

INDIRECT TAX

Weekly Digest

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GOODS & SERVICES TAX

LEGISLATIVE UPDATES

NOTIFICATION

E-invoice for the taxpayers having aggregate turnover exceeding INR 200 Mn from 01 April 2022

The Government has extended the requirement of generation of e-invoice for taxpayers having aggregate turnover exceeding 200 Mn, with effect from 1 April 2022 as against the present threshold of INR 500 Mn. However, a banking company, non-banking financial company, other financial institutions, Goods Transport Agency (GTA), provider of passenger transportation services, multiplexes, and Special Economic Zone (SEZ) units are exempted from the e-invoice compliance requirements.

[Notification no:01/2022 dated 24 February 2022]

JUDICIAL UPDATES

ORDERS BY AUTHORITY FOR ADVANCE RULING (AAR)

Input tax credit is blocked on construction of immovable property except for plant & machinery

Facts of the Case

- M/s. Vijayaneha Polymers Private Limited (“Taxpayer”) has appointed works contractor for construction of immovable property in two different ways:
 - Where the taxpayer provided material and contractor provided construction services.
 - The contractor provided both material and services.

- Such construction included foundation of machinery, rooms for chillers, boilers, generators and transformers, erecting of electrical poles, laying of internal roads, factory building, internal drainage, laboratory etc
- The taxpayer intends to know the eligibility of Input Tax Credit (“ITC”) on procurement of works contract services.

Questions Before the AAR

Whether the Taxpayer can avail ITC on the procurement of works contract services?

Observations and Ruling by the AAR

- As seen from the facts of the case, the taxpayer has either purchased goods or services for construction of immovable property on his own account or engaged the works contractor for supply of construction services.
- The AAR stated that as per section 17(5) of the CGST Act, 2017, ITC is blocked for works contract services when supplied for construction of an immovable property, other than plant and machinery. In the present case, plant & machinery includes apparatus, equipment, and machinery fixed to earth by foundation or structural support that are used for making outward supply of goods or services or both;
- The following points deserves attention in the present case:
 - ITC cannot be availed on works contract services for construction of an immovable property except for erection of plant & machinery.

- ITC can be availed on plant & machinery as defined in the explanation to section 17 i.e., on apparatus, equipment & machinery fixed to earth by foundation or structural support; which means plant & machinery and machine foundation are eligible for ITC.
 - Plant & machinery will not include building or other civil structures and pipelines laid outside factory premises.
 - ITC cannot be availed on goods or services, or both received by a tax payer on his own account for construction of immovable property.
 - Hence, the taxpayer is eligible for ITC to the extent of construction of machine foundation for plant & machinery only.
- [AAR-Telangana, M/s. Vijayaneha Polymers Private Limited, Advance Ruling No. 29/2021, A.R. Com/13/2021 dated 09 December 2021]*

Additional pack of cigarettes supplied at no extra cost under a sales promotion will not be considered as exempt supplies or free samples

Facts of the Case

- M/s. Golden Tobie Private Limited ('Taxpayer') registered under GST is engaged in the business of manufacturing, marketing, and distribution of cigarettes, taxable at 28% under HSN 2402, in India and abroad.
- To expand its presence in the domestic market the taxpayer introduced a scheme by way of supplying additional pack of cigarettes along with their regular supply quantity with no extra cost which will be transferred on stock transfer basis on payment of appropriate GST and Compensation Cess for sale to their distributors.

Questions Before the AAR

- Whether the extra packs of cigarettes would again be leviable to GST?
- If yes, the taxable value which can be attributed to such extra packs of cigarettes for levy of GST?
- Whether extra packs of cigarettes would be considered as exempt supplies or free samples and hence attract the provisions of section 17(2) of the CGST Act, 2017 read with rule 42 of the CGST rules, 2017 or section 17(5)(h) of the CGST Act, 2017?

