



**Hiregange  
Academy**

*Empowering Knowledge & Employability*

# Thinking Beyond

The Academy's Monthly Newsletter

**JULY 2022**

**A KNOWLEDGE SHARING INITIATIVE**



**Hiregange Academy**

**A Division of Empower Education Foundation (Regd.)**

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# GST impact on Duty Free Shops

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CA. Mahadev. R

## Introduction:

After the 47th GST council meeting, amendments have been made in GST provisions to allow the refund of GST paid on procurement of goods and services treating supplies made by duty free shops (DFS) at airports as 'zero rated supply'. A welcome move which would address the issues of DFS supplying goods to outbound international passengers such as accumulation of ITC of GST paid on input services and capital goods.

Efforts have been made in this article to understand the circumstances which could have led to these changes and possible course of action by DFS. [Read more.](#)

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# Changes proposed in disclosure of ITC in Table 4 of GSTR-3B

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CA. Akshay M. Hiregange

## Introduction:

After the introduction of GSTR-2B and auto population of figures in GSTR-3B, there has been greater accountability on the taxpayer to ensure that ITC has been claimed only for those invoices which are furnished by suppliers in their GSTR-1 are claimed as ITC. However, there were additional associated challenges faced by the trade, such as time gap in claiming ITC (goods in transit, goods in quality control, delays in accounting etc.) resulting in spike or reduction in claim of ITC [Read more.](#)



CA. Nikita Maheshwari

# Pre-packaged and labelled items taxable from 18th July 2022 - Answers to your 40 important questions



CA. Ashish Chaudhary



CA. Bhavesh Mittal

## Background:

GST liability on pre-packaged and labelled commodity has been subject matter of discussion and diverse interpretation among the trade and professional last week on account of ambiguity in possible interpretation of various clauses especially due to interplay between Legal metrology Rules (LMR) and GST Notification There was need of quick clarifications on various issues surrounding this considering the wider ramifications of such amendments on the mass of the Country. [Read more.](#)

# Shock Treatment to Healthcare Sector – GST on Room Rent (Other than ICU) in Excess of Rs.5,000/-

## Introduction:

The healthcare sector has been hardly subjected to indirect taxes on their services, considering its importance and the object of reducing the cost of healthcare services. The imposition of taxes on healthcare services could have a direct impact on the public at large in the form of the increased cost of treatment. However, the relaxation/exemption has not been provided to such cosmetic treatments considering they are primarily for the enhancement of beauty (considered as a luxury) and not strictly a necessity.

[Read more.](#)



CA. Vikram Katariya

# Eligibility of ITC on Employer Obligatory Services



Saikrishna D

## Introduction:

It has been 5 years since the inception of GST law. GST appears to have addressed many distortions & imperfections of previous tax regime. However, from the beginning, number of GST circulars have been issued to address plethora of clarifications sought by taxpayers/professional bodies to remove confusion in interpretation of GST provisions

One such confusion is on a proviso after sub-clause (iii) of clause (b) of sub-section (5) of section 17 of the CGST Act, gets to an end with GST Circular no. 172/04/2022 dated 06.07.2022. As per the clarifications given in the circular in point no. [Read more](#)

# Outward Supply additional disclosures in Form GSTR-3B



CA. Akshay M. Hiregange

## Introduction:

In order to accommodate new changes in the law and new disclosure requirements, the present GSTR-3B may see some changes soon, as specifically mentioned in the press release of the 47th council meeting. A revised GSTR-3B form may be put up in the public forum for comments and suggestions.

However, seeing that the process to revamp GSTR-3B may be tedious and time consuming, some changes in the Form have been introduced w.e.f 5th July 2022 vide NN 14/2022-CT along with clarity provided through Circular No. 170/02/2022-GST dated 6th July 2022. [Read more](#)



CA. Nikita Maheshwari

# 40 Practical FAQs on Changes Impacting Healthcare Sector



CA. Vikram Katariya



Adv. Lavanya P.R

## Introduction:

The healthcare sector has been hardly subjected to indirect taxes on their services, considering its importance and the object of reducing the cost of healthcare services. The imposition of taxes on healthcare services could have a direct impact on the public at large in the form of the increased cost of treatment. However, the relaxation/exemption has not been provided to such cosmetic treatments considering they are primarily for the enhancement of beauty (considered as a luxury) and not strictly a necessity.

