

October 2024 | F&A | Volume L



Welcome to our
monthly newsletter

We bring you a concise and noteworthy regulatory developments in Income Tax, Goods & Services Tax, Companies Act during October 2024. We had tried to cover all important updates occurred during October 2024 in this volume of newsletter. The sole purpose of this circulation is to update finance professionals and business owners on direct & indirect taxes and other compliances. Feedbacks are welcome at info@nucleusadvisors.in.



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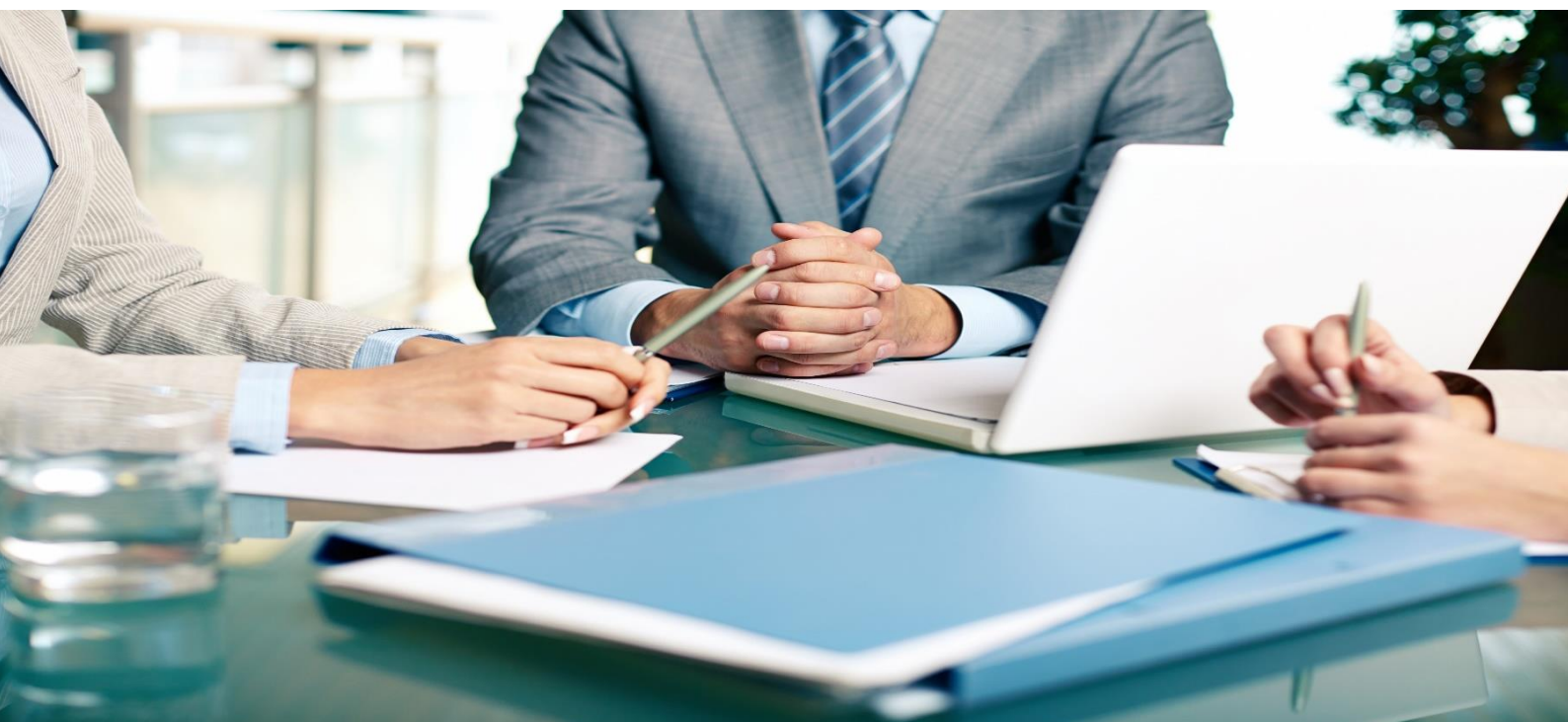
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Compliance Calender



Why this Volume of Newsletter is important for reader?

Through the series of this newsletter, we aim at covering all relevant Income Tax, Goods & Service Tax, MCA, Audit & Assurance notification, circulars and case laws which may directly or indirectly impact our readers. At Nucleus, it is our utmost priority to help our readers to be informed with respect to the changes in relevant laws for a smoother compliance.



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- Seeks to provide waiver of late fee for late filing of NIL FORM GSTR-7
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- Seeks to amend Notification No. 50/2018-Central Tax dated 13.09.2018

Central Tax Rate

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DIRECT TAX UPDATES

➤ Extension of Due Date for furnishing ITR of AY 2024-25.

The Central Board of Direct Taxes has extended the deadline for filing the Return of Income under section 139(1) of the Act for the assessment year 2024-25 for assesseees required to be audited under the Income Tax Act or any other legislation, moving the due date from October 31, 2024, to November 15, 2024.

