



Thinking Beyond

Monthly Newsletter

A knowledge sharing initiative

December 2024



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GST: Clearing the Fog by way of “As is where is” basis regularizations

Disputes in businesses are inevitable, notably on account of tax-related disputes. The 7 years long safari of Goods and Services Tax (GST) since its implementation



CA Laxman Kumar Kadali



CA Asha Latha

has demonstrated that GST is no exception, as it has been riddled with interpretational challenges, absurdity of provisions, frequent amendments,

etc. Amidst of all this, the trade and industry has adopted diverse practices concerning the tax rates, exemptions and more, often due to differing interpretations of rate & exemption notifications. As a result, certain taxpayers have either short paid the taxes or failed to pay them altogether, while others have claimed exemptions for the same supply of goods or services. These varied practises have led to a flood of notices and demand orders, requiring taxpayers to pay the differential taxes. To resolve these issues, several reforms have been introduced by the Government such as the amnesty scheme for waiver of interest & penalty under Section 128A of the Act, extension of time limits for availing ITC under Section 16(4) of the Act, etc.

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Special Legal Update on ‘SAFARI RETREATS JUDGEMENT’

- Developers and infrastructure gain hope from the Supreme Court's Safari Retreats ruling.
- If it is held that the explanation does not apply to “plant or machinery”, what is the meaning of the word “plant”?
- Whether clauses (c) and (d) of Section 17(5) and Section 16(4) of the CGST Act are unconstitutional.

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HNA Updates – November 2024 – Circulars and Notifications

- Customs Non-Tariff Notifications
- Anti – Dumping Duty Notifications
- GST Notifications
- FTP Notifications

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GST Navigator – Key Insights from the 55th GST council meeting

- Changes/Clarifications in GST Tax Rates for Goods
- Changes/Clarifications in GST Tax Rates for Services
- Other Changes relating to Goods and Services
- Other measures pertaining to Law & Procedure
- Decisions deferred

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Sl. No	Date	Functionality	Particulars
1	1-12-2024	<u>Gross and Net GST revenue collections for the month of Nov, 2024</u>	The Gross and net revenue for the month of Nov-24 was declared. The same can be checked by clicking on the link – https://tutorial.gst.gov.in/downloads/news/approved_monthly_gst_data_for_publishing_nov_2024.pdf
2	4-12-2024	<u>Advisory on mandatory Sequential Filing of GSTR-7 Returns</u>	<p>Multiple tickets have been received regarding sequential filing of return in Form GSTR-7. Taxpayers are referencing FAQs for the same, wherein “it is not mandatory” is mentioned. To clarify, It is to inform that following changes have been introduced in the return filing process for GSTR-7 with effect from 01.11.2024 onwards.</p> <p>Sequential Filing of GSTR-7:</p> <p>As per Notification No. 17/2024-Central Tax, dated 27th September 2024, effective from the 01.11.2024, GSTR-7 filing has been made sequential from the October tax period. Hence, GSTR-7 return is to be filed in chronological order, beginning with the return period of October 2024. It is pertinent to mention that for a month in which no deduction have been made, deductors need to file Nil return for the same month.</p>
3	8-12-2024	<u>Advisory for Biometric-Based Aadhaar Authentication and Document</u>	The recent changes to the GST registration process, effective from December 7, 2024, involve biometric-based Aadhaar authentication and document verification for applicants in Haryana, Manipur, Meghalaya, and Tripura. Applicants submitting Form GST REG-01 will receive an email with either an OTP-based Aadhaar authentication link or a link to

		<u>Verification for GST</u>	<p>book an appointment for biometric verification and document verification at a GST Suvidha Kendra (GSK).</p> <p>If the appointment link is received, applicants must visit the GSK with required documents, including Aadhaar and PAN cards, along with the originals of uploaded documents. Biometric authentication and verification will occur at the GSK, and after completion, ARN numbers will be generated. The advisory is applicable to Haryana, Manipur, Meghalaya and Tripura</p>
4	9-12-2024	<u>Advisory on difference in value of Table 8A and 8C of Annual Returns FY 23-24</u>	<p>As per Notification No. 12/2024-Central Tax dated 10th July 2024 and Notification No. 20/2024-Central Tax dated 8th October 2024, for FY 2023-24 onwards, the total credit for inward supplies will be auto-populated in Table 8A of Form GSTR-9 from GSTR-2B. Additionally, Table 8C of Form GSTR-9 requires manual entry of the total value of ITC on inward supplies received during the FY but availed in the next FY up to a specified period. Concerns have been raised regarding possible mismatches between the values in Table 8A and 8C for FY 2023-24, as, for FY 22-23, values in Table 8A were auto-populated from GSTR-2A, whereas for FY 2023-24, they are sourced from GSTR-2B. This change may result in inflated values for FY 22-23 in Table 8A, while values for FY 2023-24 may appear lower than expected, leading to a mismatch between the two tables.</p> <p>For detailed explanation please refer to the pdf below –</p> <p><u>https://services.gst.gov.in/services/advisoryandreleases/read/557</u></p>
5	15-12-2024	<u>Advisory for Biometric-Based</u>	<p>The GST registration process has undergone recent developments, with Rule 8 of the CGST Rules, 2017 being</p>