[Read more](#)

## Computation of Interest on Delayed Payment Tax



CA. Vasant K Bhat

## Introduction:

The interest is payable whenever there is delay in the payment of any tax. The tax, interest and penalty are different in nature. The Hon Supreme Court in the case of Pratibha Processors v. Union of India<sup>1</sup> held that the tax is the amount payable as a result of the charging provision. It is a compulsory exaction of money by a public authority for public purposes, the payment of which is enforce by law. Penalty is ordinarily levied on an assessee for some contumacious conduct or for a deliberate violation of the provisions of the particular statute. [Read more](#)

# Supply of Duty Credit Scrips- Impact on Input Tax Credit



CA. Rajesh Maddi

## Introduction:

Duty Credit Scrip (DCS) is an incentive scheme which is an export promotion benefit offered by the Government of India under the Foreign Trade Policy (FTP) 2015. Under the FTP 2015-20, MEIS/SEIS/RoDTEP Schemes intends to incentivize exports of goods manufactured in India or produced in India or exported from India. The duty credit scrips can be utilized to pay customs duties on import of inputs or goods, safeguard duty, anti-dumping duty and any other customs duty under FTP 2015-20.

It cannot be utilized for payment of GST. Scrips can be freely traded and transferable i.e., Exporters who are able to use the same for their own consumption use the same and exporters who are not able to use for their own consumption, can sell the same to another person [Read more...](#)

## Gig Economy: The way Forward



CA. Nikhilesh Tiriveedhi

## Introduction:

It's Interesting to note that the term "gig," which is now widely used, has its origins in the music industry.

As Forbes has dubbed it, the gig economy or urbanization of labor. The early years of the twenty- first century saw the onset of the Global Financial Crisis. Where a lot of people who lost, their employment began gigging to make a living out of it.

The gig economy, which can be further divided into people who have multiple jobs or people who have nonstandard jobs like online platform works, Contractors, on-call works, and temporary workers who are outside the traditional employer-employee relationship, is a free-market environment in which

anyone can work under alternative work agreements for short periods of time. The future of the employment will be redefined, according to the consulting organizations like McKenzie and Deloitte who have been making these predictions for many years. [Read more...](#)

# GST on E-Commerce Transaction



Shabina Nishat

## Introduction:

Typical e-commerce transactions include the purchase of products (such as books from Amazon) or services (such as music downloads in the form of digital distribution such as iTunes Store). There are three areas of e-commerce: online retailing, electronic markets, and online auctions. E-commerce is supported by electronic business.

The existence value of e-commerce is to allow consumers to shop online and pay online through the Internet, saving the time and space of customers and enterprises, greatly improving transaction efficiency, especially for busy office workers, but also saving a lot of valuable time. [Read more](#)

# Search & Seizure – An Overview



Ashis Chowdhury

## Introduction:

In any tax administration, the provisions for search and seizure are provided to protect the interest of genuine taxpayers as the tax evaders can get an unfair advantage over them. These provisions are also required to safeguard and protect interest of revenue. It may be mentioned that the option of search and seizure should be exercised only in exceptional circumstances and as a last resort.

