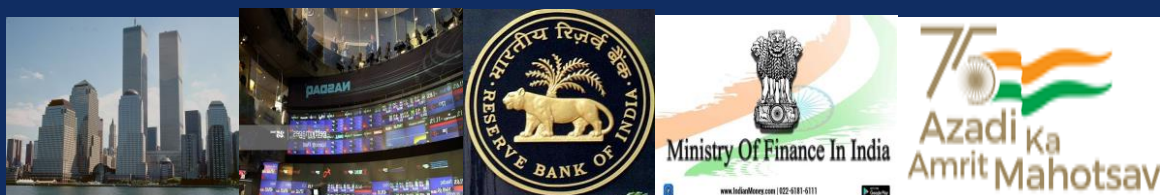


# TAX CONNECT

## Knowledge Partner:



**FEMA. FDI. INCOME TAX. GST. LAND. LABOUR**

### TAX CONNECT :

- Mumbai** : Unit No. 312, Omega Business Park, Near-Kaamgar Hospital, Road No. 33, Wagle Industrial Estate Thane (West), Maharashtra – 400604
- Bengaluru** : 951, 24<sup>th</sup> Main Road, J P Nagar, Bengaluru, Karnataka – 560078.
- Delhi (NCR)** : B-139, 2<sup>nd</sup> Floor, Transport Nagar, Noida-201301 (U.P)
- Kolkata** : 6, Netaji Subhas Road, 3rd Floor, Royal Exchange Building, Kolkata – 700001  
- Room No. 119, 1<sup>st</sup> Floor, “Diamond Arcade” 1/72, Cal Jessore Road, Kolkata – 700055  
- Tobacco House, 1, Old Court House St, Radha Bazar, Corner, Kolkata, West Bengal 700001
- Dubai** : Azizi Feirouz, 803, 8<sup>th</sup> Floor, AL Furjan, Opposite Discovery Pavillion, Dubai, UAE
- Contact** : +91 7003384915
- Website** : [www.taxconnect.co.in](http://www.taxconnect.co.in)
- Email** : [info@taxconnect.co.in](mailto:info@taxconnect.co.in)

## EDITORIAL



**Friends,**

The Prevention of Money-Laundering (Maintenance of Records) Rules, 2005 provides for maintenance of records of the nature and value of transactions, the procedure and manner of maintaining and time for furnishing of information and verification of records of the identity of the clients, of reporting entities like banking companies, financial institutions, and intermediaries. Like every law, there has to be a person who would be held responsible for compliances. Under PMLA Rules also a 'principal officer' of a 'reporting entity' is responsible for maintenance of records. Like in every Organisation, people at senior levels generally wish to delegate the critical and risky functions down the line, so also, under PMLA Act, the management officers of reporting entities delegated this function of maintenance of records to juniors. Whenever there was non-compliance, then these junior officers were summoned by the PMLA Authorities, and the summons yielded no fruitful results. In this backdrop, the Ministry of Finance issued a notification outlining several amendments to the Prevention of Money-laundering (Maintenance of Records) Rules, 2005 vide Prevention of Money-laundering (Maintenance of Records) Second Amendment Rules, 2023. Before understanding the changes, let us understand the intricacies.

Every "reporting entity" as per Section 2(wa) of the PMLA Act, i.e., a banking company, financial institution, intermediary or a person carrying on a designated business or profession shall, as per Section 11, verify the identity of its clients and the beneficial owner.

As per Section 2 (fa) beneficial owner" *means an individual who ultimately owns or controls a client of a reporting entity or the person on whose behalf a transaction is being conducted and includes a person who exercises ultimate effective control over a juridical person.*

As per Section 2 (ha) "client" *means a person who is engaged in a financial transaction or activity with a reporting entity and includes a person on whose behalf the person who engaged in the transaction or activity, is acting.*

Rule 2 (f) defines the "Principal Officer" as an officer designated by a reporting entity. Now this amendment requires that such Principal officer shall be an officer at the management level only. This Officer's name, designation and address shall be communicated to the Director under the PMLA Act.

The Principal Officer shall furnish the information as required under Rule 3 of such PMLA Rules. Further, for a company, a beneficial owner for the purposes due diligence u/r 9 shall be a person who controls (by anyway) more than 10% (and not 15%) of shares or capital or profits of the company. Similarly in case of partnerships due diligence u/r 9 shall be done of persons who own or control (management or policy decision) more than 10% (and not 15%) of the share of the partnership. Thus, the client due diligence norms become more stringent. Furthermore, in case of trusts, the reporting entity shall ensure that trustees disclose their status at the time of commencement of an account-based relationship or when carrying out specified transactions. Under Rule 10, the process of analysing and determining the beneficial owner should also be recorded and maintained for future purposes.

Every reporting entity shall verify the identity of its clients and the beneficial owner as per powers granted u/s 11A. The Ministry of Finance has also permitted 3 reporting entities to perform authentication under the Aadhaar Act, 2016. The permission is granted only for the purpose of Aadhaar authentication as required u/s 11A of the Money-laundering Act, 2002. Sec 11A requires the verification of the identity of reporting entities' clients and beneficial owner by way of Aadhaar authentication. These entities are Fed bank Financial Services Limited, Amrit Malwa Capital Limited, and Nissan Renault Financial Services India Private Limited. More notifications in this regard may follow.