Contention of the taxpayer

- As per the nature of the proposed supply, the taxpayers activity is not covered within the scope of the Schedule of the CGST Act, 2017 since such a supply is neither a transfer nor disposal of business assets nor supply of goods between either distinct person or the supply of goods by a principle to his agent or vice versa;
- Since the entire quantity of cigarettes supplied to the distributors including additional quantity, would be reflected in the invoice with taxable value hence, the taxable value so mentioned in the invoice would correspond to the entire quantity of cigarettes supplied under the said invoice which would include the additional quantity as well;

- Therefore, this cannot be a case of free supply without consideration and thus supply of original quantity along with the additional quantity would be 'Supply' as indicated in section 7(1)(a) of the CGST Act, 2017;
- As per section 15, the value of supply of goods or services or both shall be the transaction value, which is the price actually paid or payable for the said supply of goods or services or both when the supply and the recipient of the supply are not related parties, and the price is the sole consideration for the supply;
- Section 15(3) categorically states that the value of the supply shall not include the discount which is given before or at the time of supply, if such discount has been duly recorded in the invoice issued in respect of such supply;
- The taxable value shown in the invoice would be the transaction value which was attributable to the original quantity as well as the additional quantity as per section 15(1) of the CGST Act, 2017 for the simple reason that no additional consideration would be received from the distributor in respect of the additional quantity of cigarettes;
- It is further stated that as per the definition of the deeming provision of "related person" neither the taxpayer nor its distributor falls in the said category as the definition categorically emphasizes sole distributor and in the present case the distributor of the taxpayer is not the sole distributor;
- In the present case, the taxpayer would be supplying the additional quantity of cigarettes to the distributor but without any proportional increase in the value of goods. Hence, the value attributable to such additional quantity of cigarettes can itself be considered as 'Supply' in terms of the provisions of section 15(3) of the CGST Act, 2017,

Observations & Ruling by the AAR

- The AAR noted that the taxpayers submission that they supply additional 30 packs of cigarettes on purchase of 100 packs of cigarettes at the price equal to 100 packs of cigarettes and hence the additional 30 packs of cigarette cannot be called as free supply without consideration;
- For the above submission, the AAR considered the submission of tax authority that this is the question of valuation, taxability, and availability of ITC on such free supply of cigarette which is covered under section 15 and 17 of the CGST Act, 2017 which says "the value of a supply of goods or services or both shall be the transaction value, which is the price actually paid or payable for the said supply of goods or services or both where the supplier and the recipient of the supply are not related and the price is the sole consideration for the supply;"
- The AAR further noticed that the above issue is clarified by the CBIC vide circular no:92/11/2019-GST dated 07 March 2019 and 105/24/2019-GST dated 28 June 2019, under one of the types of promotional activities like 'Buy One, Get One Free' where it is clearly clarified that it is not an individual supply of free goods but a case of two or more individual supplies where a single price is being charged for the entire supply (i.e., two goods for the price of one which is classified either in terms of composite supply or mixed supply);
- Further the AAR observed that the referred circular clarifies that ITC of inputs/ input services/ capital goods used for supplying such goods/ services will be available;

- The AAR stated that the provisions relating to 'Supply' with respect to related persons or distinct persons are specifically covered within schedule I of the CGST Act, 2017 i.e., activities to be treated as supply even if made without consideration;
- As per the said provisions, any supply of goods or services or both when made in the course or furtherance of business between the related persons or between the distinct persons, the same would be treated as supply even when the supply is made without consideration. As such, any transaction between the related persons or between the distinct persons, irrespective of the consideration, would be treated as 'Supply' and hence taxable under GST.
- Based on the above observations, the AAR concluded that if the taxpayer supplies the additional pack of cigarettes through a sole distributor (i, e., related person) it is a transaction between the related persons or between the distinct persons, irrespective of the consideration, would be treated as 'Supply' and hence taxable under GST at the price collected by the supplier as mentioned in the invoice.

[AAR-Uttar Pradesh, M/s. Golden Tobie Private Limited, Advance Ruling No: UP ADRG 84/2021, dated 18 October 2021]

The activity of renting out the immovable properties owned by an individual person to the partnership firm even without consideration is a taxable supply

Facts of the case

- Mr. Shanmuga Durai ('Taxpayer') is the owner of certain properties and he and his wife is the managing partner of a partnership firm. Properties owned by him are let out on rent for the businesses run by the partnership firm;
- The taxpayer has stated that he has not collected rent for these properties in the financial year 2016-17 and has started collecting after introduction of GST as a precautionary measure;
- The taxpayer also stated that he has not collected any rent or charges from the staff of the partnership firm for properties which were used in providing accommodation for such staff.

