SOMANI
(Partner, H N A & Co LLP)

CA VIKRAM KATARIYA
(Partner, H N A & Co LLP)

CA ASHISH CHAUDHARY
(Partner, H N A & Co LLP)

ADVOCATE ANIL BEZAWADA
(Partner, HNA Law Chambers)

ADVOCATE ABHAY DESAI
(Founder, Desai Legal - Advocates & Solicitors)



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DETAILED COURSE OUTLINE



- 01. Administration of GST law – Powers of various officers, Board – Division of roles between Centre & States**

Friday, July 14 5:30 PM to 7:00 PM
- 02. Departmental audit under s.65**

Saturday, July 15 9:30 AM to 11:30 AM
- 03. Common Parameters & reconciliation based notices issued in ASMT 10 – Precautions to be taken while filing monthly returns, Annual Returns**

Sunday, July 16 9:30 AM to 11:30 AM
- 04. Framing of issues for show cause notice replies**

Friday, July 21 5:30 PM to 7:30 PM
- 05. Appeals and alternate remedies**

Saturday, July 22 9:30 AM to 11:30 AM
- 06. Inspection-search under s.67**

Sunday, July 23 9:30 AM to 11:30 AM



REGISTRATION FEES -
RS. 2,500 (TAXES EXTRA)

REGISTER NOW

Ms. Kalpana Karthikeyan (Head - Business Development, Taxsutra)
+91 9820047188

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For more information on training programs conducted by us,
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or you may reach us via email (given below)/ring us up at
9620116163

Hiregange Academy
1010, 26th Main, Above Union Bank of India,
Jayanagar 4th T Block, Bengaluru KA 560041

info@hiregangeacademy.com, vignesh.p@hiregangeacademy.com,
chandana@hiregangeacademy.com, divyashree@hiregangeacademy.com