**Just to reiterate that we remain available over telecom or e-mail.**

**Editor:**

**Vivek Jalan**

Partner - Tax Connect Advisory Services LLP

**Co-Editor:**

**Rohit Sharma**

Director – Tax Connect Advisory Services LLP

# SYNOPSIS

S.NO.	TOPICS	PAGE NO.
1]	TAX CALENDER	4
2]	INCOME TAX	5-7
NOTIIFCATION	INCOMES NOT INCLUDED IN TOTAL INCOME - MULTI COMMODITY EXCHANGE INVESTOR (CLIENT) PROTECTION FUND TRUST SET UP BY MULTI COMMODITY EXCHANGE OF INDIA LIMITED, MUMBAI SPECIFIED	
NOTIIFCATION	SECURITIES LISTED ON A RECOGNISED STOCK EXCHANGE LOCATED IN ANY INTERNATIONAL FINANCIAL SERVICES CENTRE	
NOTIIFCATION	EXEMPTION FROM SPECIFIED INCOME U/S 10(46) – NOTIFIES ‘REAL ESTATE REGULATORY AUTHORITIES’	
NOTIIFCATION	EXEMPTION FROM SPECIFIED INCOME U/S 10(46) – NOTIFIES ‘E-GOVERNANCE SOCIETY, DEPARTMENT OF FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS, HIMACHAL PRADESH, A BODY CONSTITUTED / ESTABLISHED BY THE STATE GOVERNMENT OF HIMACHAL PRADESH	
NOTIIFCATION	EXEMPTION FROM SPECIFIED INCOME U/S 10(46) – NOTIFIES ‘RAJASTHAN STATE DENTAL COUNCIL’ A BODY CONSTITUTED BY THE GOVERNMENT OF RAJASTHAN	
3]	GST	8-9
NOTIFICATION	CONSTITUTION OF STATE BENCHES OF THE GST APPELLATE TRIBUNAL (GSTAT)	
ADVISORY	TIME LIMIT FOR REPORTING INVOICES ON THE IRP PORTAL	
4]	FEMA	10
CASE LAW	OFFENCE UNDER FERA - NON-REALIZATION OF PAYMENT TOWARDS EXPORTED GOODS - “REASONABLE STEPS” TO BE TAKEN FOR SECURING THE SALE PROCEEDS OF EXPORTS : DELHI HIGH COURT	
5]	CUSTOMS	11-15
NOTIFICATION	AMENDMENT IN NOTIFICATION RELATING TO EXEMPTION TO SPECIFIED DEFENSE EQUIPMENT AND THEIR PARTS IMPORTED IN INDIA BY THE MINISTRY OF DEFENCE, GOVERNMENT OF INDIA OR THE DEFENCE FORCES	
NOTIFICATION	GRADED BCD STRUCTURE FOR WEARABLE AND HEARABLE DEVICES AND ITS PARTS, SUB-PARTS AND SUB-ASSEMBLY	
NOTIFICATION	EFFECTIVE RATES OF CUSTOMS DUTY AND IGST FOR GOODS IMPORTED INTO INDIA	
NOTIFICATION	FIXATION OF TARIFF VALUE OF EDIBLE OILS, BRASS SCRAP, ARECA NUT, GOLD AND SILVER	
NOTIFICATION	LAND CUSTOMS STATIONS AND ROUTES FOR IMPORT AND EXPORT OF GOODS BY LAND OR INLAND WATER WAYS - MAIA IN MURSHIDABAD DISTRICT, WEST BENGAL NOTIFIED - AMENDMENT IN NOTIFICATION NO. 63/1994-CUSTOMS (N.T.) DATED THE 21ST NOVEMBER, 1994	
NOTIFICATION	ANTI-DUMPING DUTY ON IMPORTS OF ‘FLAT BASE STEEL WHEELS’ ORIGINATING IN AND EXPORTED FROM CHINA PR FOR A PERIOD OF 5 YEARS	
6]	DGFT	16-17
NOTIFICATION	AMENDMENT IN EXPORT POLICY OF FOOD SUPPLEMENTS CONTAINING BOTANICALS	
7]	HANDBOOK ON GST 2022	18
8]	HOW TO HANDLE GST LITIGATION: ASSESSMENT, SCRUTINY, AUDIT & APPEAL	19
9]	GST PLEADING AND PRACTICE: WITH SECTION-WISE GST CASES & GST NOTICES AND THEIR REPLIES	20
10]	LET’S DISCUSS FURTHER	21

**TAX CALENDAR**

Due Date	Form/Return/Challan	Reporting Period	Description
20 <sup>th</sup> September	GSTR-3B	Aug-23	GST Filing of returns by a registered person with aggregate turnover exceeding INR 5 Crores during the preceding financial year.
20 <sup>th</sup> September	GSTR-5A	Aug-23	Summary of outward taxable supplies and tax payable by a person supplying OIDAR services.

# INCOME TAX

## NOTIFICATION

**INCOMES NOT INCLUDED IN TOTAL INCOME - MULTI COMMODITY EXCHANGE INVESTOR (CLIENT) PROTECTION FUND TRUST SET UP BY MULTI COMMODITY EXCHANGE OF INDIA LIMITED, MUMBAI SPECIFIED**

**OUR COMMENTS:** The Central Board of Direct Taxes, Department of Revenue, Ministry of Finance, vide notification No. 77/2023 dated 12.09.2023 notified In exercise of the powers conferred by sub-section (23EC) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the Multi Commodity Exchange Investor (Client) Protection Fund Trust set up by Multi Commodity Exchange of India Limited, Mumbai for the purposes of the said clause for the assessment year 2014-15.

**[For further details please refer the notification]**

## NOTIFICATION

**SECURITIES LISTED ON A RECOGNISED STOCK EXCHANGE LOCATED IN ANY INTERNATIONAL FINANCIAL SERVICES CENTRE**

**OUR COMMENTS:** The Central Board of Direct Taxes, Department of Revenue, Ministry of Finance, vide notification No. 71/2023 dated 12.09.2023 notified In exercise of the powers conferred by sub-clause (d) of clause (viiab) of section 47 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby makes the following further amendments in the notification of the Government of India, Ministry of Finance, (Department of Revenue), number 16/2020, dated the 5th March, 2020, published in the Gazette of India, Extraordinary, Part-II, Section 3, sub-section (ii), vide number S.O. 986(E), dated 5th March, 2020, namely:-

In the said notification, in the first paragraph, -

(i) after clause (vi), the following clause shall be inserted, namely: -

“(vii) unit of investment trust;

(viii) unit of a scheme;

(ix) unit of a Exchange Traded Fund launched under International Financial Services Centres Authority (Fund Management) Regulations, 2022,”;

(ii) in the Explanation, after clause (c), the following clause shall be inserted, namely: -

“(d) “Investment Trust” shall have the meaning assigned to it in clause (d) of sub-regulation (1) of regulation 83 of the International Financial Services Centres Authority (Fund Management) Regulations, 2022.

(e) “Scheme” shall have the meaning assigned to it in clause (ii) of sub-regulation (1) of regulation 2 of the International Financial Services Centres Authority (Fund Management) Regulations, 2022.”.

