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EDITORIAL



Friends,

The provisions for Inspection, Search, Seizure and Arrest under GST or any other law are provided to protect the interest of genuine tax payers and as a deterrent for tax evasion. These provisions are also required to safeguard Government's legitimate dues. Thus, these provisions act as a deterrent and by checking evasion provide a level playing field to genuine taxpayers.

It is to be noted that the options of Inspection, Search, Seizure and Arrest are exercised, only in exceptional circumstances and as a last resort, to protect the Government Revenue. Therefore, to ensure that these provisions are used properly, effectively and the rights of taxpayers are also protected, it is stipulated that Inspection, Search or Seizure can only be carried out when an officer, of the rank of Joint Commissioner or above, has reasons to believe the existence of such exceptional circumstances.

During the course of search, inspection or investigation, under GST, sometimes the taxpayers opt for deposit of their partial or full GST liability arising out of the issue pointed out by the department during the course of such search, inspection or investigation by furnishing DRC-03.

Instances have been noticed by the CBIC where some of the taxpayers after voluntarily depositing GST liability through DRC-03 have alleged use of force and coercion by the officers for making 'recovery' during the course of search or

inspection or investigation. Some of the taxpayers have also approached Hon'ble High Courts in this regard.

Recently, the GST-Investigation Wing came out with clarification that there may not be any circumstance necessitating 'recovery' of tax dues during the course of search or inspection or investigation proceedings. However, there is also no bar on the taxpayers for voluntarily making the payments on the basis of ascertainment of their liability on non-payment/ short payment of taxes before or at any stage of such proceedings. The tax officer should however, inform the taxpayers regarding the provisions of voluntary tax payments through DRC-03.

Instruction given to the Pr. Chief Commissioners/ Chief Commissioners, CGST Zones and Pr. Director General and DGGI that in case, any complaint is received from a taxpayer regarding use of force or coercion by any of their officers for getting the amount deposited during search or inspection or investigation, the same may be enquired at the earliest and in case of any wrongdoing on the part of any tax officer, strict disciplinary action as per law may be taken against the defaulting officers.

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

Truly Yours

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TAX CALENDAR

Due Date	Form/Return/ Challan	Reporting Period	Description
30 th May	TDS Challan-cum-statement	April 2022	Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA, 194IB, 194M.
30 th May	TCS Certificate	Q4- FY 21-22	Issue of TCS certificates for the 4th Quarter of the Financial Year 2021-22
30 th May	Form No. 49C	FY 2021-22	Submission of a statement by non-resident having a liaison office in India for the financial year 2021-22
31 st May	Form 24Q	January to March 2022	Quarterly statement of TDS deposited for the quarter ending March 31, 2022.
31 st May	Form 26Q	January to March 2022	Quarterly Statement for TDS on professional fees, interest payments, etc. (other than salary) for the quarter ending March 31, 2022
31 st May	Form 27Q	January to March 2022	Quarterly statement of TDS deposited (for the payment other than salary to non-resident not being a company, foreign company and persons who are not ordinarily resident) for the quarter ending March 31, 2022.
31 st May	TDS By trustees		TDS Return for tax deducted from contributions paid by the trustees of an approved superannuation fund
31 st May	Form 61A	FY 2021-22	Due date for furnishing of statement of financial transaction as required to be furnished under sub-section (1) of section 285BA of the Act respect for financial year 2021-22
31 st May	Form 61B	Calendar Year 2021	Due date for e-filing of annual statement of reportable accounts as required to be furnished under section 285BA(1)(k) (in Form No. 61B) for calendar year 2021 by reporting financial institutions
31 st May	PAN Application	FY 2021-22	Application for allotment of PAN in case of non-individual resident person, which enters into a financial transaction of Rs. 2,50,000 or more during FY 2021-22 and in case of person being managing director, director, partner, trustee, author, founder, karta, chief executive officer, principal officer or office bearer of the person referred to in Rule 114(3)(v) or any person competent to act on behalf of the person referred to in Rule 114(3)(v) and who hasn't allotted any PAN

INCOME TAX

NOTIFICATION

AMENDMENT IN FACELESS PENALTY SCHEME, 2021.

OUR COMMENTS: The Central Board of Direct Taxes (CBDT) vide Notification No. 54/2022 dated 27th May, 2022 notified the Faceless Penalty (Amendment) Scheme, 2022.

In the Faceless Penalty Scheme, 2021,—

(i) in paragraph 4,—

(A) in sub-paragraph (1),—

(I) in clause (i), the words “and vest it with the jurisdiction to impose penalty in accordance with the provisions of this Scheme” shall be omitted;

(II) clause (ii) shall be omitted;

(III) in clause (iii), for the words “as may be required for the purposes of imposing penalty”, the words “as may be required for the purposes of imposing penalty and the term “penalty unit”, wherever used in this Scheme, shall refer to an Assessing Officer having powers so assigned by the Board” shall be substituted;

(IV) in clause (iv), for the words “and such other functions as may be required for the purposes of review, and specify their respective jurisdiction”, the words “and such other functions as may be required for the purposes of review and the term “penalty review unit”, wherever used in this Scheme, shall refer to an Assessing Officer having powers so assigned by the Board” shall be substituted;

(B) in sub-paragraph (4), the words “the Regional Faceless Penalty Centres,”, “Regional Faceless Assessment Centre,” and “Regional Faceless Penalty Centre,” shall be omitted;

