

NEWSLETTER

News Letter for November'21
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DUE DATES | NOVEMBER 2021

Compliance Due Date	Compliance Detail	Applicable To
7 th November	a) Equalization Levy Deposit b) TCS/TDS Deposit	a) All Deductors b) Non- Government deductors.
10 th November	a) GSTR – 7 (TDS return under GST) b) GSTR – 8 (TCS return under GST)	a) Person required to deduct TDS under GST b) Person required to collect TCS under GST
11 th November	a) GSTR – 1 (Outward supply return)	a) All taxable persons having turnover >Rs 5 crore.
13 th November	a) GSTR – 6 [Return by input service distributor (ISD)] b) Invoice Furnishing Facility-IFF (Details of outward supplies of goods or sevices)	a) Person registered as ISD b) Taxable Persons having turnover < Rs. 5 crore.
15 th November	a) Deposit of PF & ESI contribution b) TDS Certificate in Form 16A	a) All Deductors b) All Deductors
20 th November	a) GSTR – 5 (Return by Non-residents) b) GSTR – 5A [online information database access and retrieval(OIDAR)services return] c) GSTR 3B (Summary return)	a) Non-resident taxable person b) OIDAR services provider c) All taxable persons (except composition dealer) having annual turnover> Rs. 5crore.
25 th November	a) Form GST PMT -06 (Payment of tax for Quarterly filers)	a) All taxable persons (except composition dealer) having annual turnover < Rs. 5crore.
30 th November	a) Statutory audit under Companies Act b) Due date of holding Annual General Meeting (AGM)	a) All companies. b) All companies.





GST UPDATES

Measures for streamlining compliance in GST

- Amendment in GST rates [**Refer Notification No- 13/2021-Central Tax (Rates) dated 27.10.2021**].
- Tamarind and other seeds, classifiable under HS Code 1209, if not supplied as seed for sowing, attract GST @ 5% w.e.f. 1.10.2021 Seeds classifiable under HS Code 1209, if used for sowing purposes are exempt from GST. [**Refer circular no-163/19/2021, dated 25.09.2021**]
- Fresh fruits and nuts, which are not frozen or dried in any manner or otherwise processed, are exempt from GST dried fruits and nuts, classifiable under HS Code 0801 & 0802 attract GST @ 5% / 12% as specified in the respective rate schedules. [**Refer circular no-163/19/2021, dated 25.09.2021**]
- It has been clarified that coconut, fresh or dried, whether or not shelled or peeled, is exempt from GST and Copra classifiable under HS Code 1203 attracts GST @ 5%. [**Refer circular no-163/19/2021, dated 25.09.2021**]
- It has been clarified that all pharmaceutical goods, classifiable under heading 3006, attract GST @ 12%. [**Refer circular no-163/19/2021, dated 25.09.2021**]
- It has been clarified that: • External batteries sold along with UPS Systems/ Inverter attract GST rate as applicable to batteries under HS Code 8507 (28% for batteries except lithium-ion battery) and supply of UPS / Inverter attract GST @ 18%. [**Refer circular no-163/19/2021, dated 25.09.2021**]
- It has been clarified that Essentiality certificate, issued by the Directorate General of Hydrocarbons (DGH) on import, is sufficient and there's no need for taking a certificate every time on inter-State movement of goods within the same company/stock transfer so long as the

goods are the same as those imported by the company at concessional rate. **[Refer circular no-163/19/2021, dated 25.09.2021]**