2. This notification shall come into force with effect from the date of its publication in the Official Gazette.

**[For further details please refer the notification]**

## NOTIFICATION

**EXEMPTION FROM SPECIFIED INCOME U/S 10(46) – NOTIFIES ‘REAL ESTATE REGULATORY AUTHORITIES’**

**OUR COMMENTS:** The Central Board of Direct Taxes, Department of Revenue, Ministry of Finance, vide notification No. 76/2023 dated 01.09.2023 notified In exercise of the powers conferred by clause (46) of section 10 of the Income-tax

# INCOME TAX

Act, 1961 (43 of 1961), the Central Government hereby notifies for the purposes of the said clause, 'Real Estate Regulatory Authorities' as specified in the schedule to this notification, constituted by Government in exercise of powers conferred under sub-section(1) of Section 20 of The Real Estate (Regulation and Development) Act, 2016 (16 of 2016) as a 'class of Authority' in respect of the following specified income arising to that Authority, namely:—

- (a) Amount received as Grant-in-aid or loan/advance from Government;
- (b) Fee/penalty received from builders/developers, agents or any other stakeholders as per the provisions of the Real Estate (Regulation and Development) Act, 2016;
- (c) Interest earned on (a) & (b) above.

2. This notification shall be effective subject to the conditions that each of the Real Estate Regulatory Authority-

- (a) shall not engage in any commercial activity;
- (b) activities and the nature of the specified income shall remain unchanged throughout the financial years; and
- (c) shall file return of income in accordance with the provision of clause (g) of sub-section (4C) of section 139 of the Income-tax Act, 1961.

3. This notification shall be deemed to be applied with respect to the financial year 2022-2023 relevant to assessment year 2023-2024.

## Schedule

S. No.(1)	Name of the Real Estate Regulatory Authority(2)	PAN(3)
1	Chhatisgarh Real Estate Regulatory	AAAJC1049H

	Authority	
2	Uttarakhand Real Estate Regulatory Authority	AAALU0695H
3	Madhya Pradesh Real Estate Regulatory Authority	AAAGM0458B
4	Real Estate Regulatory Authority, Punjab	AAAJR1281N

**[For further details please refer the notification]**

## NOTIFICATION

**EXEMPTION FROM SPECIFIED INCOME U/S 10(46) – NOTIFIES 'E-GOVERNANCE SOCIETY, DEPARTMENT OF FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS, HIMACHAL PRADESH, A BODY CONSTITUTED / ESTABLISHED BY THE STATE GOVERNMENT OF HIMACHAL PRADESH**

**OUR COMMENTS:** The Central Board of Direct Taxes, Department of Revenue, Ministry of Finance, vide notification No. 75/2023 dated 01.09.2023 notified In exercise of the powers conferred by clause (46) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies for the purposes of the said clause, 'E-Governance Society, Department of Food, Civil Supplies and Consumer Affairs, Himachal Pradesh, a body constituted / established by the state Government of Himachal Pradesh in respect of the following specified income arising to that body, namely:

- a) Grant received from central government;
- b) Grants received from state government;
- c) Interest received on investment and grants;
- d) Tender/ application fees;
- e) Sale of scrap/waster paper; and



## INCOME TAX

f) Recovery for POS machine issued.

2. This notification shall be effective subject to the conditions that E-Governance Society, Department of Food, Civil Supplies and Consumer Affairs, Himachal Pradesh,-

(a) shall not engage in any commercial activity;

(b) activities and the nature of the specified income shall remain unchanged throughout the financial years; and

(c) shall file return of income in accordance with the provision of clause (g) of sub-section (4C) of section 139 of the Income-tax Act, 1961.

3. This notification shall be deemed to have been applied for assessment year 2023-2024 relevant for the financial year 2022-2023.

**[For further details please refer the notification]**

### NOTIFICATION

**EXEMPTION FROM SPECIFIED INCOME U/S 10(46) – NOTIFIES ‘RAJASTHAN STATE DENTAL COUNCIL’ A BODY CONSTITUTED BY THE GOVERNMENT OF RAJASTHAN**

**OUR COMMENTS:** The Central Board of Direct Taxes, Department of Revenue, Ministry of Finance, vide notification No. 74/2023 dated 01.09.2023 notified In exercise of the powers conferred by clause (46) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies for the purposes of the said clause, ‘Rajasthan State Dental Council’ (PAN AABAR7223E), a body constituted by the Government of Rajasthan, in respect of the following specified income arising to that body, namely:

a) sale of application form;

b) renewal fees of Dentist, Dental Hygienist & Mechanic;

c) fees of good standing;

d) Dentist provisional registration fees;

e) Additional qualification fees;

f) late fees;

g) no objection certificate fees;

h) re-issue of certificate fees (duplicate certificate fees);

i) Continuing Dental Education Programme fees; and

j) interest income on (a) to (i) above

2. This notification shall be effective subject to the conditions that Rajasthan State Dental Council, Jaipur:-

(a) shall not engage in any commercial activity;

(b) activities and the nature of the specified income shall remain unchanged throughout the financial years; and

(c) shall file return of income in accordance with the provision of clause (g) of sub-section (4C) of section 139 of the Income-tax Act, 1961.

3. This notification shall be deemed to have been applied for assessment years 2022-2023 and 2023-2024 relevant to the financial years 2021-2022 and 2022-2023 respectively.

**[For further details please refer the notification]**

# GST

## NOTIFICATION

### CONSTITUTION OF STATE BENCHES OF THE GST APPELLATE TRIBUNAL (GSTAT)

**OUR COMMENTS:** The Central Board of Indirect Taxes and Customs vide notification dated 14.09.2023 notified In exercise of the powers conferred by the sub-section 4 of section 109 of the Central Goods and Services Tax Act, 2017 (12 of 2017) and in supersession of the Ministry of Finance, Department of Revenue's notification number S.O. 3009(E), dated the 21st August, 2019, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 21st August, 2019 and the notification number S.O. 4332(E) dated the 29th November, 2019, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), dated the 02nd December, 2019, the Central Government, on the recommendation of the Goods and Services Tax Council, hereby constitutes the number of State Benches of the Goods and Services Tax Appellate Tribunal as specified in column (3) of the table below, with respect to the State specified in the corresponding entry in column (2) of the said table, at the location specified in corresponding entry in column (4) thereof, with effect from the date of publication of this notification in the Gazette of India (Extraordinary), namely:—

**TABLE**

S. No.	State Name	No. of Benches	Location
(1)	(2)	(3)	(4)
1	Andhra Pradesh	1	Vishakhapatnam and Vijayawada
2	Bihar	1	Patna
3	Chhattisgarh	1	Raipur and Bilaspur