(ii) in paragraph 5, in sub-paragraph (1),—

(A) in clause (ii), the words “in any one of the Regional Faceless Penalty Centres” shall be omitted;

(B) for the clauses (xv) to (xxii), the following clauses shall be substituted, namely:—

“(xv) the penalty unit shall, after considering the material on record including response furnished, if any, as referred

to in clauses (viii), (x) and (xii) or report, if any, as referred to in clause (xiv), propose for,—

(a) imposition of the penalty and prepare a penalty imposition proposal for imposition of such penalty;

(b) non-imposition of the penalty, for reasons to be recorded in writing,

and send the penalty imposition proposal or reasons, as the case may be, to the National Faceless Penalty Centre;

(xvi) the National Faceless Penalty Centre, in accordance with the guidelines issued by the Board, may,—

(a) in a case where imposition of penalty has been proposed, convey to the penalty unit to pass the penalty order as per penalty imposition proposal referred to in sub-clause (a) of clause (xv); or

(b) in a case where non-imposition of penalty has been proposed, convey to the penalty unit to drop the penalty proceedings under intimation to the assessee or any other person, as the case may be; or

(c) assign the case to a penalty review unit through an automated allocation system, for conducting review of such proposal or reasons, as the case may be;

(xvii) the penalty unit shall, in the case referred to in sub-clause (a) of clause (xvi), pass the order imposing penalty and serve the same on the assessee through the National Faceless Penalty Centre;

(xviii) the penalty unit shall, in the case referred to in sub-clause (b) of clause (xvi), drop the penalty proceedings and send the intimation to the assessee through the National Faceless Penalty Centre;

(xix) the penalty review unit shall review the penalty imposition proposal or reasons for non-imposition of penalty, as referred to in sub-clause (c) of clause (xvi), whereupon it may concur with, or suggest modification to, such proposal or reasons, as the case may be, and prepare a review report and send such report to the National Faceless Penalty Centre;

(xx) the National Faceless Penalty Centre shall, upon receiving the review report under clause

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(xix), forward the same to the penalty unit which had proposed the penalty imposition proposal or reasons for non-imposition of penalty, as the case may be;

(xxi) the penalty unit shall, after considering such review report, accept or reject some or all of the modifications proposed therein and after recording reasons in case of rejection of such modifications, pass the order imposing penalty or drop the penalty proceedings, as the case may be, and serve the order imposing penalty or intimation for dropping penalty proceedings, as the case may be, on the assessee through the National Faceless Penalty Centre;

(xxii) where an order imposing penalty or intimation for dropping penalty, as the case may be, has been passed, the penalty unit shall send a copy of such order, or intimation for dropping penalty to the income-tax authority, referred to in clause (i), through the National Faceless Penalty Centre, for further action as may be required under the Act.”;

(iii) paragraph 6 shall be omitted;

(iv) in paragraph 8 , -

(A) for the brackets, figures and words “(i) For the purposes of the Scheme”, the words “For the purposes of the Scheme” shall be substituted;

(B) in clause (b), the words “Regional Faceless Penalty Centres,” shall be omitted;

(v) for paragraph 9 , the following paragraph shall be substituted, namely:—

“9. Authentication of electronic record .— For the purposes of this Scheme, an electronic record shall be authenticated by,—

(i) the National Faceless Penalty Centre by way of an electronic communication;

(ii) the penalty unit or the penalty review unit or technical unit or verification unit, as the case may be, by affixing digital signature;

(iii) assessee or any other person, by affixing his digital signature or under electronic verification code, or by logging into his registered account in the designated portal.

Explanation. – For the purpose of this paragraph, “electronic verification code” shall have the same meaning assigned to it in the Explanation to sub-rule (3) of rule 12 of the Rules.”;

(vi) in paragraph 11, —

(A) in sub-paragraph (1), the words “or Regional Faceless Penalty Centre” shall be omitted;

(B) for sub-paragraphs (3) and (4), the following paragraphs shall be substituted, namely:—

“(3) Where the request for personal hearing has been received, the income-tax authority of relevant unit shall allow such hearing, through National Faceless Penalty Centre.

(4) Hearing referred to in sub-paragraph (3) shall be conducted exclusively through videoconferencing or video telephony, including use of any telecommunication application software which supports video conferencing or video telephony, to the extent technologically feasible, in accordance with the procedure laid down by the Board.”;

(vii) in paragraph 12 ,—

(A) the words “the Regional Faceless Penalty Centre,” shall be omitted;

(B) the clause (ix), shall be omitted.

[For further details please refer the Notification]

INCOME TAX

NOTIFICATION

FURTHER AMENDMENT IN FACELESS PENALTY SCHEME 2022

OUR COMMENTS: The Central Board of Direct Taxes (CBDT) vide Notification No. 55/2022 dated 27th May, 2022 notified amendments in the notification of the CBDT published in the Gazette of India, Extraordinary vide number S.O. 118(E), Notification No. 02/2021, dated the 12th January, 2021, namely,:-

1. In the said notification,—

(i) in paragraph 1,—

(a) in sub-paragraph (A), in clause (1),—

(I) in sub-clause (ii), the words “in any one of the Regional Faceless Penalty Centres” shall be omitted;

(II) for the clauses (xv) to (xxii), the following clause shall be substituted, namely:—