Thus, in order to ensure the proper and effective implementation of these provisions along with the protection of the interest of the genuine taxpayers, the procedure of search and seizure can only be carried out by the Proper officer (having rank of Joint Commissioner or above) only when he has 'reasons to believe' regarding the existence of such exceptional circumstances. [Read more](#)

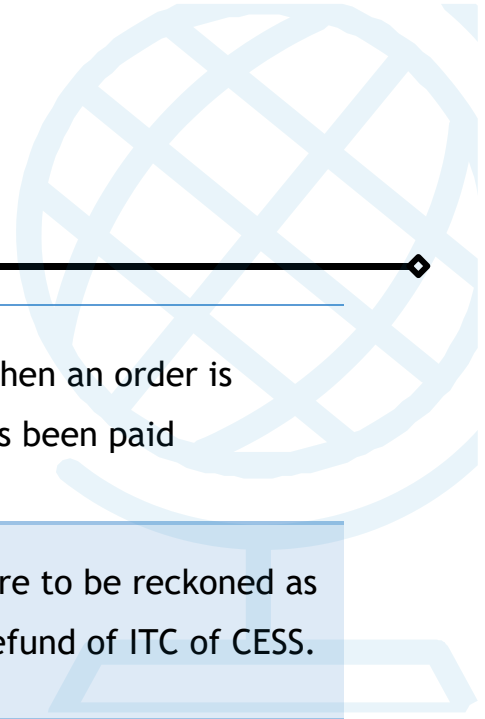
# ICAI Announcements

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1. [Announcement by CL&CGC ICAI regarding Registration of Professional Staff Member as Business User in V3 MCA 21 - \(03-06-2022\)](#)
2. [Awareness on Upgradation of Registered users in V2 to Business User in V3 MCA 21 by CL&CGC ICAI - \(03-06-2022\)](#)
3. [Extension of due date for filing of Form CSR-2 for FY 2020-21 till 30th June, 2022 and requirement of separate filing of Form CSR-2 for FY 2021-22 on or before 31st March, 2023 - \(03-06-2022\)](#)
4. [Announcement - Proposed Scheme of Education and Training - \(04-06-2022\)](#)
5. [Announcement by CL&CGC regarding Amendment in Companies \(Removal of Names of Companies from the Register of Companies\) Rules, 2016. - \(10-06-2022\)](#)



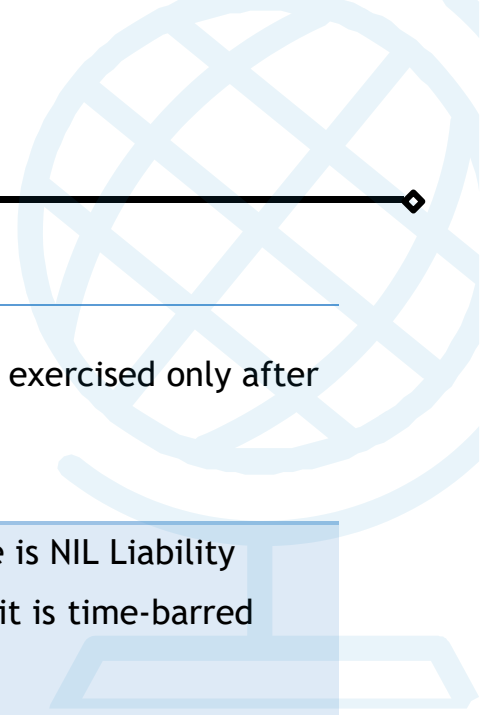
# Legal Updates



1	Recovery proceedings shall be deemed to be stayed when an order is under appeal and the required pre-deposit amount has been paid
2	Domestic supply of goods attracting NIL rate of Cess are to be reckoned as exempted supplies for the purpose of calculation of refund of ITC of CESS.
3	Person who may not be Importer or Exporter, can prefer settlement application if he is served with show cause notice charging him with duty.
4	Where it is feasible to allow the assessee to file its revised or re-revised Tran-1 return an attempt for allowing the same by the department should be made
5	Bail granted in the matter of Fake ITC citing no criminal history and no link to illicit transactions
6	The writ petition cannot be admitted when there is an alternative remedy
7	The power u/s 129(3) given to the authority to issue the order within seven days of the issuance of the notice should not become a burden to the RTP
8	Exemption is eligible only if the services provided to Governmental Authority etc., are directly in relation to services under Schedule XII of the Constitution

