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EDITORIAL

**Friends,**

Re-openings under E-Verification Scheme would start now. E-Verification Instruction No. 2 of 2024 provides a comprehensive guide for Assessing Officers to initiate proceedings under Section 147 of the Income Tax Act, 1961, for cases identified through the e-Verification Scheme, 2021. A Quick Reference Guide further aids officers in navigating the process seamlessly.

Implementing the e-Verification Scheme for AY 20-21, in accordance with the provisions of Section 135A of the Income-tax Act, 1961, High Risk Cases related to Assessment Year 2020-21 have been verified by the Prescribed Authority under the scheme and submitted a Preliminary Verification Report (PVR) estimating the Income Escapement. As per Clause 4(9) of the e-Verification Scheme-2021. CIT e-Verification has matched the Preliminary Verification Report with the latest Income Tax Return to prepare the Final Verification Report (FVR) wherein Value at Risk (VaR) has been arrived at. Based on Value at Risk, certain High Risk Cases have been identified for reopening under section 147 of the Act. These cases are made available to the Assessing Officer under clause (iv) of Explanation 1 of section 148.

The notice u/s 133(6) issued under the e-Verification Scheme will be visible to you in the Compliance Portal (accessible through <https://eportal.incometax.gov.in>).

Normally you will also be alerted through an SMS on your registered mobile phone and will also receive it on your registered email address.

This scheme does not allow for any physical hearing by the Prescribed Authority. You are requested to file your reply online through the portal. In case of any query or clarification the Prescribed Authority will communicate through the portal and give you adequate opportunity to clarify along with supporting documents.

If you go through the notice and find that the information as mentioned in the notice does not belong to you or is a duplicate entry or is incorrect (fully or partially), you should clearly state the same in the response filed on Insight and provide supporting evidence for the same, where applicable. The Income Tax Department would then confirm with the source the veracity of the information and take appropriate action.

It is important to note that the Assessing Officer is not required to issue Notice under section 148A of the Act in these cases.

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

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TAX CALENDAR

Due Date	Form/Return /Challan	Reporting Period	Description
20 th March	GSTR-3B	February'24	Summary return of outward supplies and input tax credit claimed, along with payment of tax by a registered person with aggregate turnover exceeding INR 5 Crores during the preceding financial year or any registered person who has opted to file monthly return.
20 th March	GSTR-5A	February'24	Summary of monthly outward taxable supplies and tax payable by a person supplying OIDAR services.

INCOME TAX

NOTIFICATION

CENTRAL GOVERNMENT SPECIFIES THE “THE PRESS TRUST OF INDIA LIMITED, NEW DELHI” AS A NEWS AGENCY SET UP IN INDIA SOLELY FOR COLLECTION AND DISTRIBUTION OF NEWS FOR TWO ASSESSMENT YEARS 2022-2023 TO 2023-2024 FOR THE PURPOSE OF SECTION 10(22B)

OUR COMMENTS: The Central Board of Direct Taxes vide notification no. 32/2024 dated 15.03.2024 notified In exercise of the powers conferred by the clause (22B) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the “The Press Trust of India Limited, New Delhi” as a news agency set up in India solely for collection and distribution of news, for the purpose of the said clause for two assessment years 2022-2023 to 2023-2024.

2. The notification is subject to the condition that the news agency applies its income or accumulates it for application solely for collection and distribution of news and does not distribute its income in any manner to its members.

[For further details please refer the notification]

NOTIFICATION

NATIONAL FORENSIC SCIENCES UNIVERSITY, GANDHINAGAR UNDER THE CATEGORY OF ‘UNIVERSITY, COLLEGE OR OTHER INSTITUTION’ FOR ‘SCIENTIFIC RESEARCH’ FOR THE PURPOSES OF CLAUSE (II) OF SUB-SECTION (1) OF SECTION 35

OUR COMMENTS: The Central Board of Direct Taxes vide Notification No. 31/2024 dated 13.03.2024 In exercise of the powers conferred by clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (43 of 1961) read with Rules 5C and 5E of the Income-tax Rules, 1962, the Central Government hereby approves ‘National Forensic Sciences University, Gandhinagar’ (PAN: AAALN3742Q) under the category of ‘University, college or other institution’ for ‘Scientific Research’ for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with rules 5C and 5E of the Income-tax Rules, 1962.

2. This Notification shall apply with effect from the date of publication in the Official Gazette (i.e. from the Previous Year 2023-24) and accordingly shall be applicable for Assessment Years 2024-25 to 2028-29.

[For further details please refer the notification]

NOTIFICATION

SARDAR VALLABHBHAI NATIONAL INSTITUTE OF TECHNOLOGY, SURAT UNDER THE CATEGORY OF ‘UNIVERSITY, COLLEGE OR OTHER INSTITUTION’ FOR ‘SCIENTIFIC RESEARCH’ FOR THE PURPOSES OF CLAUSE (II) OF SUB-SECTION (1) OF SECTION 35

OUR COMMENTS: The Central Board of Direct Taxes vide Notification No. 30/2024 dated 13.03.2024 In exercise of the powers conferred by clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (43 of 1961) read with Rules 5C and 5E of the Income-tax Rules, 1962, the Central Government hereby approves ‘Sardar Vallabhbhai National Institute of Technology’, Surat (PAN: AAJS1184P) under the category of ‘University, college or other institution’ for ‘Scientific Research’ for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with rules 5C and 5E of the Income-tax Rules, 1962.

2. This Notification shall apply with effect from the date of publication in the Official Gazette (i.e. from the Previous Year 2023-24) and accordingly shall be applicable for Assessment Years 2024-25 to 2028-29.