“(xv) the penalty unit shall, after considering the material on record including response furnished, if any, as referred to in clauses (viii), (x) and (xii) or report, if any, as referred to in clause (xiv), propose for,—

(a) imposition of the penalty and prepare a penalty imposition proposal for imposition of such penalty;

(b) non-imposition of the penalty, for reasons to be recorded in writing and send the penalty imposition proposal or reasons, as the case may be, to the National Faceless Penalty Centre;

(xvi) the National Faceless Penalty Centre, in accordance with the guidelines issued by the Board, may,—

(a) in a case where imposition of penalty has been proposed, convey to the penalty unit to pass the penalty order as per penalty imposition proposal referred to in sub-clause (a) of clause (xv); or

(b) in a case where non-imposition of penalty has been proposed, convey to the penalty unit to drop the penalty proceedings under intimation to the assessee or any other person, as the case may be; or

(c) assign the case to a penalty review unit through an automated allocation system, for conducting review of such proposal or reasons, as the case may be;

(xvii) the penalty unit shall, in the case referred to in sub-clause (a) of clause (xvi), pass the order imposing penalty and serve the same on the assessee through the National Faceless Penalty Centre;

(xviii) the penalty unit shall, in the case referred to in sub-clause (b) of clause (xvi), drop the penalty proceedings and send the intimation to the assessee through the National Faceless Penalty Centre;

(xix) the penalty review unit shall review the penalty imposition proposal or reasons for non imposition of penalty, as referred to in sub-clause (c) of clause (xvi), whereupon it may concur with, or suggest modification to, such proposal or reasons, as the case may be, and prepare a review report and send such report to the National Faceless Penalty Centre;

(xx) the National Faceless Penalty Centre shall, upon receiving the review report under clause (xix), forward the same to the penalty unit which had proposed the penalty imposition proposal or reasons for non-imposition of penalty, as the case may be;

(xxi) the penalty unit shall, after considering such review report, accept or reject some or all of the modifications proposed therein and after recording reasons in case of rejection of such modifications, pass the order imposing penalty or drop the penalty proceedings, as the case may be, and serve the order imposing penalty or intimation for dropping penalty proceedings, as the case may be, on the assessee through the National Faceless Penalty Centre;

(xxii) where an order imposing penalty or intimation for dropping penalty, as the case may be, has been passed, the penalty unit shall send a copy of such order, or intimation for dropping penalty to the income-tax authority, referred to in clause (i), through the National Faceless Penalty Centre, for further action as may be required under the Act.”;

(b) in sub-paragraph (B),—

(I) in clause (1), the words “or Regional Faceless Penalty Centre” shall be omitted;

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(II) for clauses (3) and (4), the following clause shall be substituted, namely:— (B) clause (ix), shall be omitted.

[For further details please refer the Notification]

“(3) Where the request for personal hearing has been received, the income-tax authority of relevant unit shall allow such hearing, through National Faceless Penalty Centre.

(4) Hearing referred to in clause (3) shall be conducted exclusively through video conferencing or video telephony, including use of any telecommunication application software which supports video conferencing or video telephony, to the extent technologically feasible, in accordance with the procedure laid down by the Board.”;

(iii) for paragraph 2, the following paragraph shall be substituted, namely:—

“2. The provisions of section 140 and section 282A of the said Act shall apply to the penalty proceedings in accordance with the said Scheme subject to the following exceptions, modifications and adaptations, namely:-

“an electronic record shall be authenticated by,—

(i) the National Faceless Penalty Centre by way of an electronic communication;

(ii) the penalty unit or the penalty review unit or technical unit or verification unit, as the case may be, by affixing digital signature;

(ii) assessee or any other person, by affixing his digital signature or under electronic verification code, or by logging into his registered account in the designated portal.

Explanation. – For the purpose of this paragraph, “electronic verification code” shall have the same meaning assigned to it in the Explanation to sub-rule (3) of rule 12 of the Income-tax Rules, 1962.”;

(iv) paragraph 3 shall be omitted;

(v) in paragraph 4, in sub-paragraph (B),—

(A) the words “the Regional Faceless Penalty Centre,” shall be omitted;

GST

INSTRUCTION

DEPOSIT OF TAX DURING THE COURSE OF SEARCH, INSPECTION OR INVESTIGATION

OUR COMMENTS: The GST-Investigation wing Vide Instruction No. 01/2022-23 [GST-Investigation], dated 25th May 2022, it was stated that during the course of search, inspection or investigation, sometimes the taxpayers opt for deposit of their partial or full GST liability arising out of the issue pointed out by the department during the course of such search, inspection or investigation by furnishing DRC-03. Instances have been noticed where some of the taxpayers after voluntarily depositing GST liability through DRC-03 have alleged use of force and coercion by the officers for making 'recovery' during the course of search or inspection or investigation. Some of the taxpayers have also approached Hon'ble High Courts in this regard.

2. The matter has been examined. Board has felt the necessity to clarify the legal position of voluntary payment of taxes for ensuring correct application of law and to protect the interest of the taxpayers. It is observed that under CGST Act, 2017 a taxpayer has an option to deposit the tax voluntarily by way of submitting DRC-03 on GST portal. Such voluntary payments are initiated only by the taxpayer by logging into the GST portal using its login id and password. Voluntary payment of tax before issuance of show cause notice is permissible in terms of provisions of Section 73(5) and Section 74 (5) of the CGST Act, 2017. This helps the taxpayers in discharging their admitted liability, self-ascertained or as ascertained by the tax officer, without having to bear the burden of interest under Section 50 of CGST Act, 2017 for delayed payment of tax and may also save him from higher penalty imposable on him subsequent to issuance of show cause notice under Section 73 or Section 74, as the case may be.

