



COMPLIANCE UPDATE

SEPTEMBER 2023 | Part 2 of 2

Central Board of Direct Taxes (CBDT)

Amendment of exempted units for the purpose of transfer

CBDT on September 12, 2023 amended the list of investment units which are exempted from calculation of income from Capital Gains as specified under Section 45 of Income Tax Act, 1961. The amended list includes:

- Unit of investment trust
- Unit of a scheme
- Unit of an exchange traded fund launched under International Financial Services Centers Authority (Fund Management) Regulations, 2022

(To view the Notification, please click [here](#))

Central Board of Indirect Taxes and Customs (CBIC)

Increase in Special Additional Excise Duty on diesel

The Ministry of Finance (MoF) on September 01, 2023 increased the Special Additional Excise Duty on high-speed diesel oil to INR 6 per liters from INR 0.

(To view the Notification, please click [here](#))

Prevention of Money-laundering (Maintenance of Records) Second Amendment Rules, 2023

MoF on September 04, 2023 amended Rule 9 of Prevention of Money Laundering (Maintenance of Records) Rules 2005. As per the amendment, beneficial owner of partnership firm has been redefined as following: 'In cases of a partnership firm, the beneficial owner will be a person(s) who has the ownership of entitlement of more than 10% of capital or profits of the partnership. Before the amendment, to qualify as a beneficial owner of partnership firm, the person should have had the ownership of entitlement of more than 15 % of capital or profits of the partnership.'

(To view the Notification, please click [here](#))

Central Goods and Services Tax (Third Amendment) Rules, 2023

MoF on September 05, 2023 added Rule 31-B and Rule 31-C to the Central Goods and Services Rules, 2017. The newly added rules deal with value of supply in case of online gaming including online money gaming and casinos.

(To view the Notification, please click [here](#))

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Reserve Bank of India (RBI)

▪ [Introduction of PM Vishwakarma Scheme](#)

RBI on September 13, 2023 has introduced the 'PM Vishwakarma Scheme' which aims to provide support to artisans and craftspeople to enable them to move up the value chain in their respective trades. The scheme envisages, among other measures, credit support to the beneficiaries at concessional interest rate, with interest subvention support by Government of India.

(To view the Notification, please click [here](#))

▪ [Release of movable/immovable property documents on repayment or settlement of personal loans](#)

RBI via Notification dated September 13, 2023 directed Regulated Entities (REs) to release all the original movable / immovable property documents and remove charges registered with any registry within a period of 30 days after full repayment/settlement of the loan account. As per the Notification, the borrower shall be given the option of collecting the original movable/immovable property documents either from the banking outlet/branch where the loan account was serviced or any other office of REs where the documents are available.

(To view the Notification, please click [here](#))

Securities and Exchange Board of India (SEBI)

▪ [Circular regarding the Regulatory Reporting by Alternative Investment Funds \(AIFs\)](#)

SEBI on September 14, 2023 directed all Alternative Investment Funds (AIFs) to submit the quarterly Report on the SEBI Intermediary Portal (SI Portal).

(To view the Notification, please click [here](#))

▪ [Clarification regarding investment of Mutual Fund schemes in units of Corporate Debt Market Development Fund](#)

SEBI on September 06, 2023 clarified that for calculation of asset allocation limits of mutual fund schemes in terms of 'Categorization and Rationalization of Mutual Fund Schemes' in units of Corporate Debt Market Development Fund (CDMDF) shall be excluded from base of net assets.

(To view the Notification, please click [here](#))

▪ [Change in mode of payment with respect to SEBI Investor Protection and Education Fund Bank A/c](#)

SEBI on September 04, 2023 mandated that payment to SEBI Investor Protection and Education Fund A/c can hereafter be made only through online mode in any of the following manner: Net banking; NEFT/RTGS; Debit Cards; and UPI.

Furthermore, remittances to SEBI IPEF shall be made only after providing the requisite information like name of the payer, PAN, mobile number, email ID, the purpose for which payment is made.

(To view the Notification, please click [here](#))

Ministry of Corporate Affairs (MCA)

▪ [Limited Liability Partnership \(Second Amendment\) Rules, 2023](#)

MCA on September 01, 2023 has amended the format of Form 3 (Filing of information with regard to initial LLP and agreement) and Form 4 (Notice of appointment, cessation, change in name/address/ designation of a designated partner) of the Limited Liability Partnership Rules, 2009.

