

E-Pistle

(Monthly Newsletter)

October 2023



Central Board of Direct Taxes



MINISTRY OF
CORPORATE AFFAIRS



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“If you don't be updated & upgraded you will be outdated”

INCOME TAX NOTIFICATIONS

- In exercise of the powers conferred by **clause (46) of section 10** of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies for the purposes of the said clause, '**Dental Council of India, New Delhi**' (**PAN AAAJD0821E**), a body constituted by the Central Government, in respect of the following specified income arising to that body, namely :- Like fees and subscription, Income from royalty & Publication etc.
- In exercise of the powers conferred by **clause (46) of section 10** of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies for the purposes of the said clause, '**District Mineral Foundation Trust**' as specified in the schedule to this notification, constituted by Government in exercise of powers as a '**class of Authority**', in respect of the following specified income arising to that Authority, namely:-
 1. Interest received from lease holders for late payment;
 2. Any Penalty charged to lease holder;
 3. Interest received on Saving Bank Accounts; and, Time deposits.
- The due date for filing report of the accountant in Form 56F for A.Y. 2023–24 has been extended by CBDT from the specified date under **section 44AB** to **December 31st, 2023**. Refer CBDT Circular No. 18/2023 dated October 20th, 2023. [Read Circular](#)
- In exercise of the powers conferred by **clause (46) of section 10** of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies for the purposes of the said clause, '**Punjab Dental Council, Mohali**' (**PAN: AAAJP0976C**), a Council constituted by the Government of Punjab, in respect of the following specified income arising to that council, namely: **Receipt of Registration/Renewal received from Doctors , Interest income on accumulated surplus in the shape of F.D.R.s**

- Condonation of delay under section 119(2)(b) of the Income-tax Act, 1961 in filing of Form No. 10-IC for Assessment Year 2021-22 . [PDF](#)

The delay in filing of Form No. 10-IC as per Rule 21AE of the Rules for previous year relevant to A.Y. 2021-22 is condoned in cases where the following conditions are satisfied:-

- 1.The return of income for relevant assessment year has been filed on or before the due date specified under section 139(1) of the Act;
- 2.The assessee company has opted for taxation u/s 115BAA of the Act in item (e) of "Filing Status" in "Part A-GEN" of the Form of Return of Income ITR-6;
- 3.Form No. 10-IC is filed electronically on or before 31.01.2024 or 3 months from the end of the month in which this Circular is issued, whichever is later.

- In exercise of the powers conferred by **clause (46) of section 10** of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies for the purposes of the said clause, '**West Bengal Pollution Control Board**' (PAN: AAALW0078B), and '**Telangana Building and Other Construction Workers Welfare Board**', (PAN AAAT9368D), a Board established by the State Government of West Bengal, in respect of the following income arising to that Board, namely:-

- Analysis fees, Public Hearing fees, Authorisation Fees, tender fees, cess appeal fees, consent fees, NOC fees.
- Cess Received, Registration and renewal fee collection from the Building and other construction workers, Interest received on bank deposits etc.

INCOME TAX NOTIFICATIONS

- **The data on direct taxes indicates that there has been an improvement in taxpayer compliance.**
- The income tax circular 18 of 2023 which is related to U/S 119 for difficulties arising for the taxpayers and other stakeholders.
Representations have been received regarding difficulties in filling details of persons who have made a **'substantial contribution to the trust or institution'**, that is to say, any person whose total contribution up to the end of the relevant previous year exceeds fifty thousand rupees. [Read PDF](#)
- **Taxpayers without validated bank accounts were notified via email and SMS that they could not receive refunds.**



ATTENTION TAXPAYERS!

A validated bank account is necessary for receipt of refund.

Taxpayers not having any validated bank account have been informed through email and SMS on 3rd Sep 2023, 9th Sep 2023, and 20th Oct 2023.

Kindly check your bank account validation status on e-Filing portal now.

If there is no validated Bank account available, kindly
I. update existing Bank account details and re-validate the same.
or
II. add a new Bank account and validate the same.

Ignore if not applicable to you.

For help, contact : 1800 103 0025 | 1800 419 0025

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GST NOTIFICATIONS

- GSTN is pleased to inform you that the e-Invoice JSON download functionality is now live on the GST Portal. To help you to navigate and make the most of this feature, some key steps are as below. To download the generated and received e-Invoices in JSON format, please follow these steps:

Step 1: Log in.

Step 2: Navigate to Download E-invoice JSONs Section.

Step 3: Search for e-Invoice (By IRN)

Step 4: View and Download.

Step 5: Bulk Download (By Period)

Step 6: Excel Format e-Invoice List (By Period)

Step 7: Downloading History.



- The GST collection for September 2023 has crossed ₹ 1,62,712 crore gross.
- The GST department has enabled the ITC mismatches functionality between GSTR-2B & GSTR-3B to deal with the DRC-01C form.

- **Clarifications regarding applicability of GST on certain services – reg. Notice**

1. Whether 'same line of business' in case of passenger transport service and renting of motor vehicles includes leasing of motor vehicles without operators.
 2. Whether GST is applicable on reimbursement of electricity charges received by real estate companies, malls, airport operators etc. from their lessees/occupants.
 3. Whether job work for processing of "Barley" into "Malted Barley" attracts GST @ 5% as applicable to "job work in relation to food and food products" or 18% as applicable on "job work in relation to manufacture of alcoholic liquor for human consumption"
 4. Whether District Mineral Foundations Trusts (DMFTs) set up by the State Governments are Governmental Authorities and thus eligible for the same exemptions from GST as available to any other Governmental Authority
 5. Whether supply of pure services and composite supplies by way of horticulture/horticulture works (where the value of goods constitutes not more than 25 per cent of the total value of supply) made to CPWD are eligible for exemption from GST.
- **GSTN has also provided APIs for ECOs (through whom unregistered persons can supply goods) to integrate with GSTN to obtain the details and facilitate the unregistered suppliers. The APIs are for validating the demographic details of the said suppliers and also for use in tracking and reporting supplies by such persons. The details of the APIs are as follows:-**

a)The name of the APIs developed are :

1.**Unregistered Applicants API** : To get the details of Unregistered Applicant by passing the enrolment ID in the GET request

2.**Unregistered Applicants Validation API**: To validate the Mobile Number and Email ID of a Enrolment ID [Link](#)

More than 6,000 fake ITC cases were reported by the DGGI between April 2020 and September 2023, involving more than Rs. 57,000 crore of GST evasion. 500 people were arrested in this regard.