3. It is further observed that recovery of taxes not paid or short paid, can be made under the provisions of Section 79 of CGST Act, 2017 only after following due legal process of issuance of notice and subsequent confirmation of demand by issuance of adjudication order. No recovery can be made unless the amount becomes payable in pursuance of an order passed by the adjudicating

authority or otherwise becomes payable under the provisions of CGST Act and rules made therein. Therefore, there may not arise any situation where "recovery" of the tax dues has to be made by the tax officer from the taxpayer during the course of search, inspection or investigation, on account of any issue detected during such proceedings. However, the law does not bar the taxpayer from voluntarily making payment of any tax liability ascertained by him or the tax officer in respect of such issues, either during the course of such proceedings or subsequently.

4. Therefore, it is clarified that there may not be any circumstance necessitating 'recovery' of tax dues during the course of search or inspection or investigation proceedings. However, there is also no bar on the taxpayers for voluntarily making the payments on the basis of ascertainment of their liability on non-payment/short payment of taxes before or at any stage of such proceedings. The tax officer should however, inform the taxpayers regarding the provisions of voluntary tax payments through DRC-03.

5. Pr. Chief Commissioners/ Chief Commissioners, CGST Zones and Pr. Director General, DGCI are advised that in case, any complaint is received from a taxpayer regarding use of force or coercion by any of their officers for getting the amount deposited during search or inspection or investigation, the same may be enquired at the earliest and in case of any wrongdoing on the part of any tax officer, strict disciplinary action as per law may be taken against the defaulting officers.

[For further details please refer the Instruction]

FEMA

CIRCULAR

GOVERNMENT OF INDIA GUARANTEED TERM LOAN EXTENDED BY SBI TO THE GOVERNMENT OF SRI LANKA- SETTLEMENT IN INR

OUR COMMENTS: The Chief General Manager vide Circular No. 03 dated 19th May 2022, Attention of Authorised Dealer Category – I (AD Category-I) banks is invited to Regulations 3 and 5 of Foreign Exchange Management (Manner of Receipt and Payment) Regulations, 2016 in terms of which export / import transactions between ACU member countries are to be routed through the ACU mechanism.

2. In view of the difficulties being experienced by exporters in receipt of export proceeds from Sri Lanka and State Bank of India's credit facility agreement dated March 17, 2022 with the Government of Sri Lanka for sanction of Government of India guaranteed USD 1000 million term loan to the latter for financing purchase of essential goods by Sri Lanka from India, it has been decided that such trade transactions with Sri Lanka, falling under the said arrangement, may be settled in INR outside the ACU mechanism.

3. Under the arrangement, financing of export of eligible goods and services from India, as defined under the agreement, would be allowed subject to their being eligible for export under the Foreign Trade Policy of the Government of India and whose purchase may be agreed to be financed by SBI under this agreement.

4. The above instructions shall come into force with immediate effect. AD Category-I banks may bring the contents of this circular to the notice of their constituents concerned and advise them to obtain complete details of the credit facility agreement from State Bank of India's office at International Banking Group, Corporate Centre, State Bank Bhavan, Madame Cama Road, Nariman Point, Mumbai- 400021 or from their website <https://sbi.co.in/web/international-banking/credit-finance/commercial-loans>.

5. The directions contained in this circular have been issued under sections 10(4) and 11(1) of the Foreign

Exchange Management Act (FEMA), 1999 (42 of 1999) and are without prejudice to permissions / approvals, if any, required under any other law.

[For further details please refer the Circular]

CIRCULAR

GUIDELINES ON IMPORT OF GOLD BY QUALIFIED JEWELLERS AS NOTIFIED BY – THE INTERNATIONAL FINANCIAL SERVICES CENTERS AUTHORITY (IFSCA)

OUR COMMENTS: The Chief General Manager vide Circular No. 04 dated 25th May, 2022, Directorate General of Foreign Trade (DGFT) formulate and implement the Foreign Trade Policy and Procedures in terms of Foreign Trade (Development and Regulation) Act, 1992, (FTDR Act 1992, hereinafter) as amended from time to time. In exercise of powers conferred by Section 3 read with Section 5 of FTDR Act 1992, read with paragraph 1.02 and 2.01 of the Foreign Trade Policy, 2015-2020, as amended from time to time, the Central Government has amended the import policy conditions for gold in any form, other than monetary gold and silver in any form under Chapter 71 of ITC (HS), 2017, Schedule-I (Import Policy) vide Notification No. 49/2015-2020 dated January 5, 2022.

2. Attention of Authorised Dealer Category - I (AD) bank is invited to (a) Notification No. 49/2015-2020 dated January 5, 2022, in terms of which, in addition to nominated agencies as notified by RBI (in case of banks) and nominated agencies as notified by DGFT, Qualified Jewellers (QJ) as notified by International Financial Services Centers Authority (IFSCA) will be permitted to import gold under specific ITC(HS) Codes through India International Bullion Exchange IFSC Ltd. (IIBX); (b) Master Direction – Import of Goods and Services and the AP Dir Series Circulars issued for import of Gold by Reserve Bank of India under FEMA, 1999; (c) regulations issued by the International Financial Services Centers Authority (IFSCA) under International Financial Services Centers Authority Act, 2019.