Questions before the AAR

- Whether GST liability does arise in respect of property of the partner used by the partnership firm to carry-out the business by the firm at free of rent;
- If so, what is the relevant section or rule or provision in GST law under which the partner of the firm is required to pay GST on notional rent?
- Is it mandatory to execute rental deed between partner and partnership firm when there is no furtherance of business for that partner?
- What is the applicable valuation rule, when consideration is not fixed and not received by the Partner?

Contention of the Taxpayer

- The taxpayer stated that under the Income Tax Act, it is clear that when the partner uses his property for business carried-out by the firm, then deemed rent does not arise;

- The taxpayer has also relied on the press release of CBIC dated 13 July 2017, wherein old gold sold by an individual to a seller has been held not to be in course or furtherance of business.

Observations and ruling by the by AAR

- By referring to term supply of section 7(1)(a) of CGST Act, 2017 the AAR observed that, in this case the immovable property belonging to the partner of the firm is used by the partnership firm. As per Schedule I of supply of goods or services or both between related persons or between distinct persons as specified in section 25(4), when made in the course of furtherance of business is to be treated as 'Supply' even if made without consideration;
- Valuation is to be done as per section 15 of the CGST Act, 2017. In cases where value cannot be determined under section 15(1), GST valuation rules are to be applied. As per 28 of CGST Rules, 2017 when the consideration is not wholly in money then the open market value of supply of the rental premises would have to be considered for payment of GST. Such notional income is 'consideration' in terms of section 2(31) of CGST Act, 2017;
- For the foregoing reasons, it appears that the property of the partner used by the partnership firm to carry-out business by the firm would attract GST in terms of section 2(31) of CGST Act, 2017 read with rule 28 of CGST Rules, 2017 as it is considered as supply of service as per section 7 of CGST Act, 2017.
- Referring to the term 'business' as defined under section 2(17) and the term person is defined under section 2(84) of the GST Act, 2017, it is seen that the taxpayer is a "person" and the partnership firm in which the taxpayer is a partner is also a "person" and hence for the purposes of GST, the taxpayer and the partnership firm are separate persons and it is also observed that any trade whether or not for pecuniary benefit and irrespective of the volume, frequency, continuity or regularity, is considered as business;
- Further the taxpayer in the capacity of the property owner, allows the partnership firm, in which he is a partner and managing partner of the firm along with his wife to carry-on their business. As observed from the partnership deed, the taxpayer has inherited the shares and rights of the deceased partner and it is observed that the taxpayer is holding 2/3 share of profit or loss and his wife, 1/3rd;
- Thus, it is seen that he enjoys the profit or loss of the partnership firm to a greater share. The properties even if rented free to the partnership firm would ease the burden of rent to be paid by the firm and thus indirectly will reduce the expenditure towards rent which should have been borne by the firm. This results in reduced expenditure and consequently increased profit. Thus, the rent-free accommodation if so, provided by the taxpayer indirectly accrues as profit for the firm which is enjoyed by the taxpayer as partner. So, the economic benefit accrues to him and hence this supply is in the course of and furtherance of business only. Thus, it is evident that

the taxpayer in the course of furtherance of business has rented-out the properties for commercial use to the partnership firm which is a separate person;

- With regard to the liability of renting and whether it amounts to supply under the GST law, is ruled out after analysing section 7 of the CGST Act and it is observed that the taxpayer and the firm who are separate persons are "Related Persons" for the purposes of this Act. Therefore, the supply of service between such related persons i.e., the taxpayer and the partnership firm, when made in the course or furtherance of business, the same is a taxable supply even when rendered without consideration. Reliance placed by the taxpayer on the press release of CBIC dated 13 July 2017 is not acceptable in the instant case as the furtherance of business is established here by the direct and continuous accrual of economic benefit to the taxpayer out of renting these premises;
- From the financial statements, it is clear that the claim of taxpayer that a notional rent is charged for the sake of GST is not acceptable as there is a rise in the income from the previous year to the next year. From this statement it is seen that the taxpayer has been charging rent and though they claim, they have done for lack of clarity of GST provisions, the rent so charged cannot be held as notional as the same has been charged in actuality. Thus, the rent-free accommodation proposed to be provided by the taxpayer to the partnership firm in which he is major shareholding partner and managing partner is-a 'Supply' without consideration in the course of and furtherance of business and is found taxable under section 7(l)(a) read with Schedule I of the CGST Act, 2017;
- With regard to applicable valuation provisions when consideration is said to have not been fixed and received is made after analysing the legal provisions of section 15. Therefore, the value to be adopted is to be arrived at following the valuation rules as per section 15(5) of the CGST Act, 2017 i.e., rule 28. It is observed that where the supply is between related persons, the value of such supply shall be the open market value of such supply. Where the open market value is not available, the value of supply of goods or services of like kind and quality will be the taxable value.
- The activity of renting out the immovable properties owned by the taxpayer as an individual person to the partnership firm, another individual person in which he is a major shareholding partner and managing partner even without consideration is a taxable supply under section 7(1)(a) read with Schedule I of the CGST Act, 2017 and GST is liable to be paid in respect of properties of the taxpayer rented-out to the partnership firm to carry-out the business of the firm even if it is free of rent as the activity is in furtherance of business. The value of taxable supply shall be as stipulated under rule 28 of the CGST Rules, 2017