		<p><u>Aadhaar Authentication and Document Verification for GST</u></p>	<p>amended to introduce biometric-based Aadhaar authentication and document verification. This new functionality, rolled out in Chhattisgarh, Goa, and Mizoram on 15th December 2024, allows applicants to be identified based on data analysis and risk parameters, along with the verification of original documents uploaded with the application.</p> <p>After submitting Form GST REG-01, applicants will receive an email with either a link for OTP-based Aadhaar authentication or a link for booking an appointment at a GST Suvidha Kendra (GSK) for biometric authentication and document verification. Applicants in Chhattisgarh, Goa, and Mizoram can now book appointments to visit designated GSKs. Once the appointment is booked, they will receive a confirmation email and should bring the required documents, including Aadhaar and PAN cards (original copies) and the originals of documents uploaded with the application. Biometric authentication and document verification will be conducted at the GSK, and ARNs will be generated once the process is completed. The operational days and hours of GSKs will follow state-specific guidelines. The advisory is applicable to Chhattisgarh, Goa and Mizoram.</p>
6	17-12-2024	<p><u>Advisory on Updates to E-Way Bill and E-Invoice Systems</u></p>	<p>Starting 1st January 2025, NIC will roll out updated versions of the E-Way Bill and E-Invoice systems to enhance security. Key updates include:</p> <ol style="list-style-type: none"> 1. Multi-Factor Authentication (MFA): MFA will become mandatory for taxpayers with an Annual Aggregate Turnover (AATO) exceeding Rs 20 Crores from 1st January 2025, Rs 5 Crores from 1st February 2025, and for all taxpayers by 1st April

			<p>2025. Taxpayers are encouraged to activate MFA immediately and ensure their registered mobile number is updated.</p> <p>2. E-Way Bill Generation Period Restriction: E-Way Bills will only be generated for documents dated within 180 days from the generation date, starting 1st January 2025.</p> <p>3. Extension of E-Way Bills: The extension period for E-Way Bills will be restricted to 360 days from the original generation date.</p> <p>Taxpayers are advised to familiarize themselves with these changes and update their compliance processes accordingly. Further details are available on the E-Invoice and E-Way Bill portals</p>
7	4-12-2024	<u>Advisory on mandatory Sequential Filing of GSTR-7 Returns</u>	<p>Multiple tickets have been received regarding sequential filing of return in Form GSTR-7. Taxpayers are referencing FAQs for the same, wherein “it is not mandatory” is mentioned. To clarify, It is to inform that following changes have been introduced in the return filing process for GSTR-7 with effect from 01.11.2024 onwards.</p> <p>Sequential Filing of GSTR-7:</p> <p>As per Notification No. 17/2024-Central Tax, dated 27th September 2024, effective from the 01.11.2024, GSTR-7 filing has been made sequential from the October tax period. Hence, GSTR-7 return is to be filed in chronological order, beginning with the return period of October 2024. It is pertinent to mention that for a month in which no deduction have been made, deductors need to file Nil return for the same month.</p>
8	18-12-2024	<u>Advisory for Entry of RR No./eT-RRs</u>	<p>Indian Railways' Freight Operations Information System (FOIS) has been integrated with the E-Way Bill (EWB)</p>

