Thinking Beyond



An e-newsletter from H N A & Co LLP

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1 Analytical Articles

A When Imported Cargo and IGM Don't Match: Who Bears the Liability?



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Steamer Agent Liable for Incorrect IGM and Cargo Shortage under Section 116 of the Customs Act

Commissioner of Customs v. MSC Agency India Pvt. Ltd. – Madras High Court

The role of a steamer agent is often understood primarily as a representative of the shipping line for carrying out documentation and other formalities before Customs and port authorities. But what happens when the cargo declared in the Import General Manifest (IGM) does not match the goods actually found at the port? Can the steamer agent be held responsible even when it claims that the information was supplied by the shipper and that the containers were received with their seals intact?

Read full article

B Section 5 of Limitation Act: Condonation of Delay under GST

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A debate is going on in the professional forums on whether the appellate authorities i.e., First Appellate Authority (FAA) or the Goods and Services Tax Appellate Tribunal ("GSTAT"), being the creature of statute, have power to condone the delay beyond the condonable period prescribed in the statute. Section 107(1) of the CGST Act, 2017 ("Act") requires a first appeal to be filed within three months of communication of the order. Section 107(4) of the Act permits the FAA to admit a belated appeal for 'a further period of one month' upon sufficient cause is shown. Section 112(1) of the Act requires an appeal to the GSTAT to be filed within three months of FAA order or Revisional Authority order. Section 112(6) of the Act permits GSTAT to admit a belated appeal (or cross-objection, subject to its own 45-day rule) within a further period of three months.

Read full article

C After *Goodluck India*, the Interest Paid under Rule 96(10) Must Come Back

Venkatanarayana CM
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HNA Law Chambers

Few provisions of the GST law have generated as much litigation as Rule 96(10) of the CGST Rules. Introduced with effect from 23.10.2017, it barred refund of IGST paid on exports where the exporter, or its supplier, had procured inputs under specified concessions such as Advance Authorisation, EPCG and EOU notifications. Rules 89(4A) and 89(4B) operated on parallel lines on the ITC refund side. The rule was amended more than once, including by a retrospective Explanation, and the Kerala High Court in *Sance Laboratories* went to the extent of holding it ultra vires Section 16 of the IGST Act.

Read full article

2 Customs and FTP Updates

A CBIC Updates – October 2026

Customs – Tariff Notification		
Sl. No.	**Notification No. and Date of Issue**	**Subject**
01	**Notification No. 32/2026** dated 16 October 2026	**Tariff Concessions under the India–New Zealand Free Trade Agreement** The Central Government introduced the first tranche of tariff concessions on specified goods originating in New Zealand under the India–New Zealand Free Trade Agreement. The notification prescribes concessional Basic Customs Duty (BCD), Agriculture Infrastructure and Development Cess (AIDC) and Health Cess, as applicable to the goods covered by the respective tables. Certain concessions are subject to prescribed conditions and Tariff Rate Quotas (TRQs). The concessions became effective from 20 October 2026. Importers claiming the benefit must comply with the applicable rules of origin and documentary requirements. Businesses importing from New Zealand should review the relevant tariff entries to assess eligibility for reduced import duties. **Source:** CBIC Notification No. 32/2026-Customs

Read full article

3 GST Updates

A GST Portal News and Updates – October 2026

Sl. No.	Date	Functionality	Particulars
01	01-10-2026	Gross and Net GST revenue collections for the month of June 2026	The Gross and Net revenue for the month of June-26 was declared. The same can be checked on the GST portal advisory.

Read full article

B CBIC GST Updates – October 2026

GST – Notification – Central Tax		
Sl. No.	**Notification No. and Date of Issue**	**Subject**
01	**Notification No. 03/2026** dated 26 October 2026	**Commencement of Amendments Relating to Post-Sale Discounts, Credit Notes and Refunds** The Central Government notified 1 November 2026 as the effective date for Sections 133 to 155 of the Finance Act, 2026, covering amendments to the CGST Act relating to: • Relaxation of conditions for reducing taxable value through post-sale discounts, subject to issuance of a GST credit note and corresponding ITC reversal by the recipient; • Express recognition of post-sale discounts under the credit-note provisions; • Extension of the provisional refund mechanism to inverted duty structure refunds; and • Removal of the minimum refund threshold for the specified category of exports of goods with payment of tax. The amendments are relevant to businesses offering dealer rebates and post-sale incentives, exporters and taxpayers with accumulated ITC arising from an inverted duty structure. **Source:** CBIC Notification No. 03/2026-Central Tax

Read full article

4 Firm Updates and Achievements

A Seminar on Recent Updates in GST, Tax and Allied Laws and the DPDP Act, 2023 on October 13, 2026

A seminar was conducted on 13th October 2026, covering recent updates in GST, Tax and Allied Laws, along with the DPDP Act, 2023. **CA Sudhir** sir shared insights on the latest GST Council updates, while **Adv. Venkata Prasad Pasupuleti** sir discussed recent judicial decisions relating to GST, Income Tax and Allied Laws. **Asha Latha** and **CA Sudhir** sir also shared valuable insights on the key provisions and implications of the DPDP Act, 2023, making the session informative and enriching for the participants.







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