[GST-AAR, Shanmuga Durai, Tamil Nadu Advance Ruling no:03/TNAAR/2022, dated 31 January 2022]

CUSTOMS

NOTIFICATION

Shipping Bill (Post export conversion in relation to instrument based scheme) Regulations, 2022

- CBIC has notified the Shipping Bill (Post export conversion in relation to instrument based scheme) Regulations, 2022 (Regulation);
- The regulation provided that the declaration made in the shipping bill or bill of export to any other one or more instrument-based schemes can be amended after the goods have been exported. It has been provided that such amendment can be made within one year from the date of order for clearance of goods. A further extension of six months can be given by the Jurisdictional Commissioner of Customs, which may be further extended by six more months;
- The Jurisdictional Commissioner of Customs authorises may authorise the conversion within 30 days, based on documentary evidence (existing at the time of export) and on the payment of requisite fees in terms of the Levy of Fees (Customs Documents) Regulations, 1970.

[Notification no:11/2022 dated 22 February 2022]

CIRCULARS

E-implementation of automation in customs IGCR Rules, 2017 w.e.f. 01 March 2022

The CBIC issued Circular regarding implementation of automation in the Customs (Import of Goods at Concessional Rate of Duty) Rules, 2017 ("IGCR Rules, 2017") with effect from 01 March 2022.

Reference is drawn to the Customs (Import of Goods at Concessional Rate of Duty) Amendment Rules, 2022 notified vide notification no:07/2022-Customs (N.T.) dated 01 February 2022 so as to make certain amendments in existing Customs (Import of Goods at Concessional Rate of Duty) Rules, 2017. These changes shall come into effect from 01 March 2022.

The amendments are aimed at simplifying the procedures with a focus on automation and making the entire process contactless. These include:

- The process is being automated. The rules prescribe the submission of the necessary details electronically, through the common portal. (The common portal is the one notified vide notification no:33/2021 dated 29 March 2021 and accessible at the URL www.icegate.gov.in);
- The various forms have been standardized and notified for the purpose of electronic submission of details;
- Individual transaction-based permissions and intimations, such as intimation of the intent to import goods at a concessional rate of duty, intimation of the receipt of goods, permission to re-export or clear goods domestically etc, are all being done away with;
- A monthly statement would have to be submitted by the importer on the common portal;
- A procedure for inter-unit transfer of the imported goods has been provided for;

- An electronic option for voluntary payment through the common portal, as specified in the rules, is also being developed for implementation.

For ease of understanding, the procedure set out in the IGCR Rules, 2017 and the clarifications for smooth implementation are summarized below:

One-time prior intimation of intent to avail IGCR Benefit:

- An importer who intends to import goods at a concessional rate of duty shall give a one-time prior information of such goods being imported. This information shall be provided on the common portal in form IGCR-1. (Refer rule 4);
- Subsequently, upon acceptance of such information on the common portal, a unique IGCR Identification Number (IIN) shall be generated. This information is also made available through the common portal to the jurisdictional customs officer as well as the officers at the respective port of import. The importer also has an option to update the form IGCR-1 in case of any change in the details;
- It is clarified that in the case of units already covered under the existing provisions of IGCR Rules, 2017, the importers shall record electronically such details of intimation given in form IGCR-1 on the common portal and generate an IIN against the same;
- The importer is required to furnish a one-time continuity bond, in a format provided in annexure-I to this circular, to cover all the imports undertaken under this procedure. The bond details such as amount of the bond etc. shall be filled up by the importer on the common portal in part B of the form IGCR-1;
- Subsequently, the physical copy of the bond and bank guarantee, wherever applicable, shall be submitted by the importer to the jurisdictional officer. Upon acceptance, the jurisdictional customs officer shall approve the bond request on the Customs Automated System;
- The details of the bond number and bank guarantees will then be available for the importer to see on the common portal. The importer shall also have an option of topping up the amount of the bond and adding the details of the bank guarantee on the common portal and by providing bond addendum to the bond for adding bank guarantee as per the format given in Annexure-II;
- It is clarified that if the bond/bank guarantee has already been furnished to the jurisdictional officer, there is no requirement to give a fresh bond/bank guarantee. The jurisdictional officer shall enter the details of such bond/bank guarantee in the customs automated system and generate the bond number.

Import of goods at concessional rate

The importer shall mention the IIN and the continuity bond number and details while filing the bill of entry at the port of import. On the basis of the same, the Deputy Commissioner or Assistant Commissioner of Customs at the port of importation shall allow the benefit of exemption notification. Once a bill of entry is cleared for home consumption, the bond submitted by the importer gets debited automatically in the customs

automated system. These details shall be available to the jurisdictional customs officer through the common portal. (Refer rule 5)

Receipt of goods

These rules cover the receipt of goods in three scenarios:

- Goods are received in the premises of the importer.
- Goods are directly received at the premises of the job worker; or
- Goods are partly received at the importer's and partly sent to the job worker's premises

In all such cases, the requirement of intimating the receipt of the goods has been done away with. However, any non-receipt or short-receipt of the goods shall be intimated by the importer immediately on the common portal through form IGCR-2. This intimation shall be on the basis of the IIN, and details shall be provided against each bill of entry, invoice, and item. (Refer rule 6)

Goods sent for job work from importer's premises

In cases where the goods are first received at the premises of the importer and are then to be sent for job work therefrom, the importer shall send the goods under the cover of an invoice or wherever applicable, through an e-way bill specifying the description and quantity of goods. It is clarified that the requirement of an intimation when sending goods for job work, has been done away with. The importer shall maintain a record and mention such details in the monthly statement. The maximum period for which the goods can remain with the job worker shall be six months from the date of invoice or e-way bill.

Receipt of goods from the job worker

After the completion of job work, there can be three scenarios:

- The goods are received back in the premises of the importer, or,
- the goods are cleared directly from the premises of the job worker, or
- The goods are sent by the job worker to another job worker. In all such cases, the goods shall be sent under an invoice or wherever applicable, e-way bill. The importer shall maintain a record of such movement of goods and mention the details in the monthly statement.

Inter-Unit transfer of goods

A separate provision has been included for unit transfer of goods, where goods are sent to a different unit of the same importer. The goods, in such cases shall be sent under an invoice or wherever applicable, e-way bill, mentioning the description and quality of goods.

Utilization of goods for intended purpose

- It is clarified that the importer who has availed the benefit of an exemption notification shall use the goods imported in accordance with the conditions specified in the exemption notification within six months from the date of import. In case of goods that have not been utilized or defective goods, the importer has an option to either re-export such goods or clear the same for home consumption within the said period of six months;

- Further, in all cases where the import at concessional rate is governed by condition no:108 of the notification no:50/2017-Customs, the export of manufactured goods should be completed within six months from the date of import.

Re-Export or clearance for home consumption:

- In case an importer opts to re-export such goods, he shall record the details of export documents such as shipping bill number, shipping bill date and the port of export. These details shall be specified against the bill of entry, invoice and item details of the goods imported;
- In case the importer intends to clear the un-utilized or defective goods on payment of requisite duty and interest, the import duty payable would be equal to the difference between the duty leviable on such goods but for the exemption availed and that already paid, if any, at the time of importation, along with interest rate as fixed by notification under section 28AA. The period for calculation of interest would start from the date of import of such goods and end with the date of actual payment;
- An option is available to the importer to clear the capital goods imported, on payment of duty along with interest, at a depreciated value, after they have been put to use;
- The particulars of such clearances and duty payments shall be recorded by the importer in the monthly statement. The importer shall pay such duties and interest using manual challan at the port of import. An option for voluntary payment through the common portal, as specified in the rules, is under development for being enabled shortly.