[For further details please refer the notification]

NOTIFICATION

INDIAN INSTITUTE OF TECHNOLOGY, KHARAGPUR UNDER THE CATEGORY OF ‘UNIVERSITY, COLLEGE OR OTHER INSTITUTION’ FOR ‘SCIENTIFIC RESEARCH’ FOR THE PURPOSES OF CLAUSE (II) OF SUB-SECTION (1) OF SECTION 35

OUR COMMENTS: The Central Board of Direct Taxes vide Notification No. 29/2024 dated 13.03.2024 In exercise of the powers conferred by clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 (43 of 1961) read with Rules 5C and 5E of the Income-tax Rules, 1962, the Central Government hereby approves ‘Indian Institute of Technology, Kharagpur’ (PAN: AAJI0323G) under the category of ‘University, college or other institution’ for ‘Scientific Research’ for the purposes of clause (ii) of sub-section (1) of section 35 of the Income-tax Act, 1961 read with rules 5C and 5E of the Income-tax Rules, 1962.

2. This Notification shall apply with effect from the date of publication in the Official Gazette (i.e. from the Previous Year 2023-24) and accordingly shall be applicable for Assessment Years 2024-25 to 2028-29.

[For further details please refer the notification]

GST

ADVISORY

ADVISORY ON GSTR-1/IFF: INTRODUCTION OF NEW 14A AND 15A TABLES

OUR COMMENTS: The GSTIN vide advisory dated 12.03.2024 advised that it is informed to all taxpayers that as per Notification No. 26/2022 – Central Tax dated 26th December 2022 two new Table 14A and Table 15A have been introduced in GSTR-1 to capture the amendment details of the supplies made through e-commerce operators (ECO) on which e-commerce operators are liable to collect tax under section 52 or liable to pay tax u/s 9(5) of the CGST Act, 2017. These tables have now been made live on the GST common portal and will be available in GSTR-1/IFF from February 2024 tax period onwards. These amendment tables are relevant for those taxpayers who have reported the supplies in Table 14 or Table 15 in earlier tax periods.

Table 14A – Amended Supplies made through e-commerce operator (ECO) in GSTR-1

In this table, the supplier can amend the detail of original supplies that he has already reported in original table 14 under below two sections in earlier return periods.

1. 14(a) Liable to collect tax u/s 52(TCS)
2. 14(b) Liable to pay tax u/s 9(5)

Table 15A – Amended Supplies u/s 9(5) in GSTR-1/IFF

In this table, the e-commerce operator can amend the detail of original supplies that he has already reported in table 15 originally under following four sections in earlier return periods.

1. Registered Supplier and Registered Recipient (B2B)
2. Registered Supplier and Unregistered Recipient (B2C)
3. Unregistered Supplier and Registered Recipient (URP2B)
4. Unregistered Supplier and Unregistered Recipient (URP2C)

To view the table 14A/15A, taxpayer can navigate to Returns Dashboard > Selection of Period > Details of outward supplies of goods or services GSTR-1 > Prepare Online

Other Salient features: -

1. Amended taxable values will be auto-populated from table 14A(b) to Table 3.1.1(ii) of GSTR-3B.
2. Amended taxable value along with tax liabilities from all the four sections of table 15A i.e., B2B, B2C, URP2B and URP2C will be auto-populated to table 3.1.1(i) of GSTR-3B.
3. There will be no auto-population of e-invoice in Table -15A. E-invoices reported for 9(5) supplies will be populated in FORM GSTR-1 as per existing functionality. E-commerce operators are advised to examine and add such records in table 15A related to 9(5) supplies.
4. E-commerce operator shall report amendment of debit or credit notes related to such services notified u/s 9(5) in existing table 9C of GSTR-1/IFF.

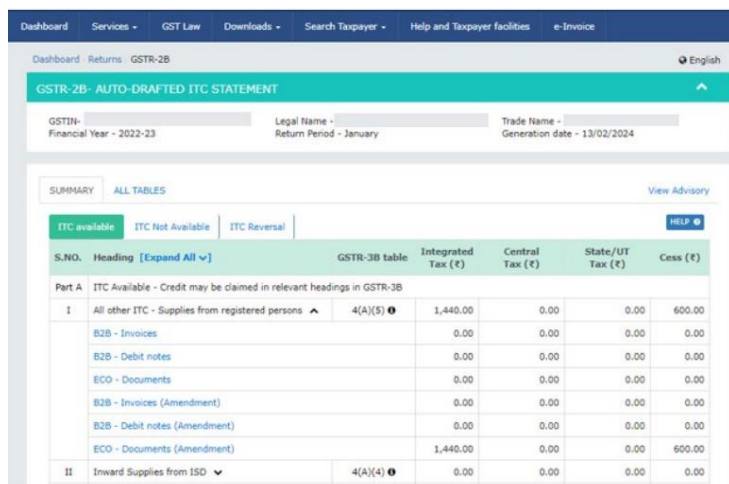
Impact of new tables of ECO-Documents in GSTR-2B

For the ease of registered recipient who are making supplies through e-commerce operator, a new table “ECO – Documents (Amendment)” is being added in GSTR-2B. In this table, the registered recipient can view the amended document details of the supplies made through e-commerce operator on which ecommerce operator is liable to pay tax under section 9(5) of the Act.

The values will be auto populated from Registered Supplier and Registered Recipient (B2B) and Unregistered Supplier and Registered Recipient (URP2B) section of table 15A to this new ECO - Documents table of GSTR-2B.

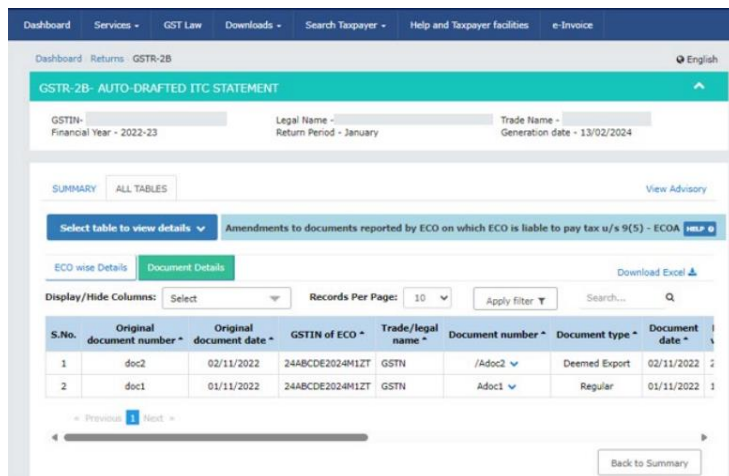
GST

To view the ECO-Documents (Amendment) table, taxpayer can navigate to Returns Dashboard > Selection of Period > Auto- drafted ITC Statement for the month GSTR 2B > View.