4	Delhi	1	Delhi
5	Gujarat	2	Ahmedabad, Surat and Rajkot
6	Dadra and Nagar Haveli and Daman and Diu		
7	Haryana	1	Gurugram and Hissar
8	Himachal Pradesh	1	Shimla
9	Jammu and Kashmir	1	Jammu and Srinagar
10	Ladakh		
11	Jharkhand	1	Ranchi
12	Karnataka	2	Bengaluru
13	Kerala	1	Ernakulum and Trivandrum
14	Lakshadweep		
15	Madhya Pradesh	1	Bhopal
16	Goa	3	Mumbai, Pune, Thane, Nagpur, Aurangabad and Panaji
17	Maharashtra		
18	Odisha	1	Cuttack
19	Punjab	1	Chandigarh and Jalandhar
20	Chandigarh		
21	Rajasthan	2	Jaipur and Jodhpur
22	Tamil Nadu	2	Chennai, Madurai, Coimbatore and Puducherry
23	Puducherry		
24	Telangana	1	Hyderabad
25	Uttar Pradesh	3	Lucknow, Varanasi, Ghaziabad, Agra and Prayagraj
26	Uttarakhand	1	Dehradun
27	Andaman and Nicobar Islands	2	Kolkata



## GST

28	Sikkim	1	Guwahati  Aizawl(Circuit )  Agartala(Circuit )  Kohima (Circuit )
29	West Bengal		
30	Arunachal Pradesh		
31	Assam		
32	Manipur		
33	Meghalaya		
34	Mizoram		
35	Nagaland		
36	Tripura		

**Explanation** — Locations shown as 'Circuit' shall be operational in such manner as the President may order, depending upon the number of appeals filed by suppliers in the respective States.

[For further details please refer the notification]

### ADVISORY

#### TIME LIMIT FOR REPORTING INVOICES ON THE IRP PORTAL

**OUR COMMENTS:** The GSTIN vide advisory dated 13.09.2023 advised that :-

1.It is to inform you that it has been decided by the Government to impose a time limit on reporting old invoices on the e-invoice IRP portals for taxpayers with AATO greater than 100 crores.

2.To ensure timely compliance, taxpayers in this category will not be allowed to report invoices older than 30 days on the date of reporting.

3. Please note that this restriction will apply to the all document types (Invoices/Credit note/Debit note) for which IRN is to be generated.

4.For example, if an invoice has a date of November 1, 2023, it cannot be reported after November 30, 2023. The validation built into the invoice registration portals will disallow the user from reporting the invoice after the 30 days window. Hence, it is essential for taxpayers to ensure that they report the invoice within the 30 days window provided by the new time limit.

5.It is further to clarify that there will be no such reporting restriction on taxpayers with AATO less than 100 crores, as of now.

6.In order to provide sufficient time for taxpayers to comply with this requirement, which may require changes to your systems, it is proposed to implement it from 1st November 2023 onwards

[For further details please refer the advisory]

# FEMA

## CASE LAW

### OFFENCE UNDER FERA - NON-REALIZATION OF PAYMENT TOWARDS EXPORTED GOODS - "REASONABLE STEPS" TO BE TAKEN FOR SECURING THE SALE PROCEEDS OF EXPORTS : DELHI HIGH COURT

**OUR COMMENTS:** It was held that any person effecting an export of goods is also responsible, rather duty bound, to also effect the securing of proceeds from such export/sale. The only exception, as per the language of the provision, is permission from the RBI, which if obtained may lead to granting of the leverage of not securing the proceeds within the stipulated and prescribed period. Further, sub-section 3 makes a presumption against the person who has not been able to secure the proceeds from exports that he/she has not taken all reasonable steps so as to recover the amount to be realized from the proceeds of sale. The purpose behind these provisions becomes clearer when seen from the standpoint of the legislature and its intention and purpose of bringing into the Act into existence

It is evident from the objective, as specified in the preamble of the Act, that the need at the time of enactment of the Act was to accommodate trade deficit with the aim to also conserve foreign exchange resources in the Country. The purpose behind the Act was to ease out the foreign exchange crunch that the Country was going through. The objective, therefore, was to make such enabling provisions to facilitate due, proper and timely realization of the amount that is accrued by foreign buyer towards goods exported and to also facilitate regularized foreign exchange.

**Whether the steps taken by the appellant were 'reasonable steps' as have been stipulated under Section 18(3) of the FERA?** - There are no established principles or guidelines laid down by law to the question as to what amounts to reasonable steps under Section 18(3) of the FERA, and therefore, the same has to be established in light of the facts and circumstances of each case.

In the instant matter, the appellant upon non-realization of payment towards exported goods made attempts to communicate with the buyer in France. The following communications were made by the appellant, as have been

enlisted in her reply dated 26th March, 2004, to the Show Cause Notice by the respondent no. 2/ED

As it is found that the appellant undertook the basic and primary measures of contacting and communicating with the foreign buyers and approaching the RBI after the lapse of the stipulated time period, however, these fundamental steps in themselves were not sincere, serious and sufficient attempts to effectively cause the recovery of the proceeds of sale. Another relevant factor to be considered is that the Appellate Tribunal reduced the penalty imposed upon the appellant by about 60 percent, that is from Rs. 25,00,000/- to Rs. 15,00,000/-, which in itself is a relief granted to the appellant despite having been found guilty of contravening the provisions of the FERA.

In light of the facts and circumstances, contentions raised, arguments advanced and judgments cited, it is found that there is no error in the impugned order dated 30th August, 2016 passed by the Appellate Tribunal in Appeal No. 138/2007. The Tribunal has rightly imposed the penalty upon the appellant and this Court does not find any substantial ground or cogent reason to invoke its extraordinary jurisdiction and interfere with the said order. Accordingly, the instant Criminal

Appeal is dismissed.

## CUSTOMS

### NOTIFICATION

#### AMENDMENT IN NOTIFICATION RELATING TO EXEMPTION TO SPECIFIED DEFENSE EQUIPMENT AND THEIR PARTS IMPORTED IN INDIA BY THE MINISTRY OF DEFENCE, GOVERNMENT OF INDIA OR THE DEFENCE FORCES

**OUR COMMENTS:** The Ministry of Finance, Department of Revenue vide notification no 56/2023-Customs dated 15.09.2023 notified In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962) and sub-section (12) of section 3, of the Customs Tariff Act, 1975 (51 of 1975), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 19/2019-Customs, dated the 6th July, 2019, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 476(E), dated the 6th July, 2019, namely :-

In the said notification, in the Table, for Sl. No. 23 and the entries relating thereto, the following Sl. No. and entries shall be substituted, namely: -

(1)	(2)	(3)
"23.	49,73,84, 85, 90 or 93	(I) Parts, sub-parts, inputs for use in manufacture of AK- 203 rifle;  (II) Machinery, Fixtures, Gauges, Tools, and Jigs for goods mentioned at (I) above;  (III) Technical documentation in respect of goods mentioned at (I) and (II) above".