Monthly statement and maintenance of account

- Instead of the quarterly return prescribed earlier, the importer shall submit a monthly statement by tenth day of the following month, on the common portal in the form IGCR-3 prescribed. (Refer rule 6). It is clarified that the first monthly statement under the changed procedures shall be submitted by the importers in the month of April 2022;
- The importer shall, with respect to the goods imported, maintain an account as prescribed in rule 6. Further, with respect to inter-unit transfer of goods, the importer shall maintain an account as prescribed in rule 6B. These accounts shall be produced by the importer to the jurisdictional Deputy /Assistant Commissioner of Customs as and when required by the said officer;
- The job-worker shall also maintain an account as prescribed in rule 6A which shall be produced to the jurisdictional customs officer, as and when required by the said officer;
- An importer or the job worker who contravenes the provisions of these rules shall be liable to a penalty as prescribed in the said rules (refer rule 8A). It is clarified that, this is in addition to any other action taken under the Customs Act, 1962 for recovery of duties.

Transitional measures

- In order to account for the stock of goods imported under IGCR that are already existing in the premises of the importer or job worker on the date of transition to the new procedure, an option is being provided to the

importer to record the details of all such goods according to the bills of entry, invoice, and item, in the monthly statement by linking their past bills of entry in the common portal;

- The details of the existing bonds under IGCR shall be entered into the customs automated system by the jurisdictional officers and the amount of surety/bank guarantee shall be determined in accordance with the customs circular no:48/2017 dated 08 December 2017;
- While the system architecture to provide information in the forms prescribed shall be in place from 01 March 2022, to enable a smooth transition, importers shall have an option to submit procurement certificates for import of goods at the port of import for availing the exemption benefit till 13 March 2022;
- Currently there is a requirement for EOUs to follow rule 5 of Customs (IGCR) Rules, 2017 to be eligible for claiming exemption of duties/ taxes on the import of goods. The system architecture with respect to above rule in respect of EOUs is under development. The same shall be implemented in due course. Till such date, procurement certificates can continue to be submitted by the EOUs for import of goods in lieu of generating IIN in the system;
- For ease of reference of the importers, the district wise list of jurisdictional customs officers, their contact details and their jurisdictions have been mapped and published on the CBIC website. The same can be accessed at https://www.cbic.gov.in/htdocsbec/home_links/enquiry-points-home.

[Circular no:04/2022 dated 27 February 2022]

FOREIGN TRADE POLICY (FTP)

NOTIFICATION

Amendment in import policy of items under ITC(HS) 8524 and 8525 of Chapter 85 of ITC(HS) 2022, Schedule - I (Import Policy)

The Central Government issued notification whereby goods classifiable under Heading 8524 and Tariff Item 8525 89 90 (LED, OLED products) is revised from 'Restricted' to 'Free' imports category.

[Notification no:55/2015-20 dated 24 February 2022]

Amendment in export policy of Remdesivir Injection and API, Amphotericin-B Injections, enoxaparin (Formulation and API) and Intra-Venous Immunoglobulin (IVIG) (Formulation and API)

DGFT vide notification dated 24th February 2022 had removed export curbs on Remdesivir Injection and its Active Pharmaceutical Ingredients (API).

Earlier, the department restricted the export of injection Remdesivir and Remdesivir API, drug which is used in COVID-19 treatment. However, due the decline in covid-19 case, the export policy of Injection Remdesivir and Remdesivir API, Amphotericin - B injections, Enoxaparin (Formulation and API) and Intra-Venous Immunoglobulin (IVIG) (Formulation and API) has been made 'Free' with immediate effect.