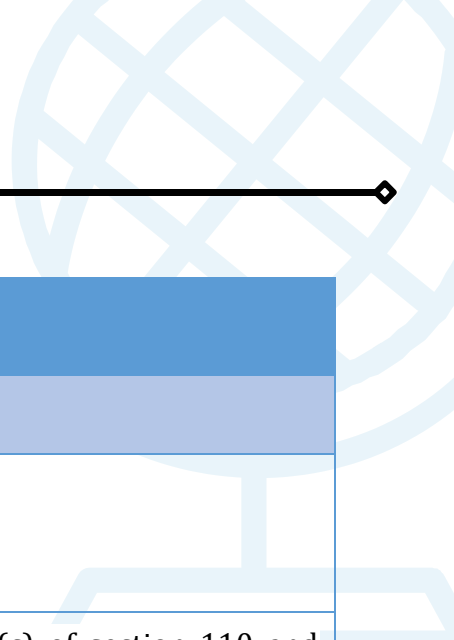
# Legal Updates

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9	The power under Rule 86A of CGST Rules, 2017 can be exercised only after recording specific reasons to believe.
10	Application for Refund of Service tax paid where there is NIL Liability cannot be rejected under GST law on the ground that it is time-barred under Central Excise Act, 1944

To read more, [click here.](#)



GST		
Notifications-Central Tax		
Notification No. and Date of issue		Subject
09/2022-Central dated 05.07.2022	Tax,	Seeks to notify the provisions of clause (c) of section 110 and section 111 of the Finance Act, 2022. <b><u>Read more:</u></b>
10/2022-Central dated 05.07.2022	Tax,	Seeks to exempt taxpayers having AATO upto Rs. 2 crores from the requirement of furnishing annual return for FY 2021-22 <b><u>Read more:</u></b>
11/2022-Central dated 05.07.2022	Tax,	Seeks to extend due date of furnishing FORM GST CMP-08 for the quarter ending June, 2022 till 31.07.2022. <b><u>Read more:</u></b>
12/2022-Central dated 05.07.2022	Tax,	Seeks to extend the waiver of late fee for delay in filing FORM GSTR-4 for FY 2021-22. <b><u>Read more:</u></b>
13/2022-Central dated 05.07.2022	Tax,	Seeks to extend dates of specified compliances in exercise of powers under section 168A of CGST Act. <b><u>Read more:</u></b>
14/2022-Central dated 05.07.2022	Tax,	Seeks to make amendments (First Amendment, 2022) to the CGST Rules, 2017. <b><u>Read more:</u></b>
15/2022-Central dated 13.07.2022	Tax,	Seeks to amend notification No. 10/2019- Central Tax. <b><u>Read more:</u></b>
16/2022-Central dated 13.07.2022	Tax,	Seeks to amend notification No. 14/2019- Central Tax. <b><u>Read more:</u></b>

# GST

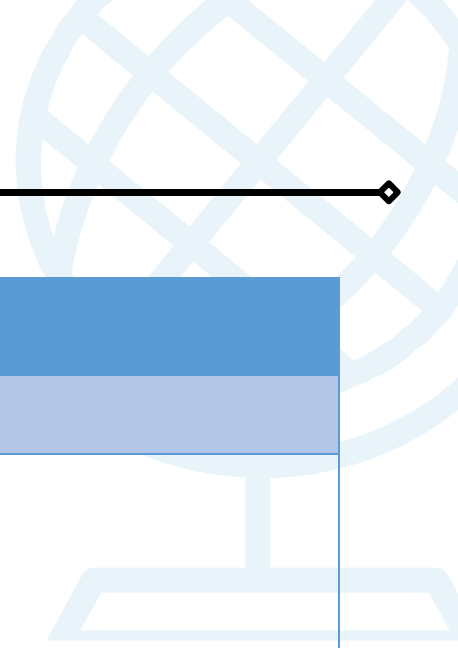
## Notifications-Central Tax (Rate)