2. This notification shall come into force on the date of its publication in the official gazette.

**[For further details please refer the notification]**

### NOTIFICATION

#### GRADED BCD STRUCTURE FOR WEARABLE AND HEARABLE DEVICES AND ITS PARTS, SUB-PARTS AND SUB-ASSEMBLY

**OUR COMMENTS:** The Ministry of Finance, Department of Revenue vide notification no 55/2023-Customs dated 14.09.2023 notified In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes further amendments in the following notifications of the Government of India, Ministry of Finance (Department of Revenue), specified in column (2) of the table below to the extent specified in the corresponding entry in column (3) of the said table, namely: -

Sl. No.	Notification number and Date	Amendments
(1)	(2)	(3)
1.	Notification No. 11/2022-Customs, dated the 1st February, 2022, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 85(E), dated the 1st February, 2022.	In the notification, in the Table, against serial number 9,-  (i) in column (2), for the entry "8544", the entry "85" shall be substituted;  (ii) in column (3), in the Explanation, after the word "connector", the words "or wireless charging cable containing static converter and coil," shall be inserted.
2.	Notification No. 12/2022-Customs, dated the 1st February, 2022, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 86(E), dated the 1st February, 2022.	In the notification, in the Table, against S. No. 7, in column (2), for the entry, the entry "39, 40, 42, 73, 74, 85" shall be substituted.

**[For further details please refer the notification]**

# CUSTOMS

## NOTIFICATION

### EFFECTIVE RATES OF CUSTOMS DUTY AND IGST FOR GOODS IMPORTED INTO INDIA

**OUR COMMENTS:** The Ministry of Finance, Department of Revenue vide notification no 54/2023-Customs dated 14.09.2023 notified In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962) and sub-section (12) of section 3 of the Customs Tariff Act, 1975 (51 of 1975), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 50/2017-Customs, dated the 30th June, 2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 785(E), dated the 30th June, 2017, namely:-

In the said notification, in the Table, -

(i) against S. No. 597, in column (3), for the proviso, the following provisos shall be substituted, namely: -

“Provided that items (ii) and (iv) shall cease to have effect after 30th September, 2023.

Provided further that items (i), (iii) and (v) shall cease to have effect after 30th September 2025.”;

(ii) against S. No. 598, in column (3), for the figure, “2023”, the figure, “2025” shall be substituted;

(iii) against S. No. 600, in column (3), for the figure, “2023”, the figure, “2025” shall be substituted;

(iv) against S. No. 601, in column (3), for the figure, “2023”, the figure, “2025” shall be substituted;

(v) against S. No. 602, in column (3), for the figure, “2023”, the figure, “2025” shall be substituted;

(vi) against S. No. 603, in column (3), for the figure, “2023”, the figure, “2025” shall be substituted.

2. This notification shall come into force with immediate effect.

[For further details please refer the notification]

## NOTIFICATION

### FIXATION OF TARIFF VALUE OF EDIBLE OILS, BRASS SCRAP, ARECA NUT, GOLD AND SILVER

**OUR COMMENTS:** The Ministry of Finance, Department of Revenue vide notification no 67/2023-Customs(N.T) dated 15.09.2023 notified In exercise of the powers conferred by sub-section (2) of section 14 of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes & Customs, being satisfied that it is necessary and expedient to do so, hereby makes the following amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 36/2001-Customs (N.T.), dated the 3rd August, 2001, published in the Gazette of India, Extraordinary, Part-II, Section-3, Sub-section (ii), vide number S. O. 748 (E), dated the 3rd August, 2001, namely:-

In the said notification, for TABLE-1, TABLE-2, and TABLE-3 the following Tables shall be substituted, namely: -

**TABLE-1**

Sl. No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$Per Metric Tonne)
(1)	(2)	(3)	(4)
1	1511 10 00	Crude Palm Oil	909
2	1511 90 10	RBD Palm Oil	913
3	1511 90 90	Others - Palm Oil	911
4	1511 10 00	Crude Palmolein	914
5	1511 90 20	RBD Palmolein	917
6	1511 90 90	Others - Palmolein	916
7	1507 10 00	Crude Soya bean Oil	1006
8	7404 00 22	Brass Scrap (all grades)	4816

# CUSTOMS

**TABLE-2**

Sl. No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$)
(1)	(2)	(3)	(4)
1.	71 or 98	Gold, in any form, in respect of which the benefit of entries at serial number 356 of the Notification No. <b>50/2017-Customs</b> dated 30.06.2017 is availed	612 per 10 grams
2.	71 or 98	Silver, in any form, in respect of which the benefit of entries at serial number 357 of the Notification No. <b>50/2017-Customs</b> dated 30.06.2017 is availed	740 per kilogram
3.	71	<p>(i) Silver, in any form, other than medallions and silver coins having silver content not below 99.9% or semi-manufactured forms of silver falling under sub-heading 7106 92;</p> <p>(ii) Medallions and silver coins having silver content not below 99.9% or semi-manufactured forms of silver falling under sub-heading 7106 92, other than imports of such goods through post, courier or baggage.</p> <p>Explanation. - For the purposes of this entry, silver in any form shall not include foreign currency coins, jewellery made of silver or articles made of silver.</p>	740 per kilogram
4.	71	(i) Gold bars, other than tola bars, bearing manufacturer's or refiner's engraved serial	612 per 10 grams

	number and weight expressed in metric units;	
	(ii) Gold coins having gold content not below 99.5% and gold findings, other than imports of such goods through post, courier or baggage.	
	Explanation. - For the purposes of this entry, "gold findings" means a small component such as hook, clasp, clamp, pin, catch, screw back used to hold the whole or a part of a piece of Jewellery in place.	