3. In order to enable resident Qualified Jewellers to import gold through IIBX or any other exchange approved by

FEMA

IFSCA and the DGFT, Government of India the following directions under FEMA are being issued.

i. AD banks may allow Qualified Jewellers to remit advance payments for eleven days for import of Gold through IIBX in compliance to the extant Foreign Trade Policy and regulations issued under IFSC Act. AD banks shall ensure that advance remittance for such import through exchange/s authorised by IFSCA shall be as per the terms of the sale contract or other document in the nature of an irrevocable purchase order in terms of IFSC Act and regulations made thereunder by IFSCA. AD bank shall carry out all the due diligence and ensure the remittances sent are only for the bona fide import transactions through exchange/s authorised by IFSCA.

ii. The advance remittance for import of Gold should not be leveraged in what-so-ever form for importing Gold worth more than the advance remittance made.

iii. In case the import of Gold through IFSCA authorised exchange, for which advance remittance has been made, does not materialize, or the advance remittance made for the purpose is more than the amount required, the unutilised advance remittance shall be remitted back to the same AD bank within the specified time limit of eleven days.

iv. For gold imported through IIBX, QJ shall submit the Bill of Entry (or any other such applicable document issued/approved by Customs Department for evidence of import), issued by Customs Authorities to the AD bank from where advance payment has been remitted.

v. All payments by qualified jewellers for imports of gold through IIBX, shall be made through exchange mechanism as approved by IFSCA in terms of IFSC Act and regulations. Any deviation from the extant guidelines for import of Gold through IIBX need to be approved in advance by IFSCA and other applicable and appropriate authority/ies.

4. IFSC Authority (IFSCA) will conduct all required due diligence on the exchange - IIBX including all other entities involved in enabling import of Gold by QJs in terms of the IFSCA regulations. IFSCA shall also put in place necessary system to ensure that the advance remittance received from QJs are solely for the purpose for the import of gold through IIBX.

5. AD bank shall ensure that:

a. all required documentation, custom duty related procedures and filing Bill of Entry as evidence of import, etc. is complete for the import of Gold by QJ within the specified applicable period.

b. single/multiple ORMs created and matched with corresponding BoEs (Bill of Entry) and closed appropriately in IDPMS.

c. the importer - that is QJs comply with the related extant instructions relating to imports under FEMA, 1999, FTDR Act 1992, Foreign Trade Policy and regulations of IFSCA. AD banks may frame their own internal guidelines to deal with such cases, with the approval of their Board of Directors.

6. Reporting requirement by AD banks:

i. AD bank shall create Outward Remittance Message (ORM) for all such outward remittances in IDPMS in terms of extant guidelines.

ii. All these transactions need to be reported in FETERS in terms of extant guidelines.

iii. AD bank shall report the import of gold through QJ in XBRL as prescribed in para C.11.1 of Master Direction – Import of Goods and Services.

7. The abovementioned arrangement is for the sole purpose of facilitating physical import of gold through IIBX or any similar exchange authorised by IFSCA, by Qualified Jewellers in India.

8. The above instructions shall come into force with immediate effect. AD banks may bring the contents of this Circular to the notice of their constituents and customers concerned.

9. The directions contained in this Circular have been issued under Section 10(4) and Section 11(1) of the Foreign Exchange Management Act (FEMA), 1999 (42 of 1999) and are without prejudice to permissions/approvals, if any, required under any other law.

[For further details please refer the Circular]

CUSTOMS

NOTIFICATION

SEEKS TO PROVIDE GLOBAL TARIFF RATE QUOTA (TRQ) OF 20 LMT PER FY TO CRUDE SUNFLOWER OIL AND CRUDE SOYABEAN OIL FOR 2 YEARS EXEMPTING FROM WHOLE OF BCD AND AIDC

OUR COMMENTS: The Ministry of Finance, vide Notification No. 30/2022-Customs dated 24.05.2022, hereby exempts the goods of the description specified in column (3) of the Table below, falling under the sub-heading or tariff item of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the 'Customs Tariff Act'), as specified in the corresponding entry in column (2) of the said Table, in such quantity of total imports of such goods in a financial year, as specified in column (4) below (herein after referred to as the 'Tariff Rate Quota (TRQ) quantity'), when imported into India, from the whole of the customs duty leviable thereon under the First Schedule to the Customs Tariff Act and from the whole of the Agriculture Infrastructure and Development Cess leviable thereon under the said section of the Finance Act, 2021, subject to the condition specified in the Annexure to this notification, namely: -

TABLE

Sl. No.	Sub-heading or tariff item	Description of goods	Tariff Rate Quota (TRQ) quantity per financial year
(1)	(2)	(3)	(4)
1.	1507 10 00	Crude Soya-bean oil, whether or not degummed	20,00,000 MT
2.	1512 11 10	Crude Sunflower seed oil	20,00,000 MT

Annexure

Condition

(a) The TRQ is allotted to the importer by the Directorate General of Foreign Trade, in accordance with the relevant procedure as specified in the Hand Book of Procedures, 2015-20;

(b) The TRQ authorization shall contain name and address of the importer, IEC code, Customs notification No., sub-heading or tariff item as applicable, quantity and validity period of certificate;

(c) The TRQ authorization shall be issued electronically by the Directorate General of Foreign Trade and transmitted to ICES system;

(d) Imports made against the TRQ shall be allowed only upon debiting electronically in the ICES system.