		<p><u>in EWB system Post EWB-FOIS Integration</u></p>	<p>system via APIs. Taxpayers transporting goods via Indian Railways must ensure correct entry of the Railway Receipt Number (RR No.)/eT-RRs in the EWB system, following these key steps:</p> <ol style="list-style-type: none"> 1. Applicability of RR No./eT-RRs: Ensure correct entry of RR No./eT-RRs for goods transported by rail through FOIS in the EWB system, using the standardized format. 2. Updating Part-B of EWB: Suppliers with pre-existing EWBs must update Part-B by selecting "Rail" as the mode of transport and entering the corresponding RR No./eT-RRs. 3. RR No./eT-RRs Format: The RR number should be entered in the format: F<FromStationCode><RR No>. For example, FSJWT123456789 if dispatched from station SJWT. 4. EWB and RR No./eT-RRs Validation: The system will validate the RR number against FOIS data. Any mismatch will trigger an alert, so accurate entry is essential to avoid discrepancies. <p>Taxpayers are urged to follow these guidelines for smooth tracking and verification of goods transported via Indian Railways. For any discrepancies, they should raise a support ticket with the RR No./eT-RRs.</p>
9	23-12-2024	<p><u>Advisory for Entry of Receipt Numbers Pertaining to Leased Wagons in the E-Way Bill</u></p>	<p>This advisory provides instructions for entering Receipt Numbers related to Leased Wagons in the E-Way Bill (EWB) system. From January 1st, 2025, taxpayers transporting goods via Leased Wagons must prefix the Receipt Numbers with the identifier "L" in the EWB system. This follows the existing practice for Parcel Way</p>

			<p>Bill (PWB) numbers (prefix "P") and Railway Receipt (RR) numbers (prefix "F") for the Parcel Management System (PMS) and the Freight Operations Information System (FOIS).</p> <p>Taxpayers should select "Rail" as the transport mode in Part-B of the EWB and enter the Receipt Number with the prefix "L" (e.g., L123456789). The system will validate the entry against the database, and any discrepancies will prompt an alert for correction. For further assistance, taxpayers can raise a support ticket with the EWB support team. Adhering to these guidelines will ensure smooth E-Way Bill processing and efficient transportation of goods.</p>
10	29-12-2024	<u>Advisory for Waiver Scheme under Section 128A</u>	<p>Taxpayer's attention is invited to the advisory on the above subject issued by GSTN on 08.11.2024. The link for the said advisory is given here:</p> <p>https://services.gst.gov.in/services/advisoryandreleased/read/546</p> <p>2. Under the waiver scheme, for a demand notice or statement or order which has been issued under Section 73 for the tax periods between July 2017 & March 2020, the taxpayers are required to file an application either in FORM GST SPL-01 or SPL02 in GST portal accordingly. Presently, Form GST SPL 02 is made available in the GST portal. Form GST SPL 01 will be available soon in the GST portal.</p> <p>3. The process of filing SPL-02 electronically is detailed in below document:</p> <p>https://tutorial.gst.gov.in/downloads/news/help_document_on_filing_of_spl_02.pdf</p> <p>4. Difficulty if any faced by the taxpayers may be reported to https://selfservice.gstsystem.in by raising a ticket under category "Issues related to Waiver Scheme".</p>

11	31-12-2024	<u>Advisory for Biometric-Based Aadhaar Authentication and Document Verification for GST</u>	<p>The GST registration process has undergone recent developments, with Rule 8 of the CGST Rules, 2017 being amended to introduce biometric-based Aadhaar authentication and document verification. This new functionality, rolled out in Arunachal Pradesh allows applicants to be identified based on data analysis and risk parameters, along with the verification of original documents uploaded with the application.</p> <p>After submitting Form GST REG-01, applicants will receive an email with either a link for OTP-based Aadhaar authentication or a link for booking an appointment at a GST Suvidha Kendra (GSK) for biometric authentication and document verification. Applicants in Arunachal Pradesh can now book appointments to visit designated GSKs. Once the appointment is booked, they will receive a confirmation email and should bring the required documents, including Aadhaar and PAN cards (original copies) and the originals of documents uploaded with the application. Biometric authentication and document verification will be conducted at the GSK, and ARNs will be generated once the process is completed. The operational days and hours of GSKs will follow state-specific guidelines. The advisory is applicable to Arunachal Pradesh</p>
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GST	
Notification-Central Tax	
Notification No. and Date of issue	Subject
<p>30/2024-Central Tax Dated: 10/12/2024</p>	<p>Seeks to extend the due date for furnishing FORM GSTR-3B for the month of October 2024 for registered persons whose principal place of business is in the district of Murshidabad in the state of West Bengal.</p> <p><u>HNA Comments:</u> This notification seeks to extend the due date for filing of return in FORM GSTR-3B for the month of October 2024 to December 11, 2024, for the persons registered in the district of Murshidabad in the state of West Bengal. Read more.</p>
<p>31/2024-Central Tax Dated: 13/12/2024</p>	<p>Seeks to appoint common adjudicating authority for Show cause notices issued by officers of DGGI.</p> <p><u>HNA Comments:</u> This notification seeks to appoint the officers for the list provided in the said notification issued by DGGST (Directorate General of GST Intelligence under sections 73, 74, 122, 125, and 127 of Central Goods and Services Tax Act 2017) Read more.</p>
<p>Circular no. 239/33/2024-GST Dated. 04.12.2024</p>	<p>Amendment to Circular No. 31/05/2018-GST, dated 9th February 2018 on 'Proper officer under sections 73 and 74 of the Central Goods and Services Tax Act, 2017 and under the Integrated Goods and Services Tax Act, 2017'-reg.</p> <p><u>Summary:</u> This circular read along with Notification No. 27/2024 Central Tax, seeks to grant powers to Additional Commissioner or Joint Commissioner of CGST and Central Excise of for passing an order or decision in respect of notices issued by the officers of the Directorate General of Goods and Services Tax Intelligence.</p>