S.NO.	Heading [Expand All v]	GSTR-3B table	Integrated Tax (₹)	Central Tax (₹)	State/UT Tax (₹)	Cess (₹)
Part A ITC Available - Credit may be claimed in relevant headings in GSTR-3B						
I	All other ITC - Supplies from registered persons	4(A)(5)	1,440.00	0.00	0.00	600.00
	B2B - Invoices		0.00	0.00	0.00	0.00
	B2B - Debit notes		0.00	0.00	0.00	0.00
	ECO - Documents		0.00	0.00	0.00	0.00
	B2B - Invoices (Amendment)		0.00	0.00	0.00	0.00
	B2B - Debit notes (Amendment)		0.00	0.00	0.00	0.00
	ECO - Documents (Amendment)		0.00	0.00	0.00	0.00
	ECO - Documents		1,440.00	0.00	0.00	600.00
II	Inward Supplies from ISD	4(A)(4)	0.00	0.00	0.00	0.00

To view the records in ECO-Documents (Amendment) table, taxpayer can navigate to Returns Dashboard > Selection of Period > Auto- drafted ITC Statement for the month GSTR 2B > View > ECO Documents (Amendment)



S.No.	Original document number *	Original document date *	GSTIN of ECO *	Trade/legal name *	Document number *	Document type *	Document date *
1	doc2	02/11/2022	24ABCD2024M1ZT	GSTN	/Adoc2	Deemed Export	02/11/2022
2	doc1	01/11/2022	24ABCD2024M1ZT	GSTN	Adoc1	Regular	01/11/2022

[For further details please refer the advisory]

CASE LAW

LEVY OF PENALTY U/S 129 (3) OF THE GST ACT - APPELLANT/PETITIONER DID NOT GENERATE E-WAY BILL WITH A VIEW TO EVADE TAX - VIOLATION OF PROVISIONS OF THE GST ACT READ WITH GST RULES : ALLAHABAD HIGH COURT

OUR COMMENTS: It was held that the e-Invoice in Form GST Invoice-I is auto populated / generated on the common platform after e- Invoice is uploaded on the said portal in the manner prescribed in the said Rules. Further Part-B of the e-Way bill has been uploaded after filing up the relevant details

of the vehicle transporting the goods. In the facts of this case it is not disputed that the e-Way Bill contained the complete details in Part-A and Part-B. Most importantly once these documents are produced, statutory duty is cast upon the revenue authorities to verify the authenticity of the said documents. All the documents (soft copies/e-invoices & e-way bills) are in the official reach of the department. Hence, the verification is a very simple procedure which is required to be executed by the revenue authorities. Evidently in this case they failed to do so.

The case of the petitioner is consistent that the driver was carrying digital copies of the tax invoice as well as e-Way Bill on his mobile number. The Revenue did not verify the digital device of the driver. If the assessee always had relevant documents in his favour, it stands to reason that there was no cause for him not to provide the digital copy of the e-Way Bill to the driver when the goods were being transported. After the driver had produced the digital copy of the tax invoice, it was the responsibility of the revenue to verify the same from the portal. The portal also contains the e-Way Bill which is auto populated after the e-Invoice uploaded. Evidently the Revenue failed to do so. The revenue cannot fasten the penalty upon the tax payers for its own default.

The argument on behalf of the revenue to the effect that once the demand raised on the assessee was satisfied by making of payment, the assessee could not carry the order of penalty in appeal and is liable to be rejected— The assessee under Section 129(1) of the GST Act, 2017 has an option either to provide security or to make payment and satisfy the demand in full. However, the mere fact that the assessee has made payment will not disentitle him for carrying the order imposing the penalty in appeal.

Since all the documents have been admittedly produced before the authorities at the time of inspection, there was no cause for detention, seizure or imposition of the penalty as has been done by the authorities in this case— It is noteworthy that the revenue is not challenged the authenticity of the bills or the fact that they were not duly filled it or the details were absent in the said bills. No irregularity in the bills have been pointed out on behalf of the revenue.

The impugned order dated 04.01.2023 whereby the Assistant Commissioner, Commercial Tax, Mobile Squad-VII, Ghaziabad as well as the order dated 09.05.2023 passed by the respondent No.3/learned appellate authority/Additional Commissioner, State Tax, Mobile Squad, Unit-7, Ghaziabad are liable to be quashed and are quashed— Petition allowed.

FEMA

NOTIFICATION			
FOREIGN	EXCHANGE	MANAGEMENT	(NON-DEBT INSTRUMENTS) (SECOND AMENDMENT) RULES, 2024-- S.O. 136I)

OUR COMMENTS: The Ministry of Commerce & Industry vide notification dated 14.03.2024 notified In exercise of the powers conferred by clauses (aa) and (ab) of sub-section (2) of section 46 of the Foreign Exchange Management Act, 1999 (42 of 1999), the Central Government hereby makes the following rules further to amend the Foreign Exchange Management (Non-debt Instruments) Rules, 2019, namely

2. 1. (1) These rules may be called the Foreign Exchange Management (Non-debt Instruments) (Second Amendment) Rules, 2024.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Foreign Exchange Management (Non-debt Instruments) Rules, 2019, in rule 2, in clause (aq), the following Explanation shall be inserted, namely:-

“Explanation.- For the purposes of this clause, unit shall include unit that has been partly paid up, which is permitted under the regulations framed by the Securities and Exchange Board of India, in consultation with Government of India;”.