➤ Arm's Length Pricing for Assessment Year 2024-25.

The Central Government has announced that for the assessment year 2024-2025, where the variation between the arm length price determined u/s 92C & the price at which the international transaction or specified domestic transaction has actual undertaken does not exceed 1% of the latter in respect of wholesale trading and 3% of the latter in all other cases- the price at which the international transaction or specified domestic transaction has actually been undertaken shall be deemed to be the arm's length price for the assessment year 2024-2025.

Explanation.- For the purposes of this notification, “wholesale trading” means an international transaction or specified domestic transaction of trading in goods, which fulfils the following conditions, namely:-

- a. purchase cost of finished goods is eighty per cent. or more of the total cost pertaining to such trading activities; and
- b. average monthly closing inventory of such goods is ten per cent. or less of sales pertaining to such trading activities.

➤ Income Tax Ninth Amendment Rules, 2024.

The Central Board of Direct Taxes has announced new rules to update the Income-tax Rules. These updates are called the Income-tax (Ninth Amendment) Rules, 2024, and they will take effect from October 16th, 2024

Key changes include:

1. No collection of tax shall be made [i.e. u/s 206C(1F)] on any payment received from the Reserve Bank of India.
2. Insertion of Clause in **Rule 31AA “Statement of Collection of Tax u/s 206(3) “**, as follows
“(viii) furnish particulars of amount received or debited on which tax was not collected or tax was collected at a lower rate in view of any notification issued under sub-section (12) of section 206C.”;
3. **In Rule 37-I “Credit for TCS u/s 206(3) ,** after sub-rule (1), the following sub-rule shall be inserted, namely: -

“(1A) (a) Where under any provisions of the Act, the income of the collectee is assessable in the hands of any person other than the collectee, the credit for the tax collected at source, shall be given to such other person and not to the collectee:

Provided that the collectee shall file a declaration with the collector and the collector shall report the tax collection in the name of the other person in the information relating to collection of tax referred to in sub-rule (1).

The declaration filed by the collectee under the proviso to clause (a) shall contain the name, address, permanent account number of the person to whom credit for the tax collectible at source is to be given, amount of payment in relation to which credit is to be given and reasons for giving credit to such person

The collector shall issue the certificate for collection of tax at source under sub-section (3) of section 206C of the Act, in the name of the person in whose name credit is shown in the information relating to collection of tax referred to in sub-rule (1) and shall keep the declaration in his safe custody.”

in **Form No. 27EQ**, in the Annexure, after Verification, in the Notes, after Note 8, the following Note shall be inserted, namely:- '8A. Write “J” if no collection or lower collection is in view of notification issued under sub-section (12) of section 206C.'

Circulars Issued

1. Clarifications regarding applicability of GST on certain services

S.NO	Topic	Clarification	GST Applicability/ Exemptions	Time Period of Applicability
i.	Affiliation Services by Universities to Colleges	Affiliation services involve ensuring institutions meet criteria like infrastructure and faculty. These are not related to student admissions or exam conduct.	GST at 18% is applicable.	Ongoing
ii.	Affiliation Services by Central/State Boards to Schools	Affiliation services by boards ensure that schools meet the necessary standards. These services are not related to student admissions or examinations.	GST at 18% applicable for private schools; Exempt for government schools starting 10.10.2024.	Regularized from 01.07.2017 to 17.06.2021
iii.	Flying Training Courses Approved by DGCA	DGCA-approved Flying Training Organizations (FTOs) conduct courses that are mandated by law to issue completion certificates.	GST exempt under Notification No. 12/2017-CT (Rate).	Ongoing
iv.	Transportation of Passengers by Helicopter	GST on transportation by helicopter on a seat-share basis and charter services clarified.	5% GST for seat-share basis; 18% GST for charter services.	Regularized from 01.07.2017 to 09.10.2024 for seat-share basis
v.	Ancillary Services Provided by Goods Transport Agency (GTA)	Incidental services (loading, unloading, etc.) provided by GTA as part of goods transport.	Considered part of composite supply, exempt if within goods transport.	Ongoing
vi.	Import of Services by Foreign Airline Establishments	Import of services by foreign airlines from related persons outside India, without consideration.	Exempt starting 10.10.2024 under Notification No. 08/2024-Integrated Tax (Rate).	Regularized from 01.07.2017 to 09.10.2024
vii.	Preferential Location Charges (PLC)	PLC forms part of the consideration for construction services (e.g., choice of apartment location).	Same tax rate as construction services, GST applicable before	Ongoing

			issuance of completion certificate.	
viii.	Support Services by Electricity Transmission/Distribution Utilities	Services like metering, testing, and shifting provided by electricity transmission utilities are ancillary to supply.	Exempt starting 10.10.2024.	Regularized from 01.07.2017 to 09.10.2024
ix.	Services of Film distributors/Sub-distributors	Transactions between film distributors and exhibition centers (theatrical rights).	GST at 18% applicable.	Regularized from 01.07.2017 to 30.09.2021

2. Circulars regarding GST rates & classification (goods) based on the recommendations of the GST Council in its 54th meeting.