The GSTN department has published the offline utility for TDS & TCS credit received v2.2.

The October 2023, GST collection is INR 1.72 lakh crores an increase of 13%.

"Advisory related to changes in GSTR-5A"

"Notification 51/2023 dated 29.09.2023 has introduced Table 5B in GSTR 5A wef 01.10.2023. In this notification, Table 5B has been introduced to report supplies made to Registered GST INs (B2B supplies). This would be implemented shortly at GSTN and till such time, OIDAR's are advised to file the return in the existing GSTR 5A itself."

Person supplying of Online Money Gaming services or OIDAR or Both– Form GST REG-10 and Form GSTR-5A

In terms of the recent amendments made in the CGST/SGST Act, the IGST Act and the CGST/SGST Rules, any person located outside taxable territory making supply of online money gaming to a person in taxable territory, is liable to get registered in GST and is required to pay tax on such supply.

In this context, every person located outside taxable territory making such supplies of online money gaming to a person in India is now mandated to take registration/amend his existing registration in accordance with the proposed Row (iia) in FORM GST REG-10 and also required to furnish information regarding the supplies in the proposed Tables in FORM GSTR-5A.

GST NOTIFICATIONS

- In terms of the recent amendments to the Act and the rules and notification number 34/2023 dated 31.07.2023, persons supplying goods through e-commerce operators shall be exempt from mandatory registration under the CGST Act even if they supply goods through e-commerce operators (ECO) if they satisfy the following conditions:
 - (a) such person is engaged in the supply of goods through the ECO and such supplies are made only in one State/UT,
 - (b) such person does not make any inter-state supply,
 - (c) the said person has a Permanent Account Number (PAN) under the Income Tax Act, 1961,
 - (d) such persons shall declare his PAN (which shall be validated) on the common portal (i.e. GST Portal) along with the address of his place of business and the name of the State/UT or Union territory before making such supplies,
 - (e) such person has been granted an enrolment number on the common portal upon validation of his PAN before which he shall not make any such supply through any ECO.
- Accordingly, unregistered person desirous of enrolling on the GST portal for making supplies of goods through ECOs in any one State/UT are hereby advised to follow the path/procedure specified below:
- **Visit the GST Portal**– •Select the **“User Services”** Tab and choose **“Generate User Id”**— •Click **“Yes”** on the Warning window which asks you to Continue—•Check the **“To apply as a supplier to e commerce operators”** box—•Proceed to **fill the Form** –•Upon successful **validation of your PAN** the enrolment number will be generated by the portal.
- Clarification relating to export of services sub clause(iv) of the section 2(6) of the IGST Act 2017 – reg .[Notice](#)
 - Clarification on certain issues with respect to taxability of activity of providing personal bank guarantee by Directors to banks for securing credit facilities for the company. Similarly, clarifications are being sought with respect to taxability and valuation of the activity of providing corporate guarantee by a related person to banks/financial institutions for another related person, as well as by a holding company in order to secure credit facilities for its subsidiary company. [Circular](#)

MCA NOTIFICATIONS

- The Central Reservation Centre (CRC) informs the stakeholders that application forms are processed anonymously and at random when used for name reservations and incorporations. In most cases, the official who handled the application in the first instance will not handle the applications if they are submitted for resubmission. Stakeholders may notify the Ministry at cvo-mca@gov.in in the event of any misconduct or irregularity on the part of any official or officer at the CRC or any professional, together with any relevant supporting documentation, so that action can be taken in accordance with the extent set forth in the CVC guidelines.
- **The stakeholders are informed that Ministry of Corporate Affairs has integrated with National Single Window System (NSWS) for the Incorporation of Companies and LLPs. Incorporation services can also be availed through NSWS portal.**
- **In exercise of the powers conferred by sub-section (2) of section 1 of the Companies (Amendment) Act, 2020 (29 of 2020), the Central Government hereby appoints the 30th day of October, 2023 as the date on which the provisions of section 5 of the said Act shall come into force.**
- **The MCA department shared 3rd amendment rule may be called the Limited Liability Partnership via a notification number F. No. Policy-01/2/2021-CL-V-MCA-Part(2). [Read PDF](#)**
- **The MCA department has published the notification for the (Prospectus and Allotment of Securities) Second Amendment Rules, 2023. [Read Pdf](#)**
- **MCA Notification No. 01/34/2013 CL-V (Pt-III) for Company's Management & Administration Rules. [PDF](#)**

About Us



Jagmohan Singh & Associates was established in the year 1997. It is a leading Chartered Accountancy firm rendering comprehensive professional services which include Audit, Management consultancy, Tax consultancy, Accounting services, Manpower management, Secretarial services etc.

Jagmohan Singh & Associates is a professional managed firm. The team consists of distinguished chartered accountant, corporate finance advisors and tax consultants. The firm represents a combination of specialized skills, which are geared to offer sound financial advice and personalized proactive services. Those associated with the firm have regular interaction with the industry and other professional which enables the firm to keep pace with contemporary development and to meet the needs of **its** its clients.



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