(To view the Notification, please click [here](#))

Ministry of Law & Justice

▪ [Publication of Mediation Act, 2023](#)

Ministry of Law and Justice on September 15, 2023 published Mediation Act, 2023. As per the Act, the following will be subject matters of the mediation:

- Disputes against minors or persons with intellectual disability,
- Prosecution of criminal offences.
- Any dispute relating to levy, collection, penalties, direct/indirect tax refunds,
- Any investigation, inquiry or proceeding before the Telecom Regulatory Authority of India, Telecom Disputes Settlement and Appellate Tribunal and under the Competition Act, 2002 etc.

(To view the Notification, please click [here](#))

State-wise updates

Andhra Pradesh

▪ **Andhra Pradesh Goods and Services Tax (Seventh Amendment) Rules, 2023**

The Government of Andhra Pradesh on September 04, 2023 issued a Notification to amend the Andhra Pradesh Goods and Services Tax Rules, 2017 wherein Rule 4 has been amendment, which deals with the applicant to undergo authentication of Aadhaar number.

(To view the Notification, please click [here](#))

Bihar

▪ **Bihar Sugarcane (Regulation of Supply and Purchase) (Amendment) Act, 2022**

The Government of Bihar on September 04, 2023 published a Notification regarding the Bihar Sugarcane (Regulation of Supply and Purchase) (Amendment) Act, 2022 to amend the Bihar Sugarcane (Regulation of Supply and Purchase) Act, 1981. As per the Amendment:

- Section 49 of the Bihar Sugarcane (Regulation of Supply and Purchase) Act-1981, shall be omitted.
- The omission of the said Section 49 shall not affect the following:
 - o Any legal proceeding or remedy whether initiated or availed of before or after this omission, In respect of any such right, title, obligation or liability.
 - o Any right, privilege, obligation, or liability acquired, accrued or incurred under the omitted Section.

(To view the Notification, please click [here](#))

Chhattisgarh

▪ **Use of Adhaar as an identity document for availing benefits under the Minimum Support Price Scheme**

The Government of Chhattisgarh on September 04, 2023 issued a Notification regarding the use of Aadhaar as an identity document for availing benefits under the Minimum Support Price Scheme for farmers whereby farmers eligible for availing the benefits under the scheme shall be required to furnish proof of possession of the Aadhaar number or undergo Aadhaar authentication.

(To view the Notification, please click [here](#))

▪ **Amendment to Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013**

The Urban Administration Department of Government of Chhattisgarh on September 13, 2023 issued a Notification to amend the Chhattisgarh Municipal Corporation and Municipalities (Registration of Colonizer, Terms and Conditions) Rules, 2013. As per the Notification the following rules have been amended:

- Rule 10 which deals with Reservation of Developed plots and Constructed house/Flats for Economically Weaker Section or Low-Income Group.
- Rule 11 which deals with the mortgage requirements.
- Rule 13 which deals with the required time to complete the internal development works.

(To view the Notification, please click [here](#))

Goa

▪ **Special Procedure to be followed by registered person engaged under Goa GST Act, 2017**

The Department of Finance, Government of Goa issued a Notification on September 04, 2023 wherein all registered persons engaged in manufacturing of goods have to furnish the details of packing machines being used for filling and packing of pouches in FORM-SRM-1 provided under Goa GST Act, 2017.

(To view the Notification, please click [here](#))

▪ **Policy for regulating iron ore dump handling in Goa**

The Department of Mines, Government of Goa on September 13 published the Policy for Regulating Iron Ore Dump Handling in the State of Goa. This policy supersedes the earlier Goa Mineral Policy of 2013 and outlines a comprehensive framework for managing mining dumps. The policy aims to regulate the handling of iron ore dumps in compliance with legal requirements and environmental considerations, providing a structured framework for their management and disposal in Goa.