Issue	HS Code	GST Rate (Past Period)	GST Rate (Prospective)	Clarification
Extruded/Expanded Savory Food Products	HS 19059030	18%	12% (effective 10.10.2024)	Applies to extruded/expanded savory or salted products (excluding un-fried snack pellets).
Un-fried/Un-cooked Snack Pellets	HS 19059030	5%	5%	No change, continues at 5%.
Roof Mounted Package Unit (RMPU) Air Conditioners for Railways	HS 8415	28%	28%	Classified under HS 8415 as air conditioning machines, not as railway parts (HS 8607).
Seats for Two-Wheelers (Motorcycles)	HS 8714	28%	28%	Classified under HS 8714, as saddles/seats are included in parts of two-wheelers.
Seats for Four-Wheeled Vehicles (Cars)	HS 9401	18%	28% (effective 10.10.2024)	Classified under HS 9401, GST rate increased to 28% to maintain parity with two-wheeler seats.

3. Clarification regarding the scope of “as is/as is, where is basis” mentioned in the GST Circulars issued on the basis of recommendation of the GST Council.

- Context of Regularization:** This applies to cases of past GST non-payment or short payment due to differing interpretations or competing tax rates. The Council recommends regularizing such cases without further adjustments.
- Meaning of "As is, where is":** In GST, it means that payments made at a lower rate or claimed exemptions are accepted as full discharge of tax liability. No additional tax is required from taxpayers who paid less, and no refunds will be given to those who paid more.

- c) **Scope of Regularization:** This approach covers cases where taxpayers paid different GST rates for the same goods or services. The lower rate or exemption claimed by some will be treated as full payment.
- d) **No Refund for Higher Payments:** If some taxpayers paid a higher rate than others, they will not be entitled to a refund of the difference.
- e) **Examples Provided:** Three illustrations clarify how this works, showing scenarios with competing rates (e.g., 5% vs. 12%) and how taxpayers who paid less or claimed exemptions will not be required to pay more.

4. Clarifying the issues regarding implementation of provisions of sub-section (5) and sub-section (6) in section 16 of CGST Act, 2017

Key points regarding the retrospective amendments to section 16 of the Central Goods and Services Tax (CGST) Act, 2017, introduced by the Finance (No. 2) Act, 2024:

a. Amendments in Section 16 of CGST Act:

- i. Sub-sections (5) and (6) have **been** inserted into section 16 of the CGST Act, with retrospective effect from July 1, 2017. These sub-sections extend the time limit for availing input tax credit (ITC) in specific cases.

b. Input Tax Credit (ITC) Time Limit:

- i. Sub-section (4) of section 16 limits the availment of ITC to the 30th of November following the financial year or the furnishing of the annual return, whichever is earlier.
- ii. Sub-section (5) allows the registered person to claim ITC for invoices from the financial years 2017-18 to 2020-21 by filing returns until the 30th of November 2021.
- iii. Sub-section (6) provides that if registration is cancelled and later revoked, ITC can still be availed within specified timelines.

c. No Refund on Retrospective Changes:

- i. Section 150 of the Finance Act (No. 2), 2024, states that no refund will be granted for tax already paid or ITC reversed due to earlier provisions, even if it would have been available under the new provisions.
- ii. The restriction on refunds under Section 150 of the Finance (No. 2) Act, 2024, does not apply to refunds of amounts paid as pre-deposit by taxpayers under Section 107(6) or Section 112(8) of the CGST Act. This exception applies when the taxpayer's appeal is decided in their favor.

d. Special Rectification Procedure:

- i. A special procedure for rectifying orders has been notified (Notification No. 22/2024 dated October 8, 2024), allowing taxpayers to rectify incorrect ITC denial if their case now falls under the retrospectively inserted sub-sections (5) and (6).
- ii. Rectification is available in cases where no appeal has been filed against orders issued under sections 73, 74, 107, or 108 of the CGST Act.

e. Tax Authorities' Action:

- i. Instructions have been given to tax authorities on handling cases where ITC was denied under sub-section (4), but is now available due to the retrospective amendments.

f. Application for Rectification:

- i. Taxpayers can file rectification applications electronically, through the GST portal, in cases where demand notices or orders under section 73 or 74 have been issued.
- ii. Rectifications should be processed within three months, and proper officers will assess if other grounds exist for denying ITC.

g. Six-Month Rectification Window:

- i. The rectification applications must be filed within six months from the issuance of Notification No. 22/2024 for eligible taxpayers.

h. No Refund for Reversed ITC:

The law ensures that no refund of taxes paid or ITC reversed will be allowed if the tax was previously paid or credit was reversed under the earlier provisions of sub-section (4).