**TABLE-3**

Sl. No.	Chapter/ heading/ sub-heading/tariff item	Description of goods	Tariff value (US \$ Per Metric Ton)
(1)	(2)	(3)	(4)
1	080280	Areca nuts	7765 (i.e., no change)"

2. This notification shall come into force with effect from the 16th day of September, 2023.

**[For further details please refer the notification]**

## NOTIFICATION

**LAND CUSTOMS STATIONS AND ROUTES FOR IMPORT AND EXPORT OF GOODS BY LAND OR INLAND WATER WAYS - MAIA IN MURSHIDABAD DISTRICT, WEST BENGAL NOTIFIED - AMENDMENT IN NOTIFICATION NO. 63/1994-CUSTOMS (N.T.) DATED THE 21ST NOVEMBER, 1994**

**OUR COMMENTS:** The Ministry of Finance, Department of Revenue vide notification no 66/2023-Customs(N.T) dated 14.09.2023 notified In exercise of the powers conferred by clauses (b) and (c) of sub-section (1) of section 7 of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes and Customs hereby makes the following



## CUSTOMS

further amendments in the notification of the Government of India, Ministry of Finance (Department of Revenue), No. 63/1994-Customs (N.T.) dated the 21st November, 1994, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 830 (E), dated the 21st November, 1994, namely: -

In the said notification, in the Table, against serial number 2 relating to land frontier of Bangladesh, in column (3) after item (64) and the corresponding entry relating thereto in column (4), the following entries in columns (3) and (4) shall respectively be inserted, namely: -

(1)	(2)	(3)	(4)
		“(65) Maia in Murshidabad District, West Bengal	The river route as per the Protocol on Inland Water Transit and Trade between India and Bangladesh connecting Maia in India to Bangladesh.”.

[For further details please refer the notification]

### NOTIFICATION

**ANTI-DUMPING DUTY ON IMPORTS OF ‘FLAT BASE STEEL WHEELS’ ORIGINATING IN AND EXPORTED FROM CHINA PR FOR A PERIOD OF 5 YEARS**

**OUR COMMENTS:** The Ministry of Finance, Department of Revenue vide notification no 09/2023-Customs(A.D.D) dated 11.09.2023 notified Whereas, the designated authority vide notification No.7/02/2023- DGTR, dated the 12th June, 2023, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 12th June, 2023, had initiated the review in term of sub-section (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), read with rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, in the matter of continuation of anti-dumping duty on imports of ‘Flat Base Steel Wheels’ (hereinafter referred to as the subject goods) falling under the sub-heading 8708 70 of the First Schedule to the Customs Tariff Act, originating in, or exported from China PR (hereinafter referred to as the subject country), imposed vide notification of the Government of India in the Ministry of Finance (Department

of Revenue), No. 46/2018- Customs (ADD), dated the 13th September, 2018, published in the Gazette of India, Extraordinary, vide number G.S.R. 877(E), dated 13th September, 2018.

And whereas, in the matter of review of anti-dumping duty on imports of the subject goods, originating in or exported from the subject country, the designated authority in its final findings, published vide notification No. F. No. 7/02/2023- DGTR, dated the 12th June, 2023 in the Gazette of India, Extraordinary, Part I, Section 1, dated the 12th June, 2023 has come to the conclusion that :-

- a) the subject goods are likely to enter the Indian market at dumped prices, if the anti-dumping duties in force cease to operate;
- b) the evidence of export price indicates that the Chinese exporters are exporting the goods to third countries at significant dumped and injurious prices;
- c) the Indian industry does not gain any undue advantage on extension of existing duties;
- d) there is healthy competition in the Indian market and continuation of the duties would not deprive the user industry of any requirements;

and has recommended continued imposition of anti-dumping, for a period of five years concerning all imports of the subject goods originating in or exported from the subject country.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, 1975 (51 of 1975), read with rules 18 and 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 and in supersession of notification No. 46/2018-Customs (ADD) dated 13th September, 2018 published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-Section (i), vide G.S.R. 877(E) dated 13th September, 2018, except as respects things done or omitted to be done before such supersession, the Central Government, on the basis of the aforesaid final findings and recommendations of the designated authority, hereby



## CUSTOMS

imposes on the subject goods, the description of which is specified in column (3) of the Table below, falling under sub-heading of the First Schedule to the Customs Tariff Act specified in the corresponding entry in column (2), originating in the country specified in the corresponding entry in column (4), exported from the country specified in the corresponding entry in column (5), produced by the producers specified in the corresponding entry in column (6), exported by the exporters specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty equal to the amount specified in the corresponding entry in column (8), as per unit of measurement specified in the corresponding entry in column (9) in the currency specified in the corresponding entry in column (10) of the aforesaid Table, namely:-

**TABLE**

Sl. No.	Sub heading	Description of Goods	Country of Origin	Country of Export	Producer	Exporter	Amount of duty	Unit of measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	8708 70	Flat Base Steel Wheels of nominal diameter 16" – 20"	China PR	China PR	Any	Any	613.00	MT	US\$
2	8708 70	Flat Base Steel Wheels of nominal diameter 16" – 20"	China PR	Any country other than China	Any	Any	613.00	MT	US\$

		diameter 16" – 20"		PR					
3	8708 70	Flat Base Steel Wheels of nominal diameter 16" – 20"	Any country other than China PR	China PR	Any	Any	613.00	MT	US\$

2. The anti-dumping duty imposed under this notification shall be effective for a period of five years from the date of publication of this notification in the Official Gazette and shall be payable in Indian currency.

**[For further details please refer the notification]**

# DGFT

## NOTIFICATION

### AMENDMENT IN EXPORT POLICY OF FOOD SUPPLEMENTS CONTAINING BOTANICALS

**OUR COMMENTS:** The Ministry of Commerce and Industry vide notification no. 31/2023 dated 11.09.2023 notified The Central Government, in exercise of the powers conferred by Section 3 read with section 5 of the Foreign Trade (Development & Regulation) Act, 1992 (No. 22 of 1992), as amended, read with Para 1.02 and 2.01 of the Foreign Trade Policy, 2023 hereby amends the schedule -2 of ITC (HS) Export Policy, 2018, as under :-

S. No	ITS HS codes	Description	Present Policy	Policy conditions	Revised Policy conditions
89A	1302	Vegetable saps and extracts; pectic substances, pectinates and pectates; agar-agar and other mucilages and thickeners, whether or not modified, derived from vegetable products.	Free	The export of food Supplements containing botanicals to European Union (EU) and United Kingdom (UK) originating in or consigned from India and intended for human or animal consumption, allowed subject to issuance of the official certificate issued by Export Inspection Council (EIC)/ Export Inspection Agencies (EIAs), the	The export of Food Supplements containing botanicals to European Union (EU) and United Kingdom (UK) originating in or consigned from India and intended for human or animal consumption, allowed subject to issuance of the official certificate issued by Export Inspection Council (EIC)/ Export Inspection Agencies (EIAs), the

				designated Competent Authority for issuance of official certificate. The official certificate will be issued based on the satisfactory analytical test repo from EIC/EIC approved laboratories for the purpose as per the requirement laid down by EU.	designate Competent Authority for issuance of official certificate. The official certificate will be issue based on the satisfactory analytical test report from EIC/EIC approved laboratories for the purpose as per the requirement laid down by EU.
93A	2106	Food preparations not elsewhere specified or included.	Free		The export of Food Supplements containing botanicals to European Union (EU) and United Kingdom (UK) originating in or consigned from India and intended for human or animal consumption, also allowed, subject to issuance of the official Certificate by the