[For further details please refer the notification]

CASE LAW
FOREIGN CONTRIBUTION REGULAT–ON - NON-FILING OF THE RETU–NS - ANNUAL RETURNS FOR THE YEARS 2019-2020 WERE TO BE UPLOADED IN FORM FC-4 FOR WHICH SBI ACCOUNT AS O ^F 31ST MARCH, 2020 WAS NEEDED, THE DETAILS OF THE SBI BANK ACCOUNT COULD NOT BE GIVEN : DELHI HIGH COURT

OUR COMMENTS: It was held that Petitioner seeking directions to the Respondent – Ministry of Home Affairs, Union of India to allow the Petitioners to fill and upload Form FC-4 on the Respondent’s portal in order to enable them to file the annual returns for the financial year 2019-2–20 - whether the SBI bank account could have been sought for as o^f 31st March 2020, when the amendment itself came into effect later i.e., in September 20–0? - HELD THAT:- In view of the reasoning given in the said order in WNS Cares Foundation [2023 (1) TMI –44 - DELHI HIGH COURT] as held receipt of foreign contribution “as oⁿ 31st March of the year ending” has to be provided and the bank account has to be in the SBI, Sansad Marg branch. Since the Petitioner No.1 opened its account in August, 2021 and in any case, as oⁿ 31st March, 2020, the Foreign Contribution Regulation (Amendment) Act, 2020, had not come into effect, there appears to be some justification in the Petitioners’ case. Petitioner No.1 having opened its FCRA account in August, 2021 is, accordingly, permitted to fill up the said details of its FCRA account in serial no.7 of the Form FC – 4 and submit the same.

In this case the Petitioners also having already opened their bank accounts with SBI Sansad Marg Branch, the Petitioners are permitted to upload their annual returns for the year 2019-2020 by specifying the SBI account number of the account which was subsequently opened by them.

CUSTOMS

NOTIFICATION

SEEKS TO AMEND NOTIFICATION NO. 58/2021-CUSTOMS (N.T.), DATED THE 01.07.2021 UNDER SUB-SECTION (2) OF SECTION 151B OF THE CUSTOMS ACT, 1962 TO NOTIFY AGREEMENT OR ARRANGEMENT ON COOPERATION AND MUTUAL ADMINISTRATIVE ASSISTANCE (CMAA) IN CUSTOMS MATTER OF INDIA AND WITH OTHER COUNTRIES

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 23/2024-Customs(N.T) dated 15.03.2024 notified In exercise of the powers conferred by sub-section (2) of section 151B of the Customs Act, 1962 (52 of 1962), the Central Government hereby makes the following further amendments in the notification of the Government of India, Ministry of Finance (Department of Revenue) No. 58/2021-Customs (N.T.), dated the 1st July, 2021, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 467(E), dated the 1st July, 2021, namely:-

In the said notification, in the TABLE, after S. No. 16 and the entries relating thereto, the following S. No. and entries shall be inserted, namely: -

S. No.	Name of contracting State	Agreement or Arrangement on Cooperation and Mutual Administrative Assistance (CMAA) in Customs matters
(1)	(2)	(3)
"16A	Republic of Armenia	Agreement between the Government of the Republic of India and the Government of the Republic of Armenia on co-operation and mutual assistance in Customs matters."

[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 22/2024-Customs(N.T) dated 15.03.2024 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	902
2	1511 90 10	RBD Palm Oil	912
3	1511 90 90	Others – Palm Oil	907
4	1511 10 00	Crude Palmolein	917
5	1511 90 20	RBD Palmolein	920
6	1511 90 90	Others – Palmolein	919
7	1507 10 00	Crude Soya bean Oil	933
8	7404 00 22	Brass Scrap (all grades)	4867

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. 50/2017-Customs dated 30.06.2017 is availed	696 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. 50/2017-Customs dated 30.06.2017 is availed	809 per kilogram
3.	71	(i) Silver, in any form, other than medallions and silver	809 per kilogram

CUSTOMS

		<p>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>	
4.	71	<p>(i) Gold bars, other than tola bars, bearing manufacturer's or refiner's engraved serial number and weight expressed in metric units;</p> <p>(ii) Gold coins having gold content not below 99.5% and gold findings, other than imports of such goods through post, courier or baggage.</p> <p>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.</p>	696 per 10 grams

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	6259 (i.e., no change)"

2. This notification shall come into force with effect from the 16th day of March, 2024.

[For further details please refer the notification]

NOTIFICATION
AMENDMENT TO NOTIFICATION NO. 12/97-CUSTOMS (N.T.) DATED THE 2ND APRIL, 1997 - INLAND CONTAINER DEPOTS FOR LOADING AND UNLOADING OF GOODS - BIHTA IN BIHAR INCLUDED IN THE LIST FOR THE PURPOSE OF "UNLOADING OF IMPORTED GOODS AND LOADING OF EXPORT GOODS"

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 21/2024-Customs(N.T) dated 12.03.2024 notified In exercise of the powers conferred by clause (aa) of sub-section (1) read with sub-section (2) of section 7 of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes and Customs hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 12/97-Customs (N.T.) dated the 2nd April, 1997, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R 193 (E), dated the 2nd April, 1997, namely:-

In the said notification, in the Table, after serial number 2 and the entries relating thereto, the following serial number and entries shall be inserted, namely:—

S.No.	State/Union Territory	Place	Purpose
(1)	(2)	(3)	(4)
"2A.	Bihar	Bihta	Unloading of imported goods and loading of export goods".

[For further details please refer the notification]

NOTIFICATION
AMENDMENT TO NOTIFICATION NO. 24/2023-CUSTOMS (N.T.) DATED 01.04.2023 - EXTENSION OF RODTEP SUPPORT TO EXPORTS BY AA/EOU

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 20/2024-Customs(N.T) dated 11.03.2024 notified In exercise of the powers conferred by sub-section (1) of section 51B of the Customs Act, 1962 (52 of 1962), the Central Government, on being satisfied that it is necessary and expedient to do so, hereby makes the following amendments in the notification of the Government of India, Ministry of Finance (Department of Revenue), No. 24/2023-Customs (N.T.), dated the 1st April, 2023, published in the

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Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide G.S.R. 261(E), dated the 1st April 2023, namely:-

In the said notification,-

(i) in clause 2,

(a) in sub-clause (1), for item (b), the following shall be substituted, namely:-

“(b) against export of goods notified in Appendix 4R of the Foreign Trade Policy or against export of goods under Advance Authorisation (except Deemed Exports) as notified in Appendix 4RE of the Foreign Trade Policy or export of goods manufactured by or exported by Export Orient Unit as notified in the said Appendix 4RE, at the respective rate and cap notified under the Appendix 4R or Appendix 4RE, as applicable:

Provided that the value of the said goods for calculation of duty credit to be allowed under the Scheme shall be the declared export FOB value of the said goods or, up to 1.5 times the market price of the said goods, whichever is less;”

(b) in sub-clause (4), for the words “notified in the Appendix”, the words “notified in the said Appendix 4R or Appendix 4RE, as applicable” shall be substituted;

(ii) in the TABLE, Sl. No’s. 6, 7, 8 and 10 and the entries relating thereto shall be omitted.