[Notification no:56/2015-20 dated 24 February 2022]

TRADE NOTICE**Mandatory filing/issuance of Registration Cum Membership Certificate (RCMC)/ Registration Certificate (RC) through the DGFT common digital platform from 01 April 2022**

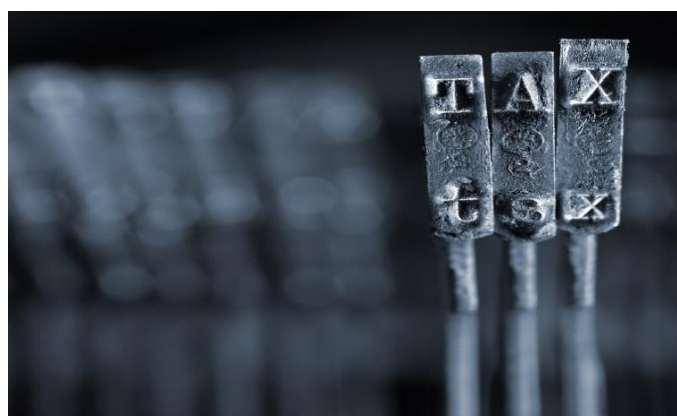
- The electronic platform to facilitate electronic issuance/renewal/amendment of RCMC/registration certificate (RC) has been implemented. The objective of the platform is to provide an electronic, contact-less single window for RCMC/RC related processes;
- From 01 April 2022, it will be mandatory for the exporters to file RCMC/ Registration Certificate (RC) applications (for issue/renewal/amendment) through the common digital portal of e-RCMC Platform;
- The prevailing procedure of submitting applications directly to the designated registering authorities will continue only till 31 March 2022;
- All registering authorities as notified under appendix-2T are requested to ensure that they are on-boarded on e-RCMC portal before 31 March 2022;
- Registering authorities, who have already on-boarded are advised to adopt e-RCMC platform as single point for handling RCMC related processes. The registering authorities are also advised to conduct outreaches & issue suitable advisories to the members/exporters to use the e-RCMC platform before the stated timelines;
- For guidance on application submission process, the help Manual & FAQs may be accessed on Learn Section of DGFT website (URL: <http://dgft.gov.in> --> Learn --> Application Help & FAQs).

[Trade notice no:35/2021-22 dated 24 February 2022]

DGFT Helpdesk for Russia-Ukraine related International Trade Issues

- In view of the current international situation, department of commerce and DGFT have undertaken to monitor the status and related difficulties being faced by stakeholders on Russia/Ukraine trade related issues;
- Department of commerce/DGFT has operationalised a helpdesk to support and seek suitable resolutions to issues related to India's international trade in this regard with immediate effect;
- Facility available for the export-import community to submit details of their issues on the DGFT website;
- Alternatively, issues may be sent directly over email to: dgftedi@nic.in with the subject header: 'Russia-Ukraine Trade Helpdesk', or call the toll-free no at 1800-111-550;

[Trade notice no:36/2021-22 dated 25 February 2022]

**NEWS FLASH**

1. "CBIC: Coaching centres must pay 18% GST on composite supply"
<https://economictimes.indiatimes.com/news/economy/policy/cbic-coaching-centres-must-pay-18-gst-on-composite-supply/articleshow/89783613.cms>
[Source: Economic Times, 24 February 2022]
2. "Tax on Agriculture: GST applicable on seeds used in agriculture say two tax rulings"
<https://economictimes.indiatimes.com/news/economy/agriculture/tax-on-agriculture-gst-applicable-on-seeds-used-in-agriculture-say-two-tax-rulings/articleshow/89689809.cms>
[Source: Economic Times, 19 February 2022]
3. "GST reforms need discerning debate, says Finance Minister"
<https://www.thehindu.com/business/Economy/gst-reforms-need-discerning-debate-says-finance-minister/article65071655.ece>
[Source: The Hindu, 22 February 2022]
4. "More measures likely to curb fake invoices under GST"
<https://www.thehindubusinessline.com/economy/more-measures-likely-to-curb-fake-invoices-under-gst/article65080640.ece>
[Source: The Hindu, 24 February 2022]
5. "Tourism federation FAITH asks Centre to address GST issues"
<https://www.thehindubusinessline.com/economy/logistics/tourism-federation-faith-asks-centre-to-address-gst-issues/article65081240.ece>
[Source: The Hindu, 24 February 2022]

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Hyderabad 500072, INDIA

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Layam Road, Ernakulam
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Western Express Highway
Geetanjali Railway Colony, Ram Nagar
Goregaon (E), Mumbai 400063, INDIA

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Cerebrum IT Park, Kalyani Nagar
Pune 411014, INDIA

Pune - Office 2
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