- It has been clarified that already manufactured Ice Cream sold by an Ice Cream parlour or any similar outlet attracts GST @ 18%. **[Refer circular no-164/20/2021, dated 06.10.2021]**
- It has been clarified that services provided by way of cooking and supply of food by cloud kitchens/central kitchens are covered under “restaurant service” and attract GST @ 5% GST (without ITC). **[Refer circular no-164/20/2021, dated 06.10.2021]**
- It has been clarified that the services by way of grant of mineral exploration and mining rights attracts GST @ 18% w.e.f. 01.07.2017. **[Refer circular no-164/20/2021, dated 06.10.2021]**
- It has been clarified that the overloading charges at toll plaza, being akin to toll charges, are exempt from GST. **[Refer circular no-164/20/2021, dated 06.10.2021]**
- It has been clarified that supply of vehicles on rent/hire to state transport undertakings & local authorities is covered by expression “giving on hire” and exempt from GST. **[Refer circular no-164/20/2021, dated 06.10.2021]**
- It has been clarified that: Services by way of admission to a place having casino or race club (even if it provides certain other activities) or admission to a sporting event like IPL attracts GST@ 28% .**[Refer circular no-164/20/2021, dated 06.10.2021]**
- Services by way of admission to amusement parks or theme park etc. or any place having joy rides, merry- go rounds, go-carting etc... Whether indoor or outdoor, so long as no access is provided to a casino or race club, attracts GST @ 18%. **[Refer circular no-164/20/2021, dated 06.10.2021]**
- It has been clarified that the services provided by any institutions/ NGOs under the central scheme of "Scholarships for students with Disabilities" where total expenditure is borne by the Government is covered under entry 72 of notification No. 12/2017-Central Tax (Rate) dated 28.06.2017 and hence exempt from GST. **[Refer circular no-164/20/2021, dated 06.10.2021]**



SECTION 139(1C) OF THE INCOME-TAX ACT, 1961 - RETURN OF INCOME - EXEMPTION TO SPECIFIED CLASS OF PERSONS FROM REQUIREMENT OF FURNISHING A RETURN OF INCOME UNDER SECTION 139(1) FROM ASSESSMENT YEAR 2021-2022 ONWARDS

NOTIFICATION S.O. 4207(E) [NO. 119/2021/F. NO. 225/76/2021-ITA.II], DATED 11-10-2021

Sl. No.	class of Persons	conditions
<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
1.	(i) a non-resident, not being a company; or (ii) a foreign company.	(i) The said class of persons does not earn any income in India, during the previous year, other than the income from investment in the specified fund referred to in sub-clause (i) of clause (c) of Explanation to clause (4D) of section 10 of the said Act, and (ii) The provisions of section 139A of the said Act are not applicable to the said class of persons subject to fulfilment of the conditions mentioned in sub-rule (1) of rule 114AAB of the Income-tax Rules, 1962 (hereinafter referred to as said rules').
2.	a non-resident, being an eligible foreign investor.	(i) The said class of persons, during the previous year, has made transaction only in capital asset referred to in clause (viiab) of section 47 of the said

Act, which are listed on a recognised stock exchange located in any International Centre and the Financial Services Centre consideration on transfer of such capital asset is paid or payable in foreign currency.

(ii) The said class of persons does not earn any income in India, during the previous year, other than the income from transfer of capital asset referred to in clause (viiab) of section 47 of the said Act; and

(iii) The visions of section 139A of the said Act are not applicable to the said class of persons subject to fulfilment of the conditions mentioned in sub-rule (2A) of rule 114AAB of the said rules.

3. The above exemption from the requirement of furnishing a return of income shall not be available to the class of persons mentioned in the column (2) of the said Table where a notice under sub-section (1) of section 142 or section 148 or section 153A or section 153C of the said Act has been issued for filing a return of income for the assessment year specified therein.

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



Limited Liability Partnerships (LLPs) – Waiver of late fee in case of delay in filing Form 8 (Statement of Accounts & Solvency) for Financial Year (FY) 2020-21 upto 30th December 2021.

Genral Circular No. 16/2021

Persuant to LLP Act, 2008, every LLP is required to file its annual statement of accounts & solvency in Form 8 on or before 30th October for each FY . Due to pandemic, the Ministry of Corporate Affairs (MCA) has allowed filing of the form till **30th December 2021** without any late fee.



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