(To view the Notification, please click [here](#))

▪ **Restraint on use of firecrackers**

The Department of Information & Publicity of the Government of Goa issued a Notification on September 13, 2023 regarding restraint on use of firecrackers. As per the Notification, the use of crackers from 8 p.m. to 10 p.m. on festive occasions like Ganesh Chaturthi, Diwali, and other festivals is to be restrained. For Christmas/New Year, it is restricted from 11.55 pm to 12.30 am. (To view the Notification, please click [here](#))

Karnataka

▪ **Amendment in Karnataka Motor Vehicles Taxation Act, 1957**

The Government of Karnataka on August 30, 2023 issued amendments to the Karnataka Motor Vehicles Taxation Act, 1957 by the virtue of which amendments are introduced in Section 3 of the Act. Section 3 of the Karnataka Motor Vehicles Taxation Act, 1957 deals with levy of tax, as per the weight of goods vehicles. As per the Notification, amendments are as follows:

- In Section 3 sub-Section (1):
 - o In the fifth proviso, in Clause (aa), figures and letters '5,500 kgs' shall be substituted with the figures and letters '12,000 kgs'.
 - o In Clause (d), words 'fifteen lakhs' shall be substituted with the words 'ten lakhs'.

(To view the Notification, please click [here](#))

▪ **Karnataka Transparency in Public Procurements (Amendment) Rules, 2023**

The Government of Karnataka on September 04, 2023 issued amendments to Rule 27-A of the Karnataka Transparency in Public Procurements Rules, 2000, which deal with 'Preference to tenderers belonging to the Scheduled Castes or Scheduled Tribes in construction works. Key highlights of the amended Rules are:

- The Rule will be known as Karnataka Transparency in Public Procurements (Amendment) Rules, 2023.
- In Rule 27(A) of the Karnataka Transparency in Public Procurements Rules, 2000, the threshold value of construction project for giving preference to registered contractors belonging to the Scheduled Castes or Scheduled Tribes Category has been increased to INR 1 Crore, whereas previously, it applied to projects of value of INR 50 lakh.

(To view the Notification, please click [here](#))

▪ **Special procedure for electronic commerce operators under Karnataka GST Act, 2017**

The Government of Karnataka on September 11, 2023 notified special procedure to be followed by the electronic commerce operators with effect from October 1, 2023 in respect of supplies of goods by unregistered persons. As per the Notification:

- The electronic commerce operator shall not collect tax at source under sub-Section (1) of Section 52 in respect of the supply of goods made through it by the said person.
- The electronic commerce operator shall furnish the details of supplies of goods made through it by the said person in the statement in FORM GSTR-8 electronically on the common portal.

(To view the Notification, please click [here](#))

Ladakh

▪ **Draft of Ladakh Rights of Persons with Disabilities Rules, 2023**

The Department of Social & Tribal Welfare, Ladakh on August 29, 2023 published the Draft of Ladakh Rights of Persons with Disabilities Rules, 2023. Rule 3 of the rules with deals with non- discrimination by establishment on the grounds of disability.

(To view the Notification, please click [here](#))

Madhya Pradesh

▪ **Special procedure for electronic commerce operators under Madhya Pradesh GST Act, 2017**

The Government of Madhya Pradesh on September 01, 2023 issued a Notification for special procedure to be followed by the electronic commerce operators in respect of supplies of goods through them by unregistered persons which are as follows:

- The electronic commerce operator shall not collect tax at source under sub-Section (1) of Section 52 in respect of the supply of goods made through it by the said person.
- The electronic commerce operator shall furnish the details of supplies of goods made through it by the said person in the statement in FORM GSTR-8 electronically on the common portal.

(To view the Notification, please click [here](#))

Maharashtra

▪ **Special procedure for electronic commerce operators under Maharashtra GST Act, 2017**

The Government of Maharashtra on September 04, 2023 issued a Notification for Maharashtra Goods and Services Tax Act, 2017 in regard to the special procedure followed by the electronic commerce operators in respect of supplies of goods through them by composition taxpayers stated following:

- The electronic commerce operator shall not allow any interstate supply of goods through it by the said person.
- The electronic commerce operator shall collect tax at source under sub-Section (1) of Section 52 of the said Act in respect of the supply of goods made through it by the said person and pay to the Government as per provisions of sub-Section (3) of Section 52 of the said Act.
- The electronic commerce operator shall furnish the details of supplies of goods made through it by the said person in the statement in FORM GSTR-8 electronically on the common portal.