[For further details please refer the notification]

NOTIFICATION

CUSTOMS AIRPORTS — APPOINTMENT FOR SPECIFIED PURPOSES - AMENDMENT IN NOTIFICATION NO. 61/94-CUSTOMS (N.T.) DATED THE 21ST NOVEMBER, 1994

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 19/2024-Customs(N.T) dated 08.03.2024 notified In exercise of the powers conferred by clause (a) of sub-section (1) read with sub-section (2) of section 7 of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes and Customs hereby makes the following further amendment in the notification of the Government of India, Ministry of Finance (Department of Revenue) No. 61/94-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. 828 (E), dated the 21st November, 1994, namely:

In the said notification, in the Table, against serial number 10 relating to the State of Madhya Pradesh, in column (3), after

the entry at (b) and corresponding entry in column (4), the following item and entries shall be inserted, namely:—

Sl. No.	State/Union Territory	Airport	Purpose
(1)	(2)	(3)	(4)
		“ (c) Bhopal	Unloading of baggage and loading of baggage.”.

[For further details please refer the notification]

NOTIFICATION

SEEKS TO FURTHER AMEND NO. 11/2018-CUSTOMS, DATED THE 2ND FEBRUARY, 2018, TO EXEMPT SWS ON EVS IMPORTED UNDER OF THE MINISTRY OF HEAVY INDUSTRIES' SCHEME TO PROMOTE MANUFACTURING OF ELECTRIC PASSENGER CARS IN INDIA

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 20/2024-Customs dated 15.03.2024 notified In exercise of the powers conferred by sub-section (1) of section 25 of the Customs Act, 1962 (52 of 1962) read with section 110 of the Finance Act, 2018 (13 of 2018), 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. 11/2018- Customs, dated the 2nd February, 2018 published in the Gazette of India , Extraordinary , Part II, Section 3, Sub-section (i), vide number G.S.R 114 (E), dated the 2nd February, 2018, namely :-

In the said notification, in the Table , against Sl. No 57, in column (2), after item (iv), and before the words “of the Table”, the following item shall be inserted, namely: -

“(v) column (3), sub-item (c) of item (2) of S. No. 526A;”.

[For further details please refer the notification]

NOTIFICATION

SEEKS TO AMEND NO. 50/2017-CUSTOMS, DATED THE 30TH JUNE, 2017 TO GIVE CONCESSION TO EVS IMPORTED UNDER OF THE MINISTRY OF HEAVY INDUSTRIES' SCHEME TO PROMOTE MANUFACTURING OF ELECTRIC PASSENGER CARS IN INDIA

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 19/2024-Customs dated 15.03.2024 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

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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,

(1) in the Table, for S. No. 526A and the entries relating thereto, the following S. No. and entries shall be substituted, namely: -

(1)	(2)	(3)	(4)	(5)	(6)
"526A.8703	Electrically operated vehicles, if imported,-				
	(1) incomplete or unfinished, as a knocked down kit containing necessary components, parts or subassemblies for assembling a complete vehicle, including battery pack, motor, motor controller, charger, power control unit, energy monitor, contactor, brake system, electric compressor, whether or not individually pre-assembled, with –				
	(a) none of the above components, parts or sub-assemblies inter-connected with each other and not mounted on a chassis	15%	-	-	
	(b) any of the above components, parts or sub-assemblies inter-connected with each other but not mounted on a chassis	35%	-	-	
	(2) in a form other than (1) above, -				
	(a) with a CIF value more than US \$40,000	100%	-	-	
	(b) other than (a) above	70%	-	-	
	(c) with a minimum CIF value of US \$35,000 imported in terms of provisions of the 'Scheme to promote manufacturing of electric passenger cars in India' notified vide S.O. No. 1363 (E) dated 15th March, 2024, by the Ministry of Heavy Industries:	15%	-	117";	

	Provided that nothing contained in item (2)(c) in this S. No. shall have effect after the 31st March, 2031.			
	Explanation. – For the removal of doubts, the exemption contained in items (1)(a) and (1)(b) of this entry shall be available, even if one or more of the components, parts or sub-assemblies required for assembling a complete vehicle are not imported in the kit, provided that the kit as presented, is classifiable under the heading 8703 of the Customs Tariff Act, 1975 as per the general rules of interpretation.			

(2) in the Annexure, after condition number 116 and the entry relating thereto, the following condition number and entry shall be inserted, namely: -

(1)	(2)
"117.	If the importer, at the time of import, furnishes a certificate from an officer not below the rank of a Joint Secretary to the Government of India in the Ministry of Heavy Industries (MHI) to the effect that,-
	(i) the importer holds a valid Approval Letter issued by the Ministry of Heavy Industries under the 'Scheme to promote manufacturing of electric passenger cars in India' notified vide S.O. No. 1363 (E) dated 15th March, 2024, by the Ministry of Heavy Industries;
	(ii) the importer satisfies the conditions of the aforesaid scheme and the quantity of the vehicles being imported is within the limits prescribed in Para. 1.3.5 and para. 1.3.6 of the aforesaid scheme; and
	(iii) the importer is eligible for grant of this exemption in respect of the goods being imported."

[For further details please refer the notification]

NOTIFICATION
SEEKS TO AMEND NOTIFICATION NO. 25/2021- CUSTOMS DATED 31.03.2021, IN ORDER TO NOTIFY FOURTH TRANCHE OF INDIA-MAURITIUS CECPA

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 18/2024-Customs dated

CUSTOMS

14.03.2024 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 the further amendments as mentioned in "Table-1" in the said notification of the Government of India, Ministry of Finance (Department of Revenue), No. 25/2021-Customs, dated the 31st March, 2021, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 241 (E), dated the 31st March, 2021.