2. This notification shall come into force on the 25th day of May, 2022, and nothing contained in this notification shall apply to the goods specified against serial number 1 and 2 of the Table above after the 31st day of March, 2024.

[For further details please refer the Notification]

NOTIFICATION

EXPORT DUTY ON CERTAIN GOODS UNDER HSN 7210 AND 7212 INCREASED.

OUR COMMENTS: The Ministry of Finance, vide Notification No. 29/2022-Customs dated 21.05.2022, 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. 27/2011-Customs dated the 1st March, 2011, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 153(E), dated the 1st March, 2011, namely :-

In the said notification, in the Table,

(i) S. No. 20A and the entries relating thereto shall be omitted;

(ii) against S. No. 23, in column (4), for the entry, the entry "45%" shall be substituted;

(iii) against S. No. 48, in column (4), for the entry, the entry "15%" shall be substituted;

(iv) against S. No. 54, in column (4), for the entry, the entry "15%" shall be substituted;

(v) against S. No. 55, in column (4), for the entry, the entry "15%" shall be substituted;

(vi) for S. No. 56 and the entries relating thereto, the following S. Nos. and	(2)	(3)	(4)
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CUSTOMS

entries shall be substituted, namely: -(1)			
56.	7210	Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated	15%
56A.	7212	Flat rolled products of iron or non-alloy steel, clad, plated or coated	Nil";

(vii) against S. No. 57, in column (4), for the entry, the entry "15%" shall be substituted;

(viii) against S. No. 58, in column (4), for the entry, the entry "15%" shall be substituted;

2. This notification shall come into effect on the 22nd day of May, 2022.

[For further details please refer the Notification]

NOTIFICATION
SECOND SCHEDULE OF THE CUSTOMS TARIFF ACT, 1975 MAENDED TO INCREASE AND LEVY EXPORT DUTY ON HSN 7219, 7222 AND 7227.

OUR COMMENTS: The Ministry of Finance , vide Notification No. 28/2022-Customs dated 21.05.2022 is satisfied that export duty should be levied or increased on certain articles and that circumstances exist which render it necessary to take immediate action.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 8 of the Customs Tariff Act, the Central Government, hereby directs that the Second Schedule to the Customs Tariff Act shall be amended in the following manner, namely:-

In the Second Schedule to the Customs Tariff Act, -

(1) against Sl. No. 21, for the entry in column (4), the entry "50%" shall be substituted;

(2) against Sl. No. 22, for the entry in column (4), the entry "50%" shall be substituted;

(3) against Sl. No. 43, for the entry in column (3), the entry "Flat rolled products of iron or non-alloy steel, clad, plated or coated" shall be substituted;

(4) after Sl. No. 48 and the entries relating thereto, the following Sl. Nos. and entries relating thereto shall be inserted, namely:-

(1)	(2)	(3)	(4)
48A.	7219	Flat-rolled products of stainless steel, of a width of 600 mm or more	15%
48B.	7222	Other bars and rods of stainless steel; angles, shapes and sections of stainless steel	15%
48C.	7227	Bars and rods, hot-rolled, in irregularly wound coils, of other alloy steel	15%";

2. This notification shall come into force on the 22nd day of May, 2022.

[For further details please refer the Notification]

NOTIFICATION
EFFECTIVE RATE OF AGRICULTURE INFRASTRUCTURE AND DEVELOPMENT CESS REDUCED ON ANTHRACITE/COKING COAL

OUR COMMENTS: The Ministry of Finance, vide Notification No. 27/2022 -Customs dated 21.05.2022 in the public interest, made the following further amendments in notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 11/2021-Customs, dated the 1st February, 2021, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 69(E), dated the 1st February, 2021, namely:-

In the said notification, in the Table, against S. No. 10 and the entries relating thereto, the following S. No. and entries shall be inserted, namely:-

(1)	(2)	(3)	(4)
10A	2701	(a) Anthracite/Pulverized Coal Injection (PCI) coal (b) Coking coal	Nil"

CUSTOMS

2. This notification shall come into effect on the 22nd day of May, 2022.

[For further details please refer the Notification]

NOTIFICATION

RATE OF CUSTOMS DUTY ON IMPORT OF GOODS FOR HSN 2701, 2704, 2710, 2910 20 00, 7202 60 00 AMENDED

OUR COMMENTS: The Ministry of Finance, vide Notification No. 26/2022 -Customs dated 21.05.2022 in the public interest, made the following further amendments in the Notification 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, -

I. in the Table, -

(1) after S. No. 141 and the entries relating thereto, the following S. Nos. and entries shall be inserted, namely: -

(1)	(2)	(3)	(4)	(5)	(6)
"141A	2701	(a) Anthracite/Pulverized coal injection (PCI) coal; (b) Coking coal	Nil	-	-
141B.	2704	Coke and semi-coke of coal, of lignite or of peat, whether or not agglomerated	Nil	-	-
141C	2710	Naphtha	1%	-	-";

(2) after S. No. 191 and the entries relating thereto, the following S. No. and entries shall be inserted, namely: -

(1)	(2)	(3)	(4)	(5)	(6)
"191A.	2910 20 00	Methyloxirane (propylene oxide)	2.5%	-	-";

(3) against S. No. 267, in column (3), for the entry, the entry "All goods" shall be substituted;

(4) after S. No. 364C and the entries relating thereto, the following S. No. and entries shall be inserted, namely: -

(1)	(2)	(3)	(4)	(5)	(6)
"364D.	7202 60 00	Ferro-nickel	Nil	-	-";

2. This notification shall come into effect on the 22nd day of May, 2022.

[For further details please refer the Notification]

NOTIFICATION

ROAD AND INFRASTRUCTURE CESS (RIC) ON PETROL AND DIESEL REDUCED.

