

### **CBIC issues Circulars and Notifications to give effect to GST Council recommendations**

Pursuant to the recommendations and decisions taken in the 47th GST Council meeting, the CBIC has given effect to the same via issue of necessary circulars and notifications (the relevant circulars can be accessed [here](#) and the Notifications No. 09/2022 to 14/2022 can be accessed [here](#). A summary of these circulars and notifications is also available on the Tax Forum [website](#).

### **Constitution of Group of Ministers (GoM) on GST Appellate Tribunals**

In view of the recommendations of the 47<sup>th</sup> GST Council Meeting, a GoM was constituted to address necessary changes to provisions governing GST Appellate Tribunals. The GoM consists of Ministers from Haryana, Uttar Pradesh, Goa, Rajasthan, Andhra Pradesh, and Odisha. The Office Memorandum dated July 06, 2022 can be accessed [here](#).

### **CBIC to formulate Standard Operating Procedures (SoP) for GST summons and notices**

Pursuant to consultations with stakeholders and businesses, the CBIC is likely to release comprehensive SoP for issuing summons and notices as part of investigations under GST provisions. The aim is to streamline the investigation process, increase transparency, and prevent undue harassment of businesses.

### **OECD releases Secretary-General's Tax Report and new progress report on Pillar One of BEPS**

As per the OECD Secretary-General's Tax Report to G20 Finance Ministers and Central Bank Governors, members of the OECD Inclusive Framework on BEPS have agreed on a revised timeline of mid-2023 (for entry into force in 2024) for implementation of the multilateral convention under Pillar One. Meanwhile, the Implementation Framework for Pillar Two is likely to be released later this year. The Secretary-General's report can be accessed [here](#) and the progress report [here](#).

### **Forum to organise consultations and make representation on issues emanating from applicability of TDS on perquisites and benefits**

Section 194-R, which came into effect on July 01, 2022 introduced TDS on benefits/perquisites granted in the course of business to any resident taxpayer. While CBDT issued clarifications last month to address implementation issues arising from this levy, the industry has expressed numerous concerns from a practical and legal standpoint. In continuation of our advocacy efforts on Direct Tax matters, the Forum has collated details of such difficulties, and shall be organising a meeting with key officials from the Tax Policy and Legislation Unit of CBDT, and making a representation on behalf of the industry.

### **Forum invites inputs on key advocacy areas for Oil and Gas companies**

The Indian Government recently levied additional duties on export of domestically produced petroleum products by oil and gas companies as a 'windfall tax' to target the extraordinary

gains made by these companies. As a Forum we would like to understand the broader industry perspective on these levies, and challenges faced if any, to enable us to engage with the Government and make appropriate representations as required. Further, the lack of parity in the corporate income tax rate between domestic and foreign companies discourages foreign investment in oil and gas exploration. We foresee this issue forming part of our broader pre-Budget consultations and engagements with the Government of India later in the year, and invite your inputs on the same.

#### **Forum makes representation on behalf of online gaming industry seeking clarity on GST applicability in specific cases**

In May 2022, the GST Council constituted a Group of Ministers (GoM) on casinos, racecourses, and online gaming to oversee the taxation of these supplies. At the 47<sup>th</sup> meeting of the GST Council last month, the GoM was granted additional time till July 15, 2022 to submit its final report and recommendations. In continuation of our advocacy efforts on GST matters, and in view of the GoM meeting on July 12, 2022, the Forum made a representation to the GoM on behalf of players from the online gaming industry seeking clarity on applicability of GST where online gaming is only a part of the main service and has no separate value.

#### **Forum makes representation on technical issues related to GSTIN**

The industry has expressed several concerns emerging from recent GSTIN system updates, which have been impacting businesses operations for multinational companies on the ground. In continuation of our advocacy efforts on GST matters, the Forum has collated these concerns and made a representation on behalf of the industry to the GST Network (GSTN). Our representation includes issues emerging from the 2-Factor authentication enabled for e-waybill and e-invoice system, AP automation with IRP for GSTR 2B reconciliation, and operational issues faced by DTA suppliers for endorsement of invoices issued on SEZ units/developers on the GSTIN.

#### **Forum to organise consultations for suggestions on RoDTEP rates**

Under the RoDTEP scheme, various unrefunded duties and levies on exported products are refunded to exporters operating out of export-oriented units. As part of our ongoing advocacy efforts on Customs issues, the Forum had collated several industry suggestions pertaining to the scheme, including enhancement of existing RoDTEP rates to bring parity with erstwhile schemes and extension of RoDTEP scheme over and above other schemes to create a level playing field with other units. Based on these inputs, the Form has made a representation before the authorities and shall also be organising consultations with key officials this month to take the matter forward.