[For further details please refer the notification]

NOTIFICATION

SEEKS TO AMEND NOTIFICATION NO. 57/2017-CUSTOMS DATED 30.06.2017 SO AS TO MODIFY BCD RATES ON CERTAIN SMART WEARABLE DEVICES

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 17/2024-Customs dated 14.03.2024 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 the following further amendment in the notification of the Government of India, Ministry of Finance (Department of Revenue), No. 57/2017-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. 798(E), dated the 30th June, 2017, namely :-

In the said notification, in the Table, -

(i) against S. No. 20, in column (3), in item (a), for the symbols and words "(commonly known as smart watches);", the symbols and words "(commonly known as smart watches) and other smart wearable devices including smart rings, shoulder bands, neck bands or ankle bands;" shall be substituted.

[For further details please refer the notification]

NOTIFICATION

SEEKS TO AMEND NOTIFICATION NO. 50/2017-CUSTOMS, DATED THE 30TH JUNE, 2017 - THE NOTIFICATION INCLUDES CHANGES IN THE TARIFF CLASSIFICATION FOR CERTAIN GOODS RELATED TO X-RAY MACHINES USED IN MEDICAL, SURGICAL, DENTAL, OR VETERINARY FIELDS

OUR COMMENTS: The Ministry of Finance, Department of Revenue vide notification no 16/2024-Customs dated 12.03.2024 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. 563A, in column (3), in entry (ii), for item (e), the following item shall be substituted, namely: -

"(e) High Frequency X-Ray Generator (>25KHz) (9022 14 10);"

(ii) after S. No. 563A, the following S. Nos. and entries shall be inserted, namely: -

(1)	(2)	(3)	(4)	(5)	(6)
563B	9022 14 10	High Frequency X-Ray Generator (>25KHz, >=500mA) for use in manufacture of X-ray machines for medical, surgical, dental or veterinary use (9022 14 20 or 9022 14 90)	10%	-	9
563C	9022 90	The following goods for use in manufacture of X-ray machines for medical, surgical, dental or veterinary use (9022 14 20 or 9022 14 90), namely: -(i) Vertical Bucky;(ii) X-Ray Tube Suspension;(iii) X-Ray Grid;	10%	-	9
563D	9022 00 or 9022 90	Multi Leaf Collimator/ Iris for use in manufacture of X-ray machines for medical, surgical, dental or veterinary use (9022 14 20 or 9022 14 90)	10%	-	9

(iii) against S. No. 564, in column (3), for item (e), the following item shall be substituted, namely: -

"(e) High Frequency X-Ray Generator (>25KHz) (9022 14 10);"

2. This notification shall come into force on the 1st day of April, 2024.

[For further details please refer the notification]

DGFT

NOTIFICATION

AMENDMENT IN POLICY CONDITION OF DE-OILED RICE BRAN

OUR COMMENTS: The Ministry of Commerce and Industry vide notification no. 76/2023 dated 15.03.2024 notified In exercise of 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, the Central Government hereby, in modification of Notification No. 51/2023 dt. 8th December, 2023, makes the following amendment related to policy condition of De-Oiled Rice Bran:

ITC HS Code	Description	Export Policy	Present Policy condition	Revised Policy Condition
2306	OIL-CAKE AND OTHER SOLID RESIDUES, WHETHER OR NOT GROUND OR IN THE FORM OF PELLETS, RESULTING FROM THE EXTRACTION OF VEGETABLE OR MICROBIAL. FATS OR OILS, OTHER THAN THOSE OF HEADING 2304 OR 2305	Free	However, export of De-Oiled Rice Bran under ITC HS code 2306 and under any other HS code is prohibited till 31.03.2024.	However, export of De-Oiled Rice Bran under ITC HS code 2306 and under any other HS code is prohibited till 31st July, 2024.

2. Effect of the Notification:

Export prohibition of De-Oiled Rice Bran is extended beyond 31st March, 2024 and till 31st July, 2024.

[For further details please refer the notification]

NOTIFICATION

IMPOSITION OF MINIMUM EXPORT PRICE (MEP) ON EXPORT OF HONEY

OUR COMMENTS: The Ministry of Commerce and Industry vide notification no. 75/2023 dated 14.03.2024 notified In exercise of 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, the Central Government hereby imposes Minimum Export Price (MEP) on export of Natural Honey under ITC HS code 0409 00 00 of Schedule 2 of the ITC (HS) Export Policy, 2023, as under:

Tariff item HS Code	Item description	Export Policy	Policy condition
0409 00 00	Natural Honey	Free	Subject to a Minimum Export Price (MEP) of US\$ 2000 per Metric Ton (PMT), till 31st December, 2024 or until further orders, whichever is earlier."

2. The Notification will come into immediate effect. Transitional arrangements under Para 1.05 of Foreign Trade Policy, 2023 will be applicable.

3. Effect of this Notification:

Export of Natural Honey is 'Free'. Minimum Export Price (MEP) of US \$ 2000 per Metric Ton (PMT) is imposed till 31st December, 2024 or until further orders, whichever is earlier."

[For further details please refer the notification]

NOTIFICATION

RODTEP IMPLEMENTATION FOR EXPORTS OF PRODUCTS MANUFACTURED BY AA HOLDERS (EXCEPT DEEMED EXPORTS) AND EOU FOR 166 TARIFF LINES

OUR COMMENTS: The Ministry of Commerce and Industry vide notification no. 74/2023 dated 11.03.2024 notified In exercise of the powers conferred by Section 5 of the Foreign Trade (Development and Regulation) Act, 1992 read with Para 1.02 of the Foreign Trade Policy 2023, as amended from time to time, and in reference to the Notification No.70/2023 dated 08.03.2024 the Central Government hereby notifies that:

"The RoDTEP implementation for exports of products manufactured by AA holders (except Deemed Exports) and EOU for 166 Tariff lines as contained in Annexure to this notification will come into effect from 01.04.2024."