OUR COMMENTS: The Ministry of Finance, vide notification 25/2022 -Customs dated 21.05.2022 in the public interest, notified the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 18/2019-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. 475 (E), dated the 6th July, 2019, namely:-

In the said notification, in the Table-

(i) against Sl. No. 1, for the entry in column (4), the entry "Rs. 5 per litre" shall be substituted;

(ii) against Sl. No. 2, for the entry in column (4), the entry "Rs. 2 per litre" shall be substituted.

2. This notification shall come into force with effect from the 22nd May, 2022.

[For further details please refer the Notification]

DGFT

NOTIFICATION

AMENDMENT IN IMPORT POLICY OF PAPER AND INCORPORATION OF POLICY CONDITION IN CHAPTER 48 OF ITC (HS), 2022, SCHEDULE - I (IMPORT POLICY)

OUR COMMENTS: The DGFT vide N. No. 11/2015-20 Dated: 25th May, 2022 hereby amends the import policy from 'Free' to 'Free subject to compulsory registration under Paper Import Monitoring System (PIMS)' under Chapter 48 of ITS (HS), 2022, Schedule -I (Import Policy) and insert a new policy condition under this chapter for 201 tariff lines:

a. The list of tariff lines is at Annexure -I.

b. Import policy for the items as listed in the Annexure has been revised from 'Free' to 'Free subject to compulsory registration' under Paper Import Monitoring System (PIMS)'.
c. Paper Import Monitoring System (PIMS)) shall require importers to submit advance information in an online system for import of items under the Annexure-A and obtain an automatic Registration Number by paying registration fee of **Rs. 500**. The importer can apply for registration not earlier than 75th day and not later than 5th day before the expected date of arrival of import consignment. The automatic Registration Number thus granted shall remain valid for a period of 75 days. Multiple Bill of Entries shall be allowed in same registration number within the validity period of registration for the permitted quantity.

d. Importer shall have to enter the Registration Number and expiry date of Registration in the Bill of Entry to enable Customs for clearance of consignment.

e. The PIMS will be effective from 01.10.2022 i.e. Bill of Entry on or after 01.10.2022 for items as listed in the Annexure -I to this Notification shall be governed by PIMS. The facility of online registration will be available with effect from 15.07.2022 at <https://imports.gov.in>.

2. Effect of the Notification:
Import policy of Specific tariff lines under Chapter 48 of ITC(HS) 2022 as given at Annexure -I to this Notification is revised from 'Free' to 'Free subject to compulsory registration under Paper Import Monitoring System (PIMS)'.
The notification issued with the approval of Minister of Commerce & Industry.

[For further details please refer the Notification]

NOTIFICATION

AMENDMENT IN EXPORT POLICY OF SUGAR.

OUR COMMENTS: The DGFT, vide N. No. 10/2015-20 dated 24th May 2022 notified amendments in export policy of sugar under S.No.93 of Chapter 17 of ITC (HS), Schedule - II as under:

S. No.	ITC (HS) Code	Description	Existing Policy	Revised Policy	Policy condition
93	1701 14 90 1701 99 90	Sugar (Raw Sugar, Refined Sugar and White Sugar)	Free	Restricted	(i) With effect from 1st June, 2022 upto 31st October, 2022 or until further orders, whichever is earlier, export of sugar is allowed only with specific permission from Directorate of Sugar, Department of Food and Public Distribution (DFPD), Ministry of Consumer Affairs, Food & Public Distribution. (ii) Detailed procedure for issue of necessary permissions for export of sugar will be notified separately by Department of Food and Public Distribution (DFPD).

DGFT

2. This restriction is not applicable to Sugar being exported to EU and USA under CXL and TRQ quota as per prescribed procedure in the respective Public Notices.

3. Effect of this Notification:

Export of Sugar (Raw, Refined and White sugar) is placed under 'Restricted' category from 1st June, 2022 onwards (except fixed quantity of sugar being exported under CXL and TRQ quota to EU and USA). Export after 01.06.2022 will be allowed on production of specific permission (as per the procedure to be notified separately by DFPD) from Directorate of Sugar, Department of Food and Public Distribution (DFPD), Ministry of Consumer Affairs, Food & Public Distribution.

[For further details please refer the Notification]

NOTIFICATION

AMENDMENT IN IMPORT POLICY CONDITION UNDER CHAPTER 29 AND 30 OF ITC (HS) 2022, SCHEDULE – I (IMPORT POLICY).