<b>Notification No. and Date of issue</b>	<b>Subject</b>
03/2022-Central Tax (Rate), dated 13.07.2022	Seeks to amend Notification No 11/2017- Central Tax (Rate) dated 28.06.2017. <b><u>Read more:</u></b>
04/2022-Central Tax (Rate), dated 13.07.2022	Seeks to amend Notification No 12/2017- Central Tax (Rate) dated 28.06.2017. <b><u>Read more:</u></b>
05/2022-Central Tax (Rate), dated 13.07.2022	Seeks to amend Notification No 13/2017- Central Tax (Rate) dated 28.06.2017. <b><u>Read more:</u></b>
06/2022-Central Tax (Rate), dated 13.07.2022	Seeks to amend notification No. 1/2017- Central Tax (Rate). <b><u>Read more:</u></b>
07/2022-Central Tax (Rate), dated 13.07.2022	Seeks to amend notification No. 2/2017- Central Tax (Rate). <b><u>Read more:</u></b>
08/2022-Central Tax (Rate), dated 13.07.2022	Seeks to amend notification No. 3/2017- Central Tax (Rate). <b><u>Read more:</u></b>
09/2022-Central Tax (Rate), dated 13.07.2022	Seeks to amend notification No. 5/2017- Central Tax (Rate). <b><u>Read more:</u></b>
10/2022-Central Tax (Rate), dated 13.07.2022	Seeks to amend notification No. 2/2022- Central Tax (Rate). <b><u>Read more:</u></b>
11/2022-Central Tax (Rate), dated 13.07.2022	Rescinds notification No. 45/2017- Central Tax (Rate). <b><u>Read more:</u></b>

# GST

## Circulars

Circular No. and Date of issue	Subject
170/02/2022-GST, dated 06.07.2022	Mandatory furnishing of correct and proper information of inter-State supplies and amount of ineligible/blocked Input Tax Credit and reversal thereof in return in FORM GSTR-3B and statement in FORM GSTR-1. <b><u>Read more:</u></b>
171/02/2022-GST, dated 06.07.2022	Clarification on various issues relating to applicability of demand and penalty provisions under the Central Goods and Services Tax Act, 2017 in respect of transactions involving fake invoices. <b><u>Read more:</u></b>
172/02/2022-GST, dated 06.07.2022	Clarification on various issue pertaining to GST. <b><u>Read more:</u></b>
173/02/2022-GST, dated 06.07.2022	Clarification on issue of claiming refund under inverted duty structure where the supplier is supplying goods under some concessional notification. <b><u>Read more:</u></b>
174/02/2022-GST, dated 06.07.2022	Prescribing manner of re-credit in electronic credit ledger using FORM GST PMT-03A. <b><u>Read more:</u></b>
175/02/2022-GST, dated 06.07.2022	Manner of filing refund of unutilized ITC on account of export of electricity. <b><u>Read more:</u></b>
176/02/2022-GST, dated 06.07.2022	Withdrawal of Circular No. 106/25/2019-GST dated 29.06.2019. <b><u>Read more:</u></b>