(To view the Notification, please click [here](#))

▪ **Notification regarding MahaRERA Grading Matrix for Real Estate Projects**

The Maharashtra Real Estate Regulatory Authority, (MahaRERA) on August 28, 2023 notified regarding the introduction of the MahaRERA Grading Matrix for real estate projects. The following framework for Information Disclosure shall be adopted:

- All real estate projects registered post-January 2023 shall be eligible for the MahaRERA Grading Matrix.
- MahaRERA Grading Matrix shall be generated every six months of the financial year.
- The first period for the MahaRERA Grading Matrix shall begin from October 01, 2023 to March 2024 and the process shall commence once the last quarter's Quarterly Progress Reports (QPR) uploading is completed by April 20, 2024.

(To view the Notification, please click [here](#))

NCT of Delhi

▪ **Notification regarding clarification regarding applicability of GST on certain services**

The Department of Trade & Taxes, Delhi on August 31, 2023 clarified the applicability of GST on services supplied by a director of a company or body corporate to the company or body corporate in his private or personal capacity that they are not taxable under Reverse Charge Mechanism.

(To view the Notification, please click [here](#))

Odisha

▪ **Financial assistance to MSMEs for getting listed on the stock exchange**

The MSME Department, Odisha on September 01, 2023 issued a Notification regarding the financial assistance to MSMEs for raising capital by getting listed on the Stock Exchange wherein the Government of Odisha has declared a one-time grant or financial assistance up to 2% of the total capital raised from NSE/BSE or 20 % of the expenditure incurred for raising capital from NSE/BSE, subject to a ceiling of INR 10 lakhs, to MSMEs of Odisha on successful listing in NSE/BSE.

(To view the Notification, please click [here](#))

▪ **Installation of vehicle location tracking device and panic buttons under Central Motor Vehicle Rules, 1989**

The State Transport Authority of Government of Odisha on September 05, 2023 issued a notice regarding fitment of Vehicle Location Tracking Device and Panic buttons under Central Motor Vehicle Rules, 1989 for the following public service vehicle: bus, educational institution bus, luxury cab, maxi cab, motor cab, omni bus, private service vehicles, goods carriage vehicles operating on national permit, vehicles carrying hazardous and explosive materials, ambulances.

(To view the Notification, please click [here](#))

Punjab

▪ **Punjab State Power Corporation Limited (PSPCL) revised the minimum wages of workers**

PSPCL on September 13, 2023 issued a Notification regarding the revision in the minimum wages of workers. The minimum wages for the following category of workers have been revised namely:

- Unskilled workers as INR 10354
- Skilled workers (Electrician, Tech, Driver) as INR 12031
- The minimum wages shall be applicable with effect from March 01, 2023.

(To view the Notification, please click [here](#))

Rajasthan

- **Notification regarding Rajasthan Tenancy (Amendment) Act, 2023**

The Government of Rajasthan on September 05, 2023 amended Section 251-A of the Rajasthan Tenancy Act, 1955 which deals with 'laying of underground pipeline or opening a new way through another khatedar's holding or enlarging the existing way'.

(To view the Notification, please click [here](#))

- **Amendment to the Rajasthan Investment Promotion Scheme 2022**

The Government of Rajasthan on September 12, 2023 amended Clause 6.2 of the Rajasthan Investment Promotion Scheme 2022 with effect from October 07, 2023 which deals with the additional incentives for Manufacturing Thrust Sectors. The following sectors shall be added in Clause 6.2:

- Sports goods sector
- Toys sector
- Civil aviation
- E-waste recycling

(To view the Notification, please click [here](#))

West Bengal

- **Extension of last date of filing for settlement under West Bengal Sales Tax (settlement of Dispute) Act, 1999**

The Finance Department, West Bengal on August 31, 2023 issued a Notification to extend the last date of filing the application for settlement under Section 5(1) of West Bengal Sales Tax (Settlement of Dispute) Act, 1999 to September 15, 2023.

(To view the Notification, please click [here](#))

ABOUT US

UnComplycate is an end-to-end compliance and contract management solutions provider that integrates domain experience with IT-enabled implementation, monitoring and management protocols.

With more than thirty years' experience in helping clients discharge their compliance obligations, we have developed a repository of significant knowledge and practical experience in advising and assisting businesses on their regulatory compliance, litigation management, notice and contract management and other attendant requirements. We create bespoke products for clients that include, among other things, an audit of the functions of the company, offering technology-enabled platforms that provide solutions for effective control over the compliance and contract management functions. These services are not limited by geography and can be seamlessly extended to all operating sites of the client.

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