5. Clarification of various doubts related to Section 128A of the CGST Act, 2017.

Key points regarding the waiver of interest or penalty under Section 128A:

- **Section 128A Waiver:** Waiver of interest/penalty for FY 2017-18, 2018-19, 2019-20.
- **Filing for Waiver:** File for waiver if tax demands are raised under Section 73.
- **Payment Deadlines:** Deadline for full payment of tax by 31.03.2025.
- **Processing of Waiver:** Waiver approval or rejection to be issued by officer.
- **Appeal Provisions:** Appeal allowed for rejected waiver; no appeal for approved waiver.
- **Clarifications on Waiver:** Full payment required; covers IGST and Compensation Cess; no waiver for late fees or fines.
- **Retrospective Amendments:** Retrospective changes in ITC to be considered when calculating payable tax.
- **SLPs and Pending Appeals:** SLPs must be withdrawn; payment within 3 months for additional tax post appellate order.

Notifications Issued

Notification-1

Seeks to make amendments (Second Amendment 2024) to the CGST Rules, 2017

The CGST (Second Amendment) Rules, 2024 introduce several key updates to the CGST Rules, 2017, effective from November 1, 2024, unless stated otherwise. The significant amendments are as follows:

1. Rule 36 - Insertion in Rule 36(3): Adds reference to “section 74” after the phrase “suppression of facts.”
2. Rule 46 - Amendments in Invoice Clauses: The second proviso in clause (s) is omitted, and wording is updated in the third proviso.
3. New Rule 47A - Invoice Time Limit: For cases where the recipient must issue the invoice under clause (f) of sub-section (3) of section 31, the registered person must issue the invoice within 30 days from receiving the supply.
4. Rule 66 - Due Date for FORM GSTR-7: Specifies submission by the 10th of the month following the calendar month.
5. Rule 86 - Contraventions in Rule 96(10): Removes restrictions related to sub-rule (10) of rule 96.
6. Rules 88B, 88D, 96B - Inclusion of Section 74A: References to section 74A are added alongside section 74 in rules 88B, 88D, and 96B for enhanced clarity in tax proceedings.
7. Rule 89 - Changes to Refund Calculations: Modifications remove exclusions related to input tax credits for certain refunds, and sub-rules (4A) and (4B) are omitted.
8. Rule 96 - Omission of Sub-rule (10): Removes sub-rule (10) from rule 96.

9. Rule 121 - Proceedings Updates: Expands applicability to proceedings under section 74A.

10. Rule 142 - Modifications for Section 74A: Adds references to section 74A across various sub-rules, affecting tax, interest, and penalty processes.

11. New Rule 164 - Closure Procedure under Section 128A: Introduces a detailed process for waiving interest or penalties. Key steps include:

- Applications in FORM GST SPL-01 and SPL-02: Taxpayers may apply for waivers electronically.

- Notice and Response Process: The proper officer may issue notices (FORM GST SPL-03) for ineligibility, with replies allowed in FORM GST SPL-04.

- Timely Processing and Deemed Approvals: If no order is issued within specified timelines, applications are deemed approved.

- Restoration of Withdrawn Appeals: Allows for appeal restoration if waiver applications are rejected or disputed.

The recent GST amendments update several forms and rules to simplify compliance and enhance clarity:

1. GST REG-20 & REG-31: Revised to clarify procedures for canceling or suspending registration, especially for non-compliance with bank detail requirements (Rule 10A) and return filings (Rule 21).

2. GSTR-9: Auto-fills ITC data from GSTR-2B, reducing manual input.

3. APL-01 & APL-05: Lower pre-deposit limits for disputed tax, easing the appeal process for taxpayers.

4. GST INS-01: References updated to align with the new Bharatiya Nyaya Sanhita, 2023.

5. DRC-01A: New Section 74A added for pre-SCN consultations, allowing taxpayers to resolve tax disputes early.

6. New Forms Post-SBY-06: Introduced for compliance with recent procedural changes from November 1, 2024.

These updates aim to streamline processes, protect revenue interests, and provide taxpayers with clearer compliance guidance.

New forms following FORM SBY-06 will be effective from [November 1, 2024](#), likely aimed at enhancing compliance and supporting recent procedural updates in GST. These are as follows:-

Forms	Description
GST SPL - 01	Application for waiver of interest or penalty or both under section 128A in respect of a notice or a statement mentioned in clause (a) of sub-section (1) of the said section
GST SPL -02	Application for waiver of interest or penalty or both under section 128A, in respect of an order mentioned in clause (b) or clause (c) of sub-section (1) of the said section
GST SPL -03	Notice in response to an application filed under Section 128A
GST SPL-04	For replying to notice issued under rule 164(8)
GST SPL -05	Order for conclusion of proceedings as per section 128A
GST SPL -06	Order for conclusion of proceedings as per section 128A
GST SPL -07	Order for Rejection of Application submitted under section 128A
GST SPL -08	Undertaking submitted under rule 164(15)(b)(ii)

For further details refer - [Click here](#)

Notification-2

Seeks to notify date under sub-section (1) of Section 128A of CGST Act.