OUR COMMENTS: The DGFT vide N.No. 09/2015—2020 dated 23rd May 2022 notified the amendment in the item description in accordance with the Customs Tariff of India 2022 and policy condition of the following HS codes of Chapter 29 and 30 of ITC (HS), 2022, Schedule – I (Import Policy):

HS Code	Item Description	Import Policy	Existing Policy Condition	Revised Policy Condition
2937	Hormones, prostaglandins, thromboxanes and leukotrienes, natural or reproduced by synthesis; derivatives and structural analogues thereof, including chain modified polypeptides, used primarily as hormones.	-	-	-

29371900	Polypeptide hormones, protein hormones and glycoprotein hormones, their derivatives and structural analogues : -- Other	Free	Import of Oxytocin is Prohibited	Import of Oxytocin is Prohibited. However, import of Oxytocin reference standards is allowed exclusively for test and analysis subject to submission of Test License issued by the DGCI / CDCSO.
29372900	Steroidal hormones, their derivatives and structural analogues : -- Other	Free	Import of Oxytocin is Prohibited	Import of Oxytocin is Prohibited. However, import of Oxytocin reference standards is allowed exclusively for test and analysis subject to submission of Test License issued by the DGCI / CDCSO.
29379019	--- Catecholamine hormones, their derivatives and structural analogues: ---- Other	Free	Import of Oxytocin is Prohibited	Import of Oxytocin is Prohibited. However, import of Oxytocin reference standards is allowed exclusively for test and analysis

DGFT

				subject to submission of Test License issued by the DGCI / CDCSO.
29379090	Other	Free	Import of Oxytocin is Prohibited	Import of Oxytocin is Prohibited. However, import of Oxytocin reference standards is allowed exclusively for test and analysis subject to submission of Test License issued by the DGCI / CDCSO.
All HS codes at 8 digit under 3004	Medicaments (excluding goods of heading 30.02, 30.05 or 30.06) consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses (including those in the form of transdermal administration systems) or in forms or packings for retail sale	Free	Import of Oxytocin is Prohibited	Import of Oxytocin is Prohibited. However, import of Oxytocin reference standards is allowed exclusively for test and analysis subject to submission of Test License issued by the DGCI / CDCSO.

Import of Oxytocin shall remain "Prohibited". However, import of Oxytocin reference standards falling under HS Codes 29371900, 29372900, 29379019, 29379090 and all HS Codes at 8 digit level under 3004 is permitted exclusively for the purpose of test and analysis subject to submission of Test License issued by the DGCI / CDCSO.

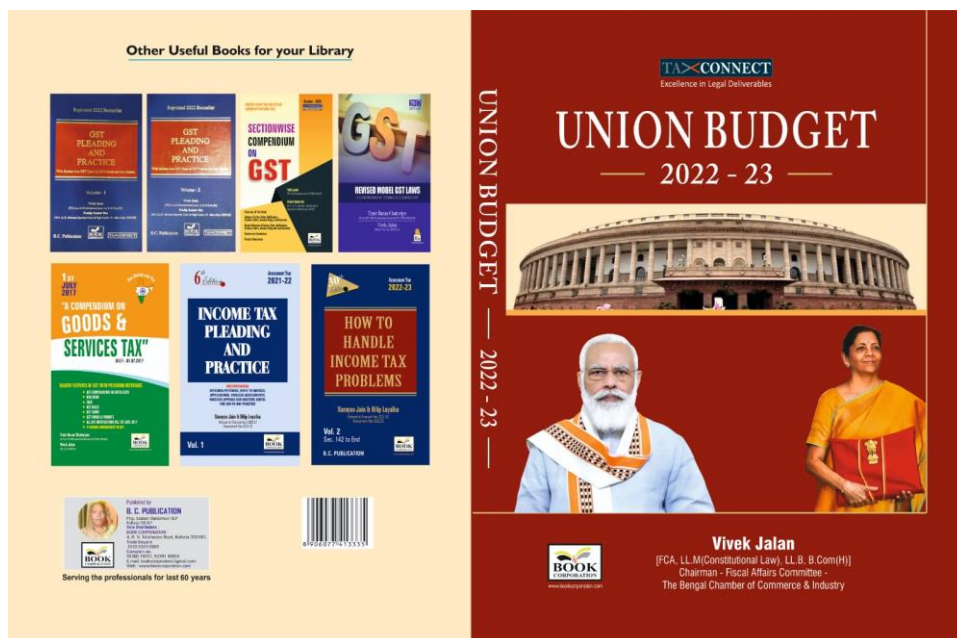
This issues with the approval of Minister of Commerce & Industry.

[For further details please refer the Notification]

2. Effect of this Notification:

:IN STANDS

UNION BUDGET 2022-23



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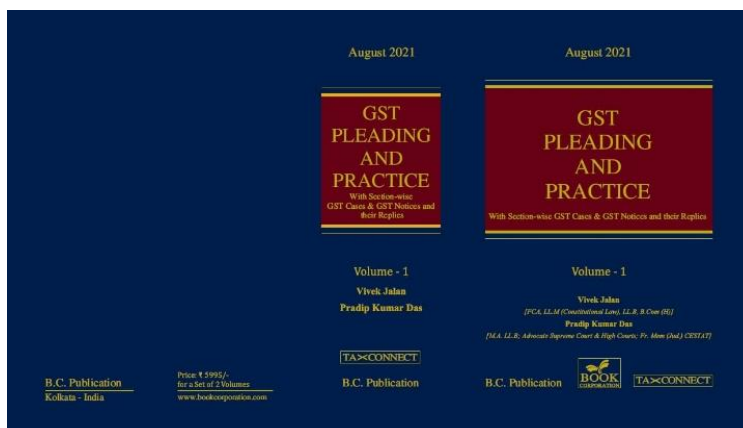
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