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NEWSLETTER

Stay Updated. Stay Ahead.

Your Monthly Update on
**New Judgements &
Updated Notifications**
under GST



APRIL 2026
EDITION



NEW
JUDGEMENTS



UPDATED
NOTIFICATIONS



KEY
HIGHLIGHTS



PRACTICAL
TAKEAWAYS

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GST NEWSLETTER

*The GST NEWSLETTER is a monthly journal published by **Krishnan Retna and Associates** with the objective of providing concise, reliable, and up-to-date insights on the evolving framework of Goods and Services Tax. The journal brings together significant judicial pronouncements, important notifications, circulars, advance rulings, and key regulatory developments to assist professionals, businesses, and taxpayers in understanding the practical implications of GST law.*

In a rapidly changing tax environment, staying informed is essential for ensuring compliance and making well-informed decisions. Through simplified analysis and structured presentation, The GST NEWSLETTER aims to serve as a valuable reference for readers seeking clarity on recent amendments, interpretational issues, and emerging trends under GST.

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1. Compliance Calendar – May 2026

Due Date	Form / Compliance	Applicable To
10 May 2026	GSTR-7	TDS Deductors
10 May 2026	GSTR-8	E-commerce Operators
11 May 2026	GSTR-1	Monthly Return Filers
13 May 2026	Invoice Furnishing Facility (IFF)	QRMP Taxpayers
20 May 2026	GSTR-3B	Monthly Taxpayers
25 May 2026	PMT-06	QRMP Taxpayers
28 May 2026	GSTR-11	UIN Holders

2. AMENDMENTS

a) Notification Update – Beverage HSN Classification Amendment

The Central Government has issued amendments to Notification No. 9/2025 – Central Tax (Rate), Notification No. 9/2025 – Integrated Tax (Rate), and Notification No. 9/2025 – Union Territory Tax (Rate), revising the HSN classifications applicable to certain beverage products falling under Chapter 2202.

Particulars	CGST Notification	IGST Notification	UTGST Notification
Notification	Notification No. 9/2025 – Central Tax (Rate)	Notification No. 9/2025 – Integrated Tax (Rate)	Notification No. 9/2025 – Union Territory Tax (Rate)
Relevant Provision	Section 9(1) of CGST Act, 2017	Section 5(1) of IGST Act, 2017	Section 7(1) of UTGST Act, 2017
Effective Date	01 May 2026	01 May 2026	01 May 2026
Sector Affected	Beverage / Non-alcoholic drink products under Chapter 2202	Beverage / Non-alcoholic drink products under Chapter 2202	Beverage / Non-alcoholic drink products under Chapter 2202
Nature of Amendment	Substitution of HSN codes under revised CGST schedules	Substitution of HSN codes under revised IGST schedules	Substitution of HSN codes under revised UTGST schedules

Amendments under Concessional Rate Schedule

Sl. No.	Revised HSN Codes	CGST Rate	SGST/UTGST Rate	Effective GST Rate	IGST Rate	Remarks
150	22029921, 22029929	2.5%	2.5%	5%	5%	Specified beverage products classified under concessional tax slab
151	22029931, 22029939	2.5%	2.5%	5%	5%	Clarification of classification under lower GST rate

Amendments under Higher Rate Schedule

Sl. No.	Revised HSN Codes	CGST Rate	SGST/UTGST Rate	Effective GST Rate	IGST Rate	Remarks
2	22029990, 22029991, 22029999	20%	20%	40%	40%	Specified products classified under higher GST slab
3	22029991, 22029999	20%	20%	40%	40%	Further refinement of higher-rate classification

3. RECENT CASE LAWS

a) Acer India Pvt. Ltd. – GST Classification of Interactive Flat Panels

Particulars	Summary
Case Name	Acer India Pvt. Ltd.
Issue	Classification and GST rate applicable on Interactive Flat Panels (IFPDs).
Taxpayer's Argument	Acer claimed that the product functions like a computer and should be classified as an Automatic Data Processing (ADP) machine under HSN 8471 with lower GST.
Department's View	The department viewed the product mainly as a display device used for viewing and presentation purposes.
Observation of AAAR	The main function of the product is display and viewing. Additional smart features do not change its principal nature.
Decision	The product was classified under HSN 8528 5900.
GST Rate	28%
Outcome	Appeal filed by Acer India was dismissed.