Effect of this Notification:

The support under RODTEP for 166 Tariff lines as contained in Annexure to this notification will be available w.e.f

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01.04.2024 due to requisite technical enablement at Customs Automated System.

[For further details please refer the notification]

NOTIFICATION
INCORPORATION OF POLICY CONDITION FOR EXPORT OF CHITIN, CHITOSAN, CHITOSAN SALTS, CHITOSAN SALTS (CHITOSAN HYDROCHLORIDE, CHITOSAN ACETATE, CHITOSAN LACTATE) AND CHITOSAN DERIVATIVES (CHITOSAN SUCCINAMIDE)

OUR COMMENTS: The Ministry of Commerce and Industry vide notification no. 73/2023 dated 11.03.2024 notified 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. the Central Government hereby incorporates policy conditions against ITC HS code 39139090 of Schedule -2 (Export Policy) of ITC (HS) 2023. as under: -

ITC (HS) Code	Unit	Description	Export Policy	Policy Condition
39139090	Kg	Other	Free	Export of Chitin. Chitosan, Chitosan Salts. Chitosan Salts (Chitosan Hydrochloride. Chitosan Acetate. Chitosan Lactate) and Chitosan Derivatives (Chitosan Succinamide) is 'Free' however export to European Union is allowed subject to the following conditions: - i. A 'Shipment Clearance Certificate' is to be issued consignment-wise by the CAPEXIL indicating details of the name and address of the exporter, address of the registered plant. IEC No. of the exporter. Plant approval Number, nature of export product, quantity, invoice number and date, port of loading (name of the port) and destination.

				ii. After the shipment is made, the exporter shall also provide a 'Health Certificate' consignment-wise to the buyer giving details of the product with HS Code. packaging, its origin, destination, vessel name, date of departure. health requirements, etc. this Health Certificate would be issued jointly by CAPEXIL and Regional Animal Quarantine Officer. Department of Animal Husbandary, Dairying and Fisheries. Ministry of Agriculture and Farmers Welfare. Government of India
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Effect of This Notification: Policy conditions for export of Chitin. Chitosan. Chitosan Salts, Chitosan Salts (Chitosan Hydrochloride. Chitosan Acetate. Chitosan Lactate) and Chitosan Derivatives (Chitosan Succinamide) to European Union (EU) countries under ITC-HS Code 39139090 is incorporated.

[For further details please refer the notification]

NOTIFICATION
AMENDMENT IN EXPORT POLICY OF HUMAN BIOLOGICAL SAMPLES UNDER CHAPTER-30 OF ITC HS SCHEDULE-2 OF EXPORT POLICY

OUR COMMENTS: The Ministry of Commerce and Industry vide notification no. 72/2023 dated 11.03.2024 notified In exercise of 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, the Central Government hereby amends Export Policy under chapter 30 related to Human Biological Samples, as under:

HS Code	Item Description	Revised Export Policy	Revised Policy Condition
30021020	Antisera and other blood	Free subje	1. Any human biological materials/samples/products

DGFT

	fractions and immunological products, whether or not modified or obtained by means of biotechnological processes	ct to NOC	which are related to activities covered under the provision of Drugs & Cosmetics Act 1940 & Rules thereunder are free for export subject to No objection from CDSCO.
30021091	Antisera and other blood fractions and immunological products, whether or not modified or obtained by means of biotechnological processes		2. Any human biological materials/samples/products NOT covered under (1) above are free for export subject to No objection from ICMR/DHR.
30021210	For diphtheria		
30021220	For tetanus		
30021230	For rabies		
30021240	For snake venom		
30021290	Other		
30029010	Human Blood		

2. Effect of the Notification:

Export Policy of Human Biological Samples under Chapter 30 of ITC HS schedule-2 of export policy is amended to the extent that export of item that contains Human biological materials/samples/products under chapter 30 is free subject to the NOC from Central Drugs Standard Control Organization (CDSCO) or Indian Council of Medical Research (ICMR). Department of Health Research (DHR).

[For further details please refer the notification]

NOTIFICATION

ENABLING PROVISIONS FOR IMPORT OF INPUTS THAT ARE SUBJECTED TO MANDATORY QUALITY CONTROL ORDERS (QCOS) BY ADVANCE AUTHORISATION HOLDERS, EOU AND SEZ

OUR COMMENTS: The Ministry of Commerce and Industry vide notification no. 71/2023 dated 11.03.2024 notified In exercise of 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 2.03 of the Foreign Trade Policy (FTP), 2023, the Central Government hereby makes the following amendments to FTP, 2023 with immediate effect, in supersession of Notification No. 69/2023 dated 07.03.2024.

2. A new **para 2.03 (A)** is inserted below para 2.03 of FTP 2023, as follows:

"2.03A Importability of items under Advance Authorisation/EOU/SEZ without compliance to the mandatory Quality Control Orders (QCOS)

Import of Inputs under Advance Authorisation/EOU/SEZ without compliance to the mandatory QCOS, shall be subjected to the following conditions:

i) For Advance Authorisation:

a) Import of inputs under the Advance authorisation without compliance to the mandatory QCOS shall be with pre-import condition. Such inputs shall be utilised in the manufacturing of the export product (making normal allowance for wastage) and shall be exported under the same authorisation.

b) Exemption from mandatory QCOS shall be specifically endorsed in the Advance authorisation, upon the request of the authorisation holder. Imports under Authorisation without specific endorsement of exemption shall be made in accordance with mandatory QCOS.

c) Any unutilised imports or the products manufactured with inputs imported without compliance to the mandatory QCOS, shall not be transferred to DTA, even after regularisation of default in fulfilment of export obligation. For the purpose of this para, unutilised imports means imported inputs (without compliance of mandatory QCOS) which have not been accounted for, as per SION/Ad-hoc Norms, in the product exported under the same authorisation.

d) The unutilised imports shall be regularised as follows:

DGFT

(i) The unutilised material shall be destroyed in the presence of jurisdictional GST/Customs authorities who shall certify the destruction of the goods or same may be re-exported;

(ii) In addition, such unutilised imports, irrespective of origin of goods, shall be liable to payment of effective duty on MFN basis along with interest on the exempted material, to Customs Authorities plus composition fee of an amount equivalent to 10% of the CIF value of unutilized imported inputs to DGFT. Proof thereof shall be submitted to the RA concerned before grant of EODC.