Sl. No.	Class of Registered Person	Deadline for Payment for Waiver of Interest or Penalty
1	Registered persons receiving a notice, statement, or order as specified in Section 128A (clauses a, b, or c)	March 31, 2025
2	Registered persons with a notice under Section 74(1) concerning a period covered by Section 128A(1), where an order has been issued or is required based on directions from the Appellate Authority, Appellate Tribunal, or a court, in line with Section 75(2) provisions for tax redetermination	Six months from the issuance date of the order by the proper officer under Section 73

Note-

- A notice under section 73(1) or statement under section 73(3), with no order under section 73(9).
- An order under section 73(9), with no order under section 107(11) or section 108(1).
- An order under section 107(11) or section 108(1), with no order under section 113(1), covering 1st July, 2017 to 31st March, 2020.

Notification-3

Seeks to notify the special procedure under section 148 of the CGST Act for rectification of demand orders issued for contravention of section 16(4) of the said Act.

The Central Government has exercised powers under Section 148 of the CGST Act, 2017, to notify a special procedure allowing specific registered persons ("said persons") to rectify orders issued under Sections 73, 74, 107, or 108. This procedure is for cases where Input Tax Credit (ITC) was previously denied due to non-compliance with Section 16(4), but the ITC is now permissible under Sections 16(5) or 16(6), and no appeal has been filed.

Here's a structured of the required steps and considerations under this special procedure:

- 1. Application Submission:** The said person must electronically file a rectification application on the common portal within six months from the notification date. The application should include the details in Annexure A.
- 2. Review and Rectification Decision:** The original issuing authority is responsible for reviewing and deciding on the application and should issue the rectified order within three months from the application's date.
- 3. Electronic Upload of Rectified Summary:**
 - [FORM GST DRC-08](#) for rectified orders under Sections 73 or 74.
 - [FORM GST APL-04](#) for rectified orders under Sections 107 or 108.
- 4. Scope of Rectification:** Rectification is limited to ITC demand cases that previously violated Section 16(4) but are now eligible under Sections 16(5) or (6).
- 5. Principles of Natural Justice:** If the rectification adversely impacts the applicant, the rectifying authority must follow natural justice principles to ensure a fair process.

Notification-4

Seeks to provide waiver of late fee for late filing of NIL FORM GSTR-7

This notification issued under Section 128 of the Central Goods and Services Tax Act, 2017, makes the following provisions regarding the waiver of late fees for filing Form GSTR-7:

1. Late Fee Waiver:

- For registered persons required to deduct tax at source under Section 51, the late fee for filing GSTR-7 after the due date for June 2021 onward is capped.
- The excess late fee over ₹25 per day of delay will be waived.
- The total late fee for each month shall not exceed ₹1,000.

2. Special Provision for Nil TDS:

- If the TDS amount for a month is nil, the entire late fee for failing to file GSTR-7 by the due date will be waived.

3. Effective Date:

- The provisions in this notification will take effect from November 1, 2024.

This update aims to reduce the financial burden of late fees for TDS return filers under GST, especially in cases where delays are minimal or the liability is nil.

Notification-5

Seeks to amend Notification No. 5/2017-Central Tax dated 19.06.2017

Here are the key points of the notification:

1. **Amendment Authority:** Issued under Section 23(2) of the Central GST Act, 2017, based on GST Council recommendations.

2. **Notification Affected:** Amends Notification No. 5/2017-Central Tax, dated June 19, 2017.

3. Proviso Added:

- Excludes individuals or entities supplying metal scrap from the scope of the original notification.

4. **Effective Date:** This amendment takes effect from **October 10, 2024**.

These changes clarify that suppliers of metal scrap are not covered under the original provisions of Notification No. 5/2017.

Hence, Persons other than engaged in the supply of metal scrap, falling under Chapters 72 to 81 in the first schedule to the Customs Tariff Act, 1975 (51 of 1975), exclusively supplying taxable goods or services subject to reverse charge by the recipient under Section 9(3) of the CGST Act, 2017, **are exempt from GST registration**.

Notification-6

Seeks to amend Notification No. 50/2018-Central Tax dated 13.09.2018

The Central Government, using powers under Sections 1(3) and 51 of the CGST Act, 2017, has amended Notification No. 50/2018-Central Tax with the following key changes:

1. Addition of Clause (d):

- A new clause (d) specifies that *any registered person receiving supplies of metal scrap (under Chapters 72 to 81 of the Customs Tariff Act, 1975) from another registered person* is covered by this notification.

2. Substitution of Third Proviso:

- The third proviso now states that the notification does *not apply to transactions between persons specified in clauses (a), (b), (c), and (d) of Section 51(1)*, *except for transactions with those in clause (d)*.

Effective Date: October 10, 2024.

Notification-7

Seeks to amend Notification No. 1/2017- Central Tax (Rate) dated 28.06.2017.