Notes/Analysis:

1. AAAR: Authority for Appellate Advance Ruling (AAAR) is the appellate authority under GST law that hears appeals against rulings issued by the Advance Ruling Authority (AAR)
2. The ruling highlights that the primary function of a product plays a key role in GST classification. Even if a product contains additional smart or computing features, classification will depend on its principal use.

b) Shibaura Machine India Pvt. Ltd. - Input Tax Credit on Factory Electrical Installations

Particulars	Summary
Issue	Can a company claim Input Tax Credit (ITC) on GST paid for electrical work during factory expansion?
Taxpayer's Argument	The company argued these works are "movable" and essential for business. Since they aren't permanent building parts, they claimed the tax should be refundable.
Department's View	Authorities stated GST law blocks credits for goods used to build immovable property. They cited Section 17(5) to deny the claim.
Observation of AAAR	The AAAR noted the panels and wiring are for the long-term use of the land. Even if parts can be moved, their purpose is permanent infrastructure.
Decision	The systems lose their "movable" status once installed. They are now part of the building and do not count as "plant and machinery".
Outcome	The appeal was rejected. The company cannot claim the tax credit.

Analysis:

1. This ruling reinforces the Department's stance that general electrical works are inherent to the building structure rather than the specific manufacturing equipment they power.
2. **Immovable Property vs. Machinery:** The core takeaway is that the "intent" of an installation matters more than whether it can be detached. Even if electrical panels are bolted or movable, they are viewed as part of the building if they serve the permanent use of the land.

c) Thermo Fisher Scientific India P. Ltd. - Separate GST Registration for Interstate Service Operations

Particulars	Summary
Issue	Does the Mumbai Head Office (HO) need a separate GST registration in Odisha because it sends engineers there for repairs?
Taxpayer's Argument	The company argued they have no physical office in Odisha. Services are managed by the Mumbai Head Office (HO), and spare parts are only stored temporarily by engineers for specific repairs. Therefore, no separate Odisha registration should be needed.
Department's View	The original Authority for Advance Ruling (AAR) held that the company's activities were sufficient to require a separate GST registration in Odisha.
Observation of AAAR	The AAAR noted that all contracts and invoices come from the Mumbai HO. The engineers in Odisha have no separate administrative setup and act only on HO directions. They also found that storing leftover spare parts is incidental and not for local trading.
Decision	The AAAR ruled that these activities do not meet the legal definition of a "Fixed Establishment" or "Place of Business" in Odisha. The engineers are employees, not agents, and the service location remains the HO in Maharashtra.
Outcome	The appeal was successful . The company is not required to maintain a separate GST registration in Odisha.

Analysis

- 1. Physical Presence Matters:** Simply having employees (like engineers) traveling to or working in a state does not automatically force a company to register there, provided there is no permanent office or administrative structure.

2. **Storage of Spares:** Keeping small amounts of tools or spare parts with engineers for maintenance (AMC/CMC) is considered "incidental" and does not constitute a warehouse or place of business.

3. ENFORCEMENT ACTIONS

Authority	Key Findings
CGST Delhi South Commissionerate	Fake invoices worth approximately ₹397 crore were issued to fraudulently avail ITC of ₹60.59 crore through non-functional entities and bogus transactions.
DGGI Ahmedabad	Mastermind arrested in a ₹1,825 crore GST refund fraud involving fake ITC claims, dummy firms, and bogus export transactions.
DGGI Hyderabad	Two individuals arrested for alleged ITC fraud amounting to ₹273 crore through multiple dummy firms and circular fund routing.

4. DO YOU KNOW

1. ITC cannot be claimed after 30th November following the end of the financial year or filing of annual return, whichever is earlier.
2. Composition taxpayers are not eligible to collect GST from customers or claim ITC.
3. Wrong selection of B2B and B2C invoices may affect the recipient's ITC claim.
4. A cancelled GST registration can be revoked within the prescribed time limit by filing an application online.
5. Export of services can qualify as zero-rated supply even when no GST is charged on the invoice.

DISCLAIMER

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