Customs- Tariff	
Notifications	
Notification No. and Date of issue	Subject
37/2022 - Customs, dt. 30-06-2022	Seeks to continue the exemption from Integrated Tax and Compensation Cess on goods imported under AA/EPCG/EOU Schemes. <a href="#">Read more:</a>
38/2022 - Customs, dt. 04-07-2022	Seeks to extend the exemption from BCD and AIDC upon import of Raw Cotton. <a href="#">Read more:</a>
39/2022 - Customs, dt. 12-07-2022	Seeks to amend notification No. 50/2017-Customs with respect to the tariff heading referring to the open cells for use in manufacture of TV Panels of heading 8524. <a href="#">Read more:</a>
40/2022 - Customs, dt. 13-07-2022	Seeks to amend notification No. 50/2017-Customs for DEC tablet and S. No. 404 Petrol operations. <a href="#">Read more:</a>
41/2022 - Customs, dt. 13-07-2022	Seeks to amend notification No. 19/2019-Customs for defence related imports. <a href="#">Read more:</a>
42/2022 - Customs, dt. 13-07-2022	Seeks to amend notification No. 51/96-Customs for withdrawing IGST exemption. <a href="#">Read more:</a>
43/2022 - Customs, dt. 20-07-2022	Seeks to amend notification No. 22/2022-Customs, dated 30.04.2022 to enable TRQ holders to import gold through IIBX under TRQ mechanism of India-UAE CEPA. <a href="#">Read more:</a>
44/2022 - Customs, dt. 23-07-2022	Seeks to amend notification No. 49/2021 - Customs, dated 13.10.2021, in order to extend the concessional Agriculture Infrastructure and Development Cess [AIDC] of Nil on Lentils (Mosur) up to and inclusive of the 31st March, 2023. <a href="#">Read more:</a>

## Customs- Non-Tariff

### Notifications

Notification No. and Date of issue	Subject
55/2022-Cus (NT), dt. 30/06/2022	Fixation of Tariff Value of Edible Oils, Brass Scrap, Areca Nut, Gold and Silver- Reg. <a href="#">Read more:</a>
56/2022-Cus (NT), dt. 30/06/2022	Seeks to amend Sea Cargo Manifest and Transshipment Regulations 2018. <a href="#">Read more:</a>
57/2022-Cus (NT), dt. 30/06/2022	Courier Imports and Exports (Electronic Declaration and Processing), Amendment, Regulations, 2022 for facilitating E-commerce exports of jewellery-Reg. <a href="#">Read more:</a>
58/2022-Cus (NT), dt. 07/07/2022	Exchange rate Notification No.58/2022-Cus (NT) dated 07.07.2022-reg. <a href="#">Read more:</a>
59/2022-Cus (NT), dt. 12/07/2022	Publication of Controlled Delivery (Customs) Regulations 2022-reg. <a href="#">Read more:</a>
60/2022-Cus (NT), dt. 13/07/2022	Fixation of Tariff Value of Edible Oils, Brass Scrap, Areca Nut, Gold and Silver- regarding. <a href="#">Read more:</a>
61/2022-Cus (NT), dt. 14/07/2022	Amendment of Proper Officer Notification No,26/2022-Customs (NT) dated 31.03.2022. <a href="#">Read more:</a>
62/2022-Cus (NT), dt. 13/07/2022	Fixation of Tariff Value of Edible Oils, Brass Scrap, Areca Nut, Gold and Silver- Reg. <a href="#">Read more:</a>
63/2022-Cus (NT), dt. 20/07/2022	To amend the Customs Authority for Advance Rulings Regulations, 2021 issued vide notification 01/2021 – Customs (N.T.) dated 04.01.2021. <a href="#">Read more:</a>
64/2022-Cus (NT), dt. 21/07/2022	Exchange rate Notification No.64/2022-Cus (NT) dated 21.07.2022-reg. <a href="#">Read more:</a>

# **GST SAAR Tax Series- June 2022: Dissecting the Major Outcome of 47th GST Council Meeting**

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Speaker: CA Bhavesh Mittal

The video aims to provide a clear and simple understanding of the 47<sup>th</sup> GST Council Meeting which includes dissecting the major outcomes and changes in GST.

This video is a part of the GST SAAR Tax series - a monthly GST briefing, dedicated towards knowledge enhancement and updation of my countrymen.

**Link of the video has been attached for your reference:**

<https://youtu.be/3u9R46-rSh8>



# Congratulations Sanjay Loharkar



Mr. Sanjay Loharkar of Hiregange & Associates LLP has brought laurel to the firm by winning the “GST Paper Presentation Contest” at National Conference held on 16<sup>th</sup> and 17<sup>th</sup> July 2022 by Students Skills Enrichment Board (Board of Studies - Operations) ICAI, on the topic "How to Interpret Various Terms under GST".



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