

# GST & CORPORATE TAX

## WEEKLY NEWSLETTER



Presented by  
**CA JAY BOHRA**



### The week that was...

- ✓ On the completion of 4 years of GST, CBIC to issue certificates of appreciation to honour contributions of taxpayers
- ✓ Applicability of Dynamic QR Code provisions for B2C invoices extended to October 1, 2021
- ✓ Last date for modification of IEC (Import Export Code) extended up to July 31, 2021
- ✓ CBIC notifies exchange rates effective from July 2, 2021 for import and export of goods
- ✓ The GSTN introduced a functionality to register complaint regarding misuse of PAN for obtaining GST registration
- ✓ CBIC issues requirement of COVID-19 testing in live animals before importing into India
- ✓ Custom duty on Crude Palm Oil reduced by 5% & Refined Palm Oil by 8% to bring down retail prices of edible oil in market
- ✓ Last date of filing Quarterly/Annual Performance Reports by SEZ units/EOUs/Developers extended to December 31, 2021
- ✓ CBDT issues guidelines for TDS deduction on purchase of goods from resident seller u/s 194Q of Income-tax Act, 1961 effective from July 1, 2021 vide Circular No. 13 of 2021 dated June 30, 2021
- ✓ New e-Filing portal i.e. [www.incometax.gov.in](http://www.incometax.gov.in) designated as web portal for Faceless Assessment & Penalty
- ✓ India joins OECD/G20 Inclusive Framework tax deal containing an outline of a consensus solution to address the tax challenges arising from the digitalization of the economy
- ✓ Due date to file certain forms under Companies Act, 2013 and LLP Act, 2008 extended till August 31, 2021
- ✓ Government announces inclusion of Retail and Wholesale trades as MSMEs

### Important Judgements:

#### GST : No Reversal of ITC on Loss of Inputs during a Manufacturing Process

The Hon'ble Madras High Court in the case of *ARS Steels & Alloy International (P.) Ltd.\** held that reversal of ITC u/s 17(5)(h) by the revenue, in cases of loss by consumption of input which is inherent to manufacturing loss is misconceived, as such loss is not contemplated or covered by the situations adumbrated under Section 17(5)(h)

\* 2021-TIOL-1393-HC-MAD-GST

#### IT : Profit from Sale of shares from investment portfolio taxable as 'Capital Gains' and not as 'Business Income'

The Hon'ble ITAT, Ahmedabad in *Swatiben Anilbhai Shah v. DCIT\*\** held that where assessee purchased shares and recorded same in investment portfolio and frequency of instances of purchase and sale of shares were quite few justifying intention of assessee to purchase shares as capital asset, income arising from sale of such shares was to be taxed as 'Short-term capital gain' and not as business income.

\*\* [2021] 126 taxmann.com 64

#### Criminal Prosecution on same allegations can't continue if Dept Proceedings ended in favor of accused

The Hon'ble Telangana High Court in *M/s. Deccan Tobacco Processors Limited v. Union of India\*\*\** held that when the departmental proceedings ended in favor of the accused and moreover when the prosecution launched is on the same set of facts and allegations, the continuance of prosecution would be a gross abuse of process of law

\*\*\* 2021-TIOL-1406-HC-TELANGANA-CX

4<sup>th</sup> July

5<sup>th</sup> July

7<sup>th</sup> July

9<sup>th</sup> July

10<sup>th</sup> July



No late fees & reduced 9% interest for Apr'21 GSTR3B for monthly taxpayers with turnover <5cr

No late fees & reduced 9% interest for May'21 GSTR3B for monthly taxpayers with turnover >5cr

No interest levy for filing May'21 GSTR3B for monthly taxpayers with turnover <5cr

- TDS/TCS Deposit for June'21
- Equalisation levy payment for June'21

Reduced 9% interest for April'21 QRMP Payment

No Interest for May'21 QRMP Payment

June'21 Due Date:  
• GSTR-7 (TDS)  
• GSTR-8 (TCS)