

# GST & CORPORATE TAX



WEEKLY NEWSLETTER | CA JAY BOHRA

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## The week that was...

- Govt clarifies: **No TCS** for individuals making **credit/debit card payment internationally upto ₹7 lakh**
- Income Tax Dept. issued **User Guide** and **FAQ** for **submitting response** to notices and letters received under **e-Verification Scheme, 2021**
- Income Tax Dept. enabled the **new feature Tax Breakup Details'** in Income Tax Payment Challan
- Income Tax Dept. issued **update** on **Aaykar Sampark Kendra**
- CBDT proposes **changes** to Rule 11UA in respect of **ANGEL TAX**- Also proposes to notify Excluded Entities
- GSTN **enabled** the option to file **GSTR-9** and **GSTR-9C** for **FY 2022-23**
- Advisory on **New functionality** to view **Aadhaar authentication status**
- DPIIT **seeks GST rate reduction** for certain segments of **leather sector**
- CBIC issued **Circular** on **Amnesty scheme** for one time settlement of **default in export obligation** by Advance and EPCG authorization holders

## Important Judgements:



**Supreme Court: Credit note issued by manufacturer to dealer towards warranty replacement is liable to sales tax**

The Hon'ble Supreme Court of India in *M/s Tata Motors Ltd v. DCCT\** held that the automobile dealer is liable to sales tax on credit note issued by manufacturer. Such dealer cannot escape liability merely because the dealer is acting as an intermediary or on behalf of manufacturer pursuant to a warranty and recompensated in the form of a credit note and emphasizes that said amount is nothing but a price received for a sale of a spare part by the dealer.

\* TS-227-SC-2023-VAT

**When there is no *mens rea*, no demand will sustain on ground of limitation**

The Hon'ble CESTAT, Kolkata in *M/s. Bhootpurva Sainik Kalyan Sangh v. Commissioner of CX & ST\*\** set aside the impugned order holding that there should be *mens rea* to evade payment of service tax for demand of service tax and penalty beyond period of limitation.

\*\* Service Tax Appeal No. 566 of 2011 dated May 11, 2023



20<sup>th</sup> May

April'23 Due Date:

- Monthly **GSTR-3B**
- **GSTR-5A (OIDAR)**

25<sup>th</sup> May

Due date for **GST Challan Payment** in Form PMT-06 by **QRMP** taxpayers for **April'23**