	<p>This circular designates 23 Principal/Commissioners across India, who are authorized to exercise these powers to pass orders or make decisions regarding notices under various provisions of the CGST Act, 2017, including sections 67, 73, 74, 76, 122, 125, 127, 129, and 130 with effect from December 1, 2024. Read more.</p>
<p>Circular no. 240/34/2024-GST Dated. 31.12.2024</p>	<p>Clarification in respect of input tax credit availed by electronic commerce operators where services specified under Section 9(5) of Central Goods and Services Tax Act, 2017 are supplied through their platform.</p> <p><u>Summary:</u></p> <p>This circular clarifies that an Electronic Commerce Operator, who is liable to pay tax u/s 9(5) of the CGST Act in respect of specified services, is not required to reverse the ITC on his inputs and input services proportionately under section 17(1) or section 17(2) of CGST Act to the extent of supplies made u/s 9(5) of the CGST Act. Further, ECO will be required to pay the full tax liability on account of supplies under section 9(5) of the CGST Act only through electronic cash ledger. Read more.</p>
<p>Circular no. 241/35/2024-GST Dated. 31.12.2024</p>	<p>Clarification on availability of input tax credit as per clause (b) of sub-section (2) of section 16 of the Central Goods and Services Tax Act, 2017 in respect of goods which have been delivered by the supplier at his place of business under Ex-Works Contract.</p> <p><u>Summary:</u></p> <p>Circular issued by CBIC clarifies that, under an Ex-Works (EXW) contract, a registered person is eligible to claim input tax credit (ITC) when goods are handed over to a transporter at the supplier's factory gate. This constitutes a deemed receipt of goods, as outlined in clause (b) of sub-section (2) of section 16 of the CGST Act, 2017. The transfer of ownership occurs at the factory gate, which allows for ITC eligibility even if the physical receipt of goods takes place at a later stage. However, the goods must be used for business purposes; ITC will be disallowed if the goods are diverted for non-business use or are lost, stolen, or destroyed. Read more.</p>
<p>Circular no. 242/36/2024-GST Dated. 31.12.2024</p>	<p>Clarification on place of supply of Online Services supplied by the suppliers of services to unregistered recipients</p> <p><u>Summary:</u></p> <p>It has been clarified that the provisions of the proviso to rule 46(f) of the CGST Rules shall apply to all online services supplied to unregistered recipients, in addition to online money gaming and OIDAR services. Examples of such services include</p>

	<p>subscriptions to e-newspapers and e-magazines, online entertainment services (e.g., OTT platforms), online telecom services, and digital services provided through mobile applications.</p> <p>Consequently, for any supply of online/digital services, OIDAR services, and online money gaming to unregistered recipients, suppliers are required to mandatorily record the recipient's state name on the tax invoice, regardless of the value of the supply. Additionally, the place of supply for these services must be declared as the recipient's location (based on the recipient's state name) in the details of outward supplies in FORM GSTR-1/1A. Read more.</p>
<p>Circular no. 243/37/2024-GST Dated. 31.12.2024</p>	<p>Clarification on various issues pertaining to GST treatment of vouchers.</p> <p><u>Summary:</u></p> <p>This circular intends to bring clarity on Transactions involving vouchers are not considered a supply of goods or services and, therefore, are not subject to GST. When vouchers are distributed on a principal-to-Principal basis, their trading is not taxable. However, if vouchers are distributed on a commission basis, GST applies to the commission as a supply of services.</p> <p>Additionally, any supplementary services, such as advertising or marketing, provided to the voucher issuer are taxable. Unredeemed vouchers (breakage) are not deemed a supply of goods or services and, therefore, are not subject to GST. This clarification aims to ensure consistency and minimize litigation in voucher-related transactions.</p> <p>Read more.</p>