## DGFT

					designated EPC, SHEFEXIL, as Competent Authority for a period of three months from the date of issuance of this Notification, based on the satisfactory Analytical Test Report from NABL accredited laboratories for ETO testing for Food Supplements containing Botanicals approved for the purpose as per the requirement laid down by EU.
--	--	--	--	--	--

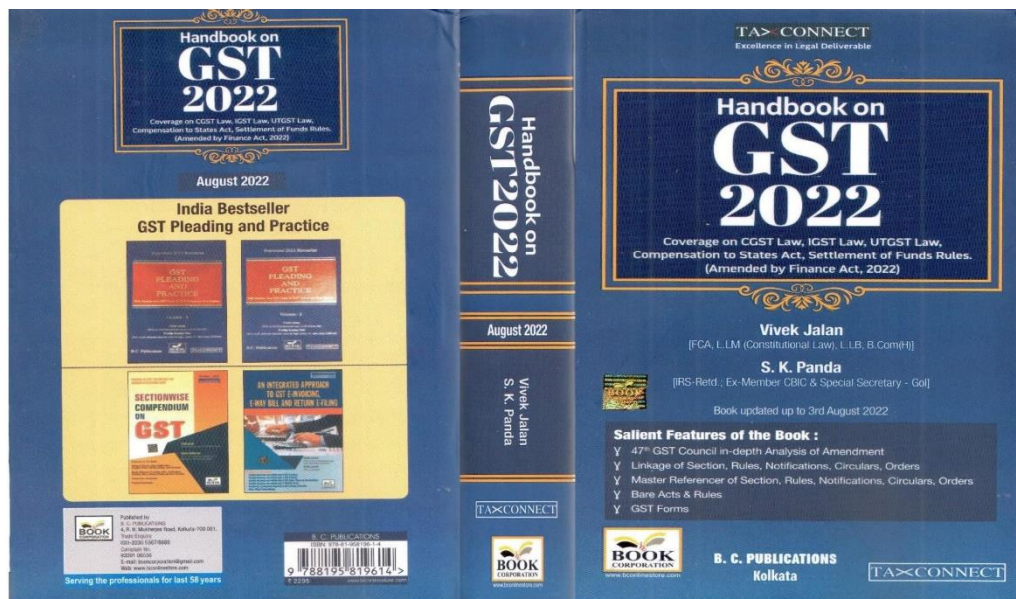
[For further details please refer the notification]

### 2. Effect of This Notification:

Export of Food Supplements containing botanicals under ITC HS code 1302 and 2106 intended for human or animal consumption to European Union and United Kingdom will require issuance of official certificate by EIC/EIA or SHEFIXIL. SHEFIXIL is allowed to issue an official certificate for a period of three months from the date of issuance of this Notification.

## IN STANDS

### HANDBOOK ON GST 2022



#### CONTENTS

1. 47<sup>th</sup> GST Council in-depth Analysis of Amendment
2. Linkage of Section, Rules, Notifications, Circulars, Orders
3. Master Reference of Section, Rules, Notifications, Circulars, Orders
4. Bare Acts & Rules
5. GST Forms

#### Author:

**Vivek Jalan**

[FCA, LL.M (Constitutional Law), LL.B, B.Com(H)]

**S.K. Panda**

[IRS-Retd.; Ex-Member CBIC & Special Secretary – GoI]

#### Published by:

##### **BOOK CORPORATION**

4, R. N. Mukherjee Road  
Kolkata 700001

Phones: (033) 64547999

Cell: 9830010297, 9331018333

Order by email: [bookcorporation@gmail.com](mailto:bookcorporation@gmail.com)

Website : [www.bookcorporation.com](http://www.bookcorporation.com)

#### In Association With:

##### **TAX CONNECT ACADEMY**

6, Netaji SubhasRoad,  
Kolkata 700001

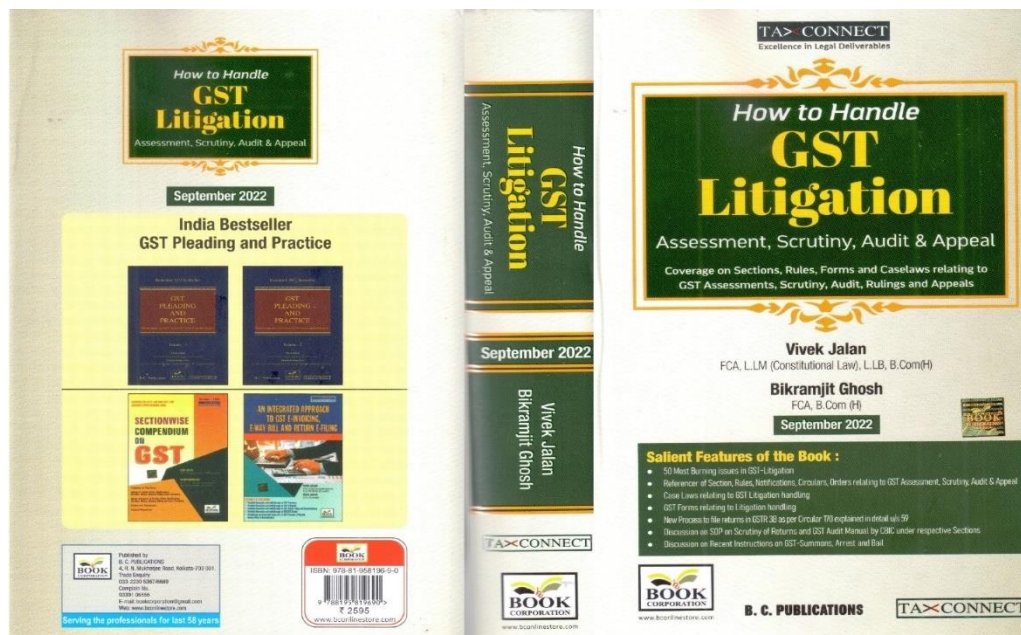
Cell: 7003384915

Order by email: [info@taxconnect.co.in](mailto:info@taxconnect.co.in)