Schedule	GST Rate	Serial No.	Item Description	HS Code	Details/Remarks
Schedule I	2.50%	233	Trastuzumab Deruxtecan	-	Newly added entry
		234	Osimertinib	-	Newly added entry
		235	Durvalumab	-	Newly added entry
Schedule II	6%	32C	Extruded or expanded products, savory or salted (excluding un-fried or un-cooked snack pellets)	1905 90 30	Manufactured through extrusion
Schedule III	9%	16	Expanded definition for extruded or expanded products to include savory or salted items	-	Amendment to the existing definition
		435A	Seats and parts, excluding those used in aircraft or motor vehicles	-	Newly added entry
Schedule IV	14%	210A	Seats specifically used in motor vehicles	9401 20 00	Newly added entry

Effective Date: October 10, 2024

Notification-8

Seeks to amend Notification No. 4/2017-Central Tax (Rate) dated 28.06.2017

This notification introduces a new amendment under Section 9(3) of the Central Goods and Services Tax Act, 2017. Here's a summary of the key details:

1. Addition to Notification No. 4/2017-Central Tax (Rate):

A new **S. No. 8** is inserted in the Table with the following entries:

- **HS Codes:** 72, 73, 74, 75, 76, 77, 78, 79, 80, or 81 - These codes cover a range of metal scrap.
- **Description:** Metal scrap.
- **Supplier:** Any unregistered person.
- **Recipient:** Any registered person

2. Reverse Charge Mechanism (RCM):

This amendment requires that any transaction of metal scrap from an unregistered supplier to a registered buyer falls **under the Reverse Charge Mechanism (RCM)**, meaning the registered recipient will be liable to pay the tax instead of the supplier.

3. **Effective Date:** This notification comes into effect from **October 10, 2024**.

Notification-9

Seeks to amend Notification No. 4/2017-Central Tax (Rate) dated 28.06.2017

- **Updates to Notification No. 11/2017-Central Tax (Rate):**
- **For Serial Number 8 in the Table:**
 - A new entry, labeled **(ivb)**, has been added:
 - **Service:** Passenger transportation by air in a helicopter on a seat-share basis, with or without accompanied baggage.
 - **GST Rate:** 2.5%
 - **Condition:** Input tax credit (ITC) on goods used in providing this service is not allowed. (For details, refer to clause (iv) of paragraph 4).
- **Change to Item (vii):**
 - Item (vii) is updated to include this new entry (ivb), following item (iva).
- **Effective Date:** The notification takes effect from **October 10, 2024**.

Notification-10

Seeks to amend Notification No. 12/2017-Central Tax (Rate) dated 28.06.2017

This notification introduces GST exemptions for specific services under Notification No. 12/2017-Central Tax (Rate), effective from October 10, 2024. Key points are as follows:

1. **Newly Exempt Services:**

- **Metering and Electricity Services:** Services such as metering equipment rental, testing, connection releases, and bill reissues, provided by electricity utilities as part of electricity distribution.
- **Research and Development:** Research services funded by grants from government entities or notified institutions (under Income Tax Act sections 35(1)(ii) and 35(1)(iii)).
- **Educational Affiliation:** Affiliation services provided by educational boards or councils to government-controlled schools.

2. **Updated Exemption for Vocational Training:**

- Exemption for services by entities involved in skill development, including the National Skill Development Corporation, recognized awarding bodies, and accredited training entities, covering skill development programs, certified vocational courses, and qualifications under the National Skill Qualification Framework.

3. **Terminology Revision:**

- The term "**National Council for Vocational Training**" is updated to "**National Council for Vocational Education and Training**" across relevant entries.

Notification-11

Seeks to amend Notification No 13/2017-Central Tax (Rate) dated 28.06.2017

Under the authority granted by sub-section (3) of section 9 of the CGST Act, 2017, the Central Government, upon recommendation by the GST Council, has introduced amendments to the Ministry of Finance's earlier notification No. 13/2017-Central Tax (Rate), dated June 28, 2017. The key changes are as follows:

1. **Amendment Addition:** In the Table of the original notification, a new entry, **5AB**, has been inserted. This entry specifies that:
 - **Service Type:** Renting of any property other than residential dwellings.
 - **Service Provider:** Any unregistered person.
 - **Recipient:** Any registered person.
2. **Effective Date:** This amendment is effective from **October 10, 2024**.

Advisory Issued

Advisory-1

GSTN e-Services App to Replace e-Invoice QR Code Verifier App Shortly.

GSTN has launched the new GSTN e-Services app, replacing the previous e-Invoice QR Code Verifier App. Key features of the app include:

- **e-Invoice Verification:** Scan QR codes to verify B2B e-Invoices and check the live status of the Invoice Reference Number (IRN).
- **GSTIN Lookup:** Search for GSTIN details using either GSTIN or PAN.
- **Return Filing History:** Access the return filing history for a specific GSTIN.
- **Multiple Input Options:** Use text, voice, or scan functions to enter search details.
- **Result Sharing:** Share search results easily through the app.

Advisory-2

Advisory on Proper Entry of RR No./Parcel Way Bill (PWB) Numbers in EWB system Post EWB-PMS Integration.

