MONTHLY TAX NEWSLETTER

November 2026

GST | Income Tax | MCA

Tax updates, court decisions and the due dates coming up, in one place.

Brought to you by

I. H. Desai & Co.

Chartered Accountants

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A note from us

Welcome to our Newsletter!

In this edition of our newsletter, we are excited to bring you the most recent updates and developments in the field of taxation and legal amendments. Our primary goal is to provide you with timely and accurate information to assist you in making informed business decisions.

We understand the complexities of the ever-changing tax laws and regulations. That is why we curate each edition carefully to cover topics that are most relevant to your business and professional needs. Whether it is changes in tax laws, case studies, or tips on tax planning, our newsletter aims to be a comprehensive resource for all your tax-related queries.

Your feedback is incredibly important to us. It not only helps us improve but also ensures that we cover topics that matter the most to you. We are committed to making this newsletter a valuable resource, and we are always open to suggestions and questions.

If you have any questions or require further clarification on any of the topics discussed, please do not hesitate to reach out. Our dedicated team is just an email or a phone call away, ready to assist you in any way possible. We hope you find this newsletter both informative and useful. Thank you for your continued support!

I. H. Desai & Co.
Chartered Accountants

I. H. Desai & Co.

SECTION 01

Tax Updates

Circulars and notifications issued recently. We track these for you; this is what changed.

GST 03 Nov 2026

Inverted Duty Refund to Include Input Services

Inverted duty refund, Rule 89(5), from 1 November 2026:

Key Points: - Maximum Refund = (Inverted rated turnover x Net ITC / Adjusted Total Turnover) minus tax payable on such supply.

- Net ITC covers inputs and eligible input services (ITC availed from 1 November 2026).
- From 1 April 2027, attributable capital goods ITC is also added.
- Refund debit: IGST first, then CGST and SGST equally; shortfall met from the other