Website : [www.taxconnect.co.in](http://www.taxconnect.co.in)

## **:IN STANDS**

### **How to Handle GST LITIGATION: Assessment, Scrutiny, Audit & Appeal**



#### **CONTENTS**

1. 50 Most Burning issues in GST-Litigation
2. Reference of Section, Rules, Notifications, Circulars, Orders relating to GST Assessment, Scrutiny, Audit & Appeal
3. Case Laws relating to GST Litigation handling
4. GST Forms relating to Litigation handling
5. New process to file returns in GSTR 3B as per circular 170 explained in details u/s 59
6. Discussion on SOP on Scrutiny of Returns and GST Audit Manual by CBIC under respective Sections
7. Discussion on Recent Instruction on GST-Summons, Arrest and Bail

#### **Authors:**

**Vivek Jalan**

[FCA, LL.M (Constitutional Law), LL. B, B. Com(H)]

**Bikramjit Ghosh**

[FCA, B. Com(H)]

#### **Published by:**

**BOOK CORPORATION**

4, R. N. Mukherjee Road  
Kolkata 700001

Phones: (033) 64547999

Cell: 9830010297, 9331018333

Order by email: [bookcorporation@gmail.com](mailto:bookcorporation@gmail.com)

Website : [www.bookcorporation.com](http://www.bookcorporation.com)

#### **In Association With:**

**TAX CONNECT ACADEMY**

6, Netaji Subhas Road,  
Kolkata 700001

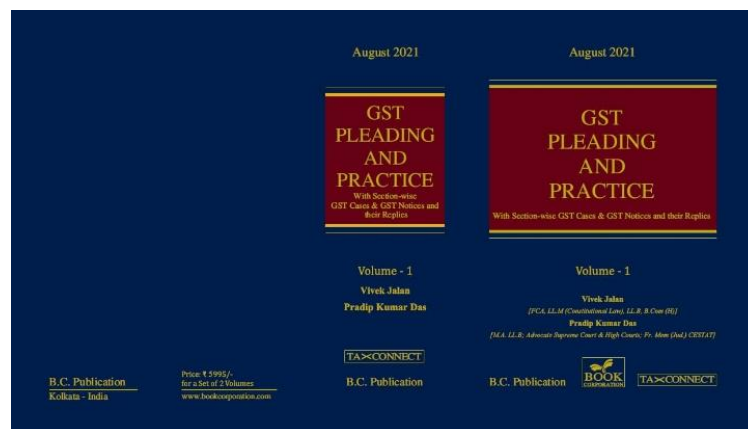
Call: 7003384915

Order by email: [info@taxconnect.co.in](mailto:info@taxconnect.co.in)

Website : [www.taxconnect.co.in](http://www.taxconnect.co.in)

## **:IN STANDS**

### **GST PLEADING AND PRACTICE: With Section-wise GST Cases & GST Notices and their Replies**



#### **ABOUT THE BOOK:** This publication includes:

1. GST Notices and their Replies
2. Orders and Appeals under GST
3. Text of provisions under IGST Act 2017 & CGST Act 2017
4. CGST & IGST Section-wise Synopsis of Case Laws and Notification/Circulars Gist
5. CGST & IGST Section-wise Synopsis of "Question of Law" answered under GST
6. Completely Updated Synopsis of Case Laws under GST by Supreme Court, High Court, AAARs & AARs

#### **Authors:**

**Vivek Jalan**

**[FCA, LL.M (Constitutional Law), LL. B, B. Com(H)]**

**Pradip Kumar Das**

**[M.A. LL. B; Advocate Supreme Court & High Courts; Fr. Mem (Jud.) CESTAT]**

#### **Published by:**

##### **BOOK CORPORATION**

4, R. N. Mukherjee Road

Kolkata 700001

Phones: (033) 64547999

Cell: 9830010297, 9331018333

Order by email: [bookcorporation@gmail.com](mailto:bookcorporation@gmail.com)

Website : [www.bookcorporation.com](http://www.bookcorporation.com)

#### **In Association With:**

##### **TAX CONNECT ACADEMY**

6, Netaji Subhas Road,

Kolkata 700001

Cell: 7003384915

Order by email: [info@taxconnect.co.in](mailto:info@taxconnect.co.in)

Website : [www.taxconnect.co.in](http://www.taxconnect.co.in)



## LET'S DISCUSS FURTHER!

### OUR OFFICES:

#### MUMBAI

Unit No. 312, Omega Business Park, Near Kaamgar Hospital, Road No. 33, Wagle Industrial Estate, Thane West, Maharashtra- 400604

**Contact Person:** Priyanka Vishwakarma

**Email:** priyanka.vishwakarma@taxconnect.co.in

#### BENGALURU

951, 24<sup>th</sup> Main Road, J P Nagar, Bengaluru, Karnataka – 560078.

**Contact Person:** Anil Pal

**Email:** anil.pal@taxconnectdelhi.co.in

#### DELHI (NCR)

B-139, 2nd Floor, Transport Nagar, Noida-201301 (U.P)

**Contact Person:** Poonam Khemka

**Email:** poonam.khemka@taxconnect.co.in

#### KOLKATA

6, Netaji Subhas Road, 3<sup>rd</sup> Floor, Royal Exchange Building, Kolkata - 700001

**Contact Person:** Tithly Roy

**Email:** tithly.roy@taxconnect.co.in

#### KOLKATA

R No 119; 1st Floor; Diamond Arcade; 1/72, Cal Jessore Road, Kolkata – 700055

**Contact Person:** Uttam Kumar Singh

**Email:** uttam.singh@taxconnect.co.in

#### DUBAI

Azizi Feirouz, 803, 8th Floor, AL Furjan, Opposite Discovery Pavillion, Dubai, UAE

**Contact Person:** Rohit Sharma

**Email:** rohit.sharma@taxconnect.co.in

### **Disclaimer:**

*This e-bulletin is for private circulation only. Views expressed herein are of the editorial team and are based on the information, explanation and documents available on Government portal platforms. Tax Connect or any of its employees do not accept any liability whatsoever direct or indirect that may arise from the use of the information contained herein. No matter contained herein may be reproduced without prior consent of Tax Connect. While this e-article has been prepared on the basis of published/other publicly available information considered reliable, we do not accept any liability for the accuracy of its contents.*

Tax Connect 2022. All rights reserved.