



UNION BUDGET 2022-23: Expectations from Tax perspective

- ✓ **Cryptocurrency taxation:** To bring clarity on various ambiguities and concerns about the classification of crypto, applicable tax rates, TDS/TCS and GST implications on cryptocurrency transactions
- ✓ **Work from home allowance deduction for salaried employees:** Allowing tax exemptions for such expenses will raise employees' in-hand salaries, increasing demand for goods and services in the country
- ✓ The government recorded high direct tax collections this fiscal year, the benefit of which can be passed on to taxpayers through **more exemptions and deductions**
- ✓ A **special COVID-19 treatment expense related deduction** may be allowed by **increasing the limit of Section 80D or 80DDB** to provide tax relief for COVID-19 infected patients and their families
- ✓ **Making the concessional tax rate option more enticing** by increasing the highest tax slab to ₹20 lakh from ₹15 lakh or allowing certain deductions
- ✓ **Tweaking customs duties to reduce import dependence** on manufactured products, protect the environment, and to safeguard the interests of Indian farm sector, MSMEs and boosting "Aatmanirbhar Bharat"
- ✓ **Keeping reasonable tariff space for concessions** under various **Free trade agreements (FTAs)** which are currently under negotiation
- ✓ **Waive / Reduce cess of ₹400 per tonne of coal** used in power-generating units that meet emission norms
- ✓ **Reducing customs duty on precious metals** such as gold to keep smuggling in check

Important Judgements:



GST: Summons cannot be issued where the assessee is cooperating during the inquiry

The Hon'ble Bombay High Court in *M/s FSM Education Private Limited v. UOI** set aside the summons issued by the Department without any details of the inquiry, wherein the assessee was cooperating in furnishing the documents as requisitioned. Held that, summons is a last resort and are not to be issued in a casual manner.

*2022 (1) TMI 551 - BOMBAY HIGH COURT

GST: No tax evasion can be presumed on mere non-extension of validity of e-way bill

The Hon'ble Supreme Court of India in *Asst Comm v. Satyam Shivam Papers (P.) Ltd.*** upheld High Court's order setting aside tax demand and penalty for expiry of e-way bill when goods could not be delivered within validity period because of traffic blockage. Considering the conduct of GST officer and harassment faced by taxpayer, imposed an enhanced total cost of ₹69,000 on the persons responsible.

**2022 (1) TMI 954 - SC ORDER

IT: No additions u/s 68 if assessee company routes its own accounted money back to itself

The Hon'ble Delhi High Court in *PCIT v. M/s Agson Global (P.) Ltd.**** held that addition u/s 68 is not attracted when assessee-company routes its own accounted money back to itself, through other entities, as share capital/premium especially when the same is done through banking channels.

***2022 (1) TMI 848 - DELHI HIGH COURT



30th Jan

- Quarterly TCS certificate for Q3 2021
- Furnishing TDS Challan-cum-statement u/s 194-IA, 194-IB and 194M for Dec, 2021

31st Jan

- Quarterly TDS Statement for Q3 2021

1st Feb

- Presentation of UNION BUDGET 2022-23