(e) The exemption from QCO will be available for physical exports only and such exemption will not be allowed for deemed exports for Advance Authorisation Holders.

(f) The facility of clubbing under para 4.36 of Handbook of Procedures (HBP), 2023 shall not be available.

(g) The Export Obligation period for such authorizations shall be as per para 4.40 of Handbook of Procedures. However, EO period is restricted to 180 days from the date of clearance of import consignment in respect of QCO exemption for textile products.

(h) Import of Inputs without compliance to the mandatory QCOs under DFIA scheme is not allowed.

(i) This exemption is further subject to para 2.03 (c) of FTP.

ii) For EOUs

(i) Exemption from applicability of mandatory QCOs issued under the BIS Act, 2016, shall be provided to EOU on import of inputs which are required for export production. No DTA clearance of such inputs or goods manufactured made out of such inputs, are allowed. An undertaking to that effect will be submitted to the Customs authorities by the EOU at the time of importation and a copy of the same shall also be submitted to the Development Commissioner concerned. The exemption from QCO will be available for physical exports only and such exemption will not be allowed for deemed exports. This exemption is further subject to para 2.03 (c) of FTP.

iii) For SEZ

(i) Exemption from applicability of mandatory QCOs issued under the BIS Act, 2016, shall be provided to SEZ on import of inputs which are required for export production. No DTA clearance of such inputs or goods manufactured made out of such inputs, are allowed. An undertaking to that effect will be

submitted to the concerned Development Commissioner of the SEZ by the SEZ Unit at the time of importation. The exemption from QCO will be available for physical exports only. This exemption is further subject to para 2.03 (c) of FTP".

3. The following sub-para (c) is appended to the existing para 2.03 of FTP 2023:

"(c) The list of Ministries/Departments whose notifications on mandatory QCOs, that are exempted by the DGFT for goods to be utilised/consumed in manufacture of export products, are given in **Appendix-2Y** of FTP 2023".

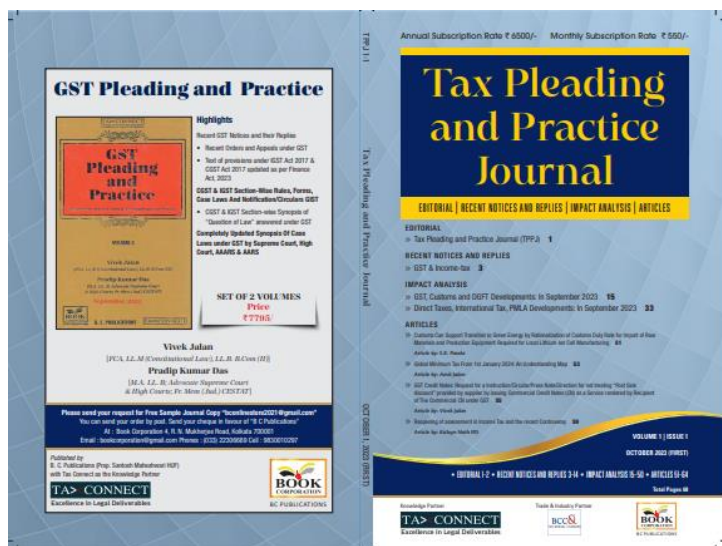
Effect of this Notification: Enabling provisions are made for exempting inputs imported by Advance Authorisation holders, EOUs and SEZ from mandatory Quality Control Orders (QCOs). Accordingly, list of Ministries / Departments [i.e. Ministry of Steel, Department for Promotion of Industry and Internal Trade (DPIIT) and Ministry of Textiles] are notified in **Appendix 2Y** of FTP, 2023.

This issue with the approval of Minister of Commerce & Industry.

[For further details please refer the notification]

:IN STANDS

TAX PLEADING AND PRACTICE JOURNAL



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



ABOUT THE BOOK: This publication includes:

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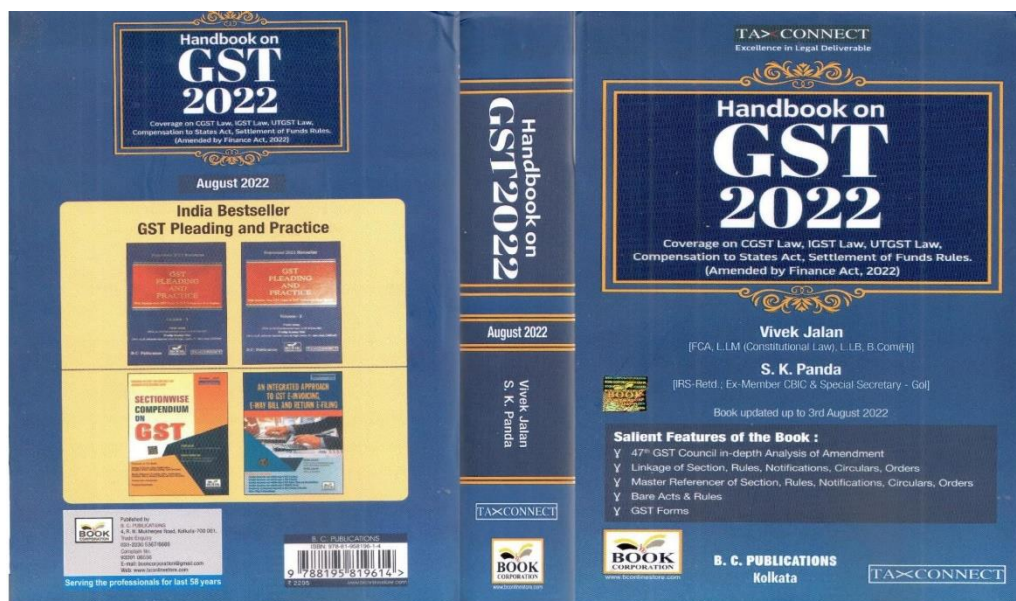
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