Indian Railways' Parcel Management System (PMS) is now integrated with the E-Way Bill (EWB) system for seamless data transfer. Taxpayers must accurately enter RR No./Parcel Way Bill (PWB) numbers in Part-B of the EWB in the format "PXXXXRRNo" (e.g., PNZM2020-307306) to ensure compliance and avoid validation errors. The EWB system will check entries against PMS data, generating alerts for discrepancies. For support, taxpayers may contact the helpdesk with the RR No./PWB number details.

Advisory-3

Advisory for Biometric-Based Aadhaar Authentication and Document Verification for GST Registration Applicants of Kerala, Nagaland, Ladakh and Telangana.

This notification outlines important updates regarding the GST registration process:

- i. **Biometric Aadhaar Authentication:** Rule 8 of the CGST Rules, 2017 now mandates biometric-based Aadhaar authentication with a photograph for applicants based on risk analysis.
- ii. **Availability:** This updated functionality was launched on 5th October 2024 in **Kerala, Nagaland, and Telangana** however in **Ladakh** on 30 October 2024.

- iii. **Authentication Options:** After submitting the registration application, applicants may receive:
 - A link for OTP-based Aadhaar authentication or,
 - A link for booking an appointment at a **GST Suvidha Kendra (GSK)** for biometric verification.
- iv. **Required Documents:** For those visiting a GSK, carry a copy of the **appointment confirmation**, Aadhaar, PAN, and original uploaded documents.
- v. **Booking and Timeline:** Appointments should be scheduled within the timeframe indicated in the e-mail, and ARNs will be issued after biometric verification.

Advisory-4

New GST Provision for Metal Scrap Transactions

- **Applicability:** The notification applies to businesses involved in the trading and dealing of metal scrap.
- **GST Section 51:** This notification is issued under Section 51 of the CGST Act, 2017, which deals with Tax Deduction at Source (TDS) requirements. Businesses dealing with metal scrap are now mandated to comply with this section.
- **Mandatory Registration through FORM GST REG-07:** Businesses that fall under this category will need to register through FORM GST REG-07 to meet compliance requirements. The GST portal will soon have an update enabling this specific registration process.
- **Compliance Obligations:** Registered persons dealing in metal scrap must adhere to the compliance obligations under the updated notification, ensuring they deduct tax at source as prescribed by the GST provisions.

Advisory-5

Advisory on IMS

Here are the key highlights of the newly introduced Invoice Management System (IMS) for taxpayers:

1. **Introduction of IMS:** The Invoice Management System (IMS) is now available to taxpayers starting from **14th October 2024**. This system aims to help taxpayers reconcile their invoices against those issued by their suppliers, ensuring accurate Input Tax Credit (ITC) claims.
2. **IMS Functionality:** The IMS enables taxpayers to match their records with those uploaded by suppliers. This streamlines ITC claims by highlighting any discrepancies in the records.
3. **Optional Actions on IMS:** While taxpayers can take action on the invoices displayed in the IMS, it is not mandatory for the generation of GSTR-2B.
4. **First GSTR-2B Generation Date:** The first GSTR-2B reflecting IMS actions will be generated on **14th November 2024** for the October 2024 return period.
5. **Impact on GSTR-2B:** Actions taken on invoices within the IMS will be considered in the GSTR-2B generation, but taxpayers are not **obligated** to take actions within the IMS for this process.

This new system is expected to simplify the ITC process by allowing more efficient matching and management of invoices through the IMS dashboard. Please [click here](#) for FAQ's on IMS to get a better understanding.

Advisory-7

Important advisory for GSTR-9/9C

Key highlights of the recent updates to GSTR-9 and GSTR-9C for FY 2023-24:

1. **Auto-Population of Eligible ITC:** Starting from FY 2023-24, the GST system will **auto-populate eligible Input Tax Credit (ITC)** for domestic supplies (excluding ITC on reverse charge and imports). This data will be transferred from **Table 3(I) of GSTR-2B to Table 8A of GSTR-9**.

2. Availability on GST Portal: These updates to the GSTR-9 and GSTR-9C forms for FY 2023-24 are now accessible on the GST portal from 15th October 2024 onwards.

This enhancement is expected to simplify the ITC reporting process, reducing manual entries and improving accuracy for taxpayers.

Advisory-8

Hard - Locking of auto-populated liability in GSTR-3B

- a) Pre-filled GSTR-3B: The GST Portal now provides a pre-filled GSTR-3B form to assist taxpayers.
- b) Auto-population of Tax Liability: Tax liability is automatically filled based on declared supplies in GSTR-1/GSTR-1A/IFF.
- c) Auto-population of ITC: Input Tax Credit (ITC) is sourced from GSTR-2B.
- d) System-Generated PDF: A detailed, system-generated PDF of the auto-populated GSTR-3B is available to taxpayers.
- e) Amendment of Outward Supplies: Taxpayers can amend any errors in outward supplies through GSTR-1A before filing GSTR-3B, allowing correction of liabilities in advance.
- f) Invoice Management System (IMS): For managing inward supplies and accurate ITC claims, taxpayers can use the IMS to accept, reject, or mark invoices as pending.
- g) Restriction on Modifying Auto-Populated Liability (Effective January 2025): From the January 2025 tax period, the GST Portal will tentatively restrict changes to the auto-populated liability in GSTR-3B (from GSTR-1/1A/IFF). Any necessary changes should be handled via GSTR-1A.
- h) Future Locking of ITC in GSTR-3B: Locking of auto-populated ITC in GSTR-3B will be implemented at a later date, following further advisory. This step will occur once all IMS-related issues are addressed.