Customs- Tariff	
Notifications	
Notification No. and Date of issue	Subject
48/2024-Customs Dated- 03-12-2024	(T) Seeks to rescind Notification No. 32/2022-Customs dated 30th June 2022. Summary: The CBIC issued this notification rescinded Notification No. 32/2022-Customs, which previously exempted imports of Petroleum Crude and Aviation Turbine Fuel (ATF) from additional Customs duty. This change is implemented through Notification No. 48/2024-Customs, effective immediately, except for actions taken before the rescission. Read more.
49/2024-Customs Dated- 26-12-2024	(T) Seeks to amend Notification 64/2023-Customs to extend concessional duty on Yellow Peas till 28th February 2025. Summary: This notification issued by CBIC seeking to amend Notification No. 64/2023-Customs to extend the exemption for imports of Yellow Peas [HS 0713 10 10] from applicable BCD and AIDC until 28th February 2025, superseding the previous end date of 31st December 2024. The amendment comes into force from 27th December 2024. Read more.
50/2024-Customs Dated- 30-12-2024	(T) Seeks to give effect to the fourth tranche of tariff concessions under India-Australia ECTA. Summary: This notification issued by CBIC on December 26, 2022, amended Notification No. 62/2022-Customs under the authority of Section 25(1) of the Customs Act, 1962. This amendment revised the Basic Customs Duty (BCD) rates applicable to various goods. Some items now fall under a 0% BCD category, while others have been assigned specific duty rates. These revisions to the customs tariff structure reflect

the government's commitment to aligning trade policies with the best interests of the public. [Read more.](#)

Customs- Tariff

Circulars

Circular No. and Date of issue	Subject
27/2024-Customs Dated- 23-12-2024	<p>Enabling Voluntary Payment electronically on ICEGATE e-payment Platform.</p> <p><u>Summary:</u></p> <p>The CBIC circular enabled electronic voluntary self-initiated payments on ICEGATE e-Payment platform to replace manual TR-6 challan payments. Users registered on ICEGATE can generate challans for specified purposes listed in Annexure-A and make payments through authorized banks/modes. Field officers are instructed not to accept manual TR-6 challans after 31.12.2024 unless specifically approved by jurisdictional Pr. Commissioner/Commissioner citing reasons. Payment verification facility provided on ICEGATE. Read more.</p>

Congratulations Mr. Raghava Rama Sharma of HNA Visakhapatnam Branch

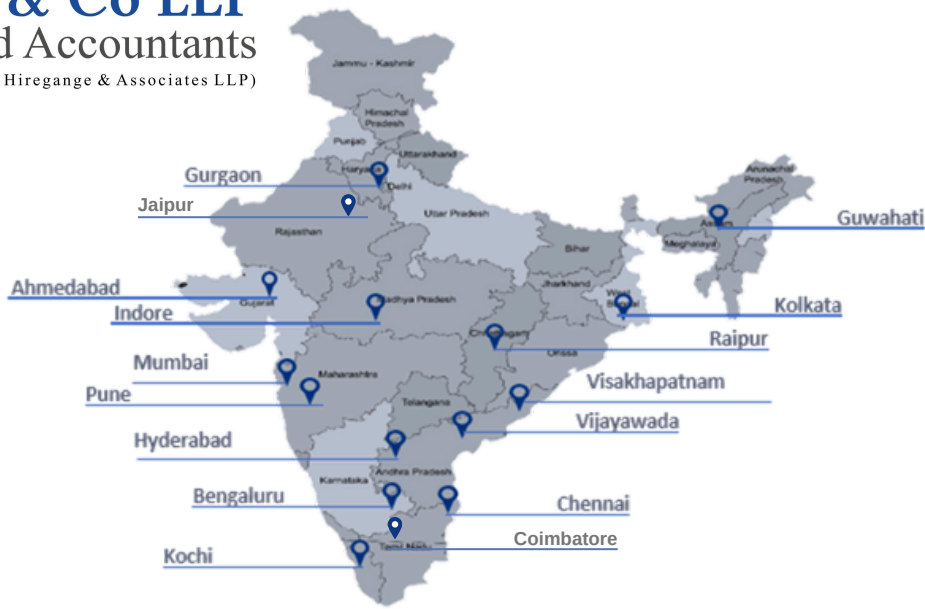


Mr. Raghava Rama Sharma has been honoured with the **Best Presenter (PPT) Award** at the Visakhapatnam Branch Level Competition organized by **SICASA Visakhapatnam and ICAI**. His exceptional presentation on "**Role of AI in Accounting**" was truly outstanding, earning him a spot as one of the **top two presenters**.

Congratulations CA Yash Shah (Partner Designate) of HNA Ahmedabad Branch



Mr. CA Yash Shah and CA Jaykishan Vidhwani has been emerged as **1st Prize Winners** in the **National Moot Tribunal Competition** held at **Gyanotsav 2025**, Surat, Gujarat, in association with STAR! 🌟



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