Advisory-9

Advisory - Reg 07

Key highlights of the new GST registration compliance update for metal scrap buyers:

1. **New Registration Compliance Requirement:** The GSTN has introduced a **mandatory update** for **buyers of metal scrap** to comply with registration requirements through **Form GST REG-07**. This follows the new GST provisions outlined in the advisory issued on **October 13, 2024**.
2. **Selection in Registration Form:**
 - Taxpayers in this category must select **"Others"** in **Part B of Table 2** under the "Constitution of Business" section.
 - A **text box** will appear where taxpayers must enter **"Metal Scrap Dealers"**. This entry is compulsory for those choosing the "Others" option.
3. **Completion of GST REG-07:** After entering "Metal Scrap Dealers," taxpayers should complete and submit the remaining details in **Form GST REG-07** on the GST Portal.
4. **Notification Reference:** This update aligns with **Notification No. 25/2024 - Central Tax**, dated **October 9, 2024**.

Advisory-10

Barring of GST Return on expiry of three years

Key points on the upcoming restriction for filing GST returns after three years:

1. **Three-Year Filing Limitation:** Under the Finance Act, 2023 (effective from 1st October 2023 via Notification No. 28/2023 - Central Tax dated 31st July 2023), taxpayers will no longer be able to file GST returns after three years from the original due date.

2. Applicable Returns: This restriction applies to returns under:

- Section 37: Outward Supply (GSTR-1)
- Section 39: Payment of Liability (GSTR-3B, GSTR-4, GSTR-5, GSTR-5A, GSTR-6)
- Section 44: Annual Return (GSTR-9)
- Section 52: Tax Collected at Source (GSTR-7, GSTR-8)

3. Implementation Timeline: These changes are scheduled to be implemented on the GST Portal in early 2025.

4. Advisory for Taxpayers: Taxpayers are encouraged to reconcile and file pending returns promptly to avoid missing this three-year filing window.

This update underscores the importance of timely GST return filing to prevent compliance issues once the three-year restriction is enforced.

COMPLIANCE CALENDER

Direct Taxes

November 07, 2024

- Due date for deposit of Tax deducted/collected for the month of October, 2024.

November 14, 2024

- Due date for issue of TDS Certificate for tax deducted under section 194-IB, 194-IA, 194M, 194S in the month of September, 2024

November 15, 2024

- Quarterly TDS certificate (in respect of tax deducted for payments other than salary) for the quarter ending June 30, 2024
- Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of October, 2024 has been paid without the production of a challan
- Due date for furnishing statement in Form no. 3BB by a stock exchange in respect of transactions in which client codes been modified after registering in the system for the month of October, 2024

November 30, 2024

- Quarterly statement of TDS deposited for the quarter ending September, 2024.
- Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA, 194-IB, 194-M & 194-S in the month of October, 2024.
- Return of income for the assessment year 2024-25 in the case of an assessee if he/it is required to submit a report under section 92E pertaining to international or specified domestic transaction(s)
- Report in Form No. 3CEAA by a constituent entity of an international group for the accounting year 2023-24.
- Statement of income distribution by Venture Capital Company or venture capital fund in respect of income distributed during previous Year 2023-24 (Form No. 64)

Indirect Taxes

November 10th, 2024

- Due date for filing GSTR-7 & GSTR-8 (Oct, 2024).

November 11th, 2024

- Due date for filing of GSTR-1 for turnover exceeding 5Cr or opted to file monthly return (Oct, 2024).

November 13th, 2024

- Due date for filing of GSTR-1 who opted for quarterly filing as per QRMP scheme. (Oct, 2024)
- Due date for filing of GSTR-5 & GSTR-6. (Oct, 2024)

November 20, 2024

- Due date for filing of GSTR-3B for turnover exceeding 5 Cr or opted to file monthly return.
- Due date for filing of GSTR-5A.

January 18, 2024

- Due date for filing of CMP-08. (Oct-Dec, 2024)

January 2024 to January 2025

- Due date for filing of GSTR-3B.

- Statement to be furnished in Form No. 64D by Alternative Investment Fund (AIF) to Principal CIT or CIT in respect of income distributed (during previous year 2023-24) to units holders
- Due date to exercise option of safe harbour rules for international transaction by furnishing Form 3CEFA & Form 3CEFB.
- Due date for filing of statement of income distributed by business trust to unit holders during the financial year 2023-24. This statement is required to be filed electronically to Principal CIT or CIT in form No. 64A.
- Due date for e-filing of report (in Form No. 3CEJ) by an eligible investment fund in respect of arm's length price of the remuneration paid to the fund manager. (if the assessee is required to submit return of income on November 30, 2024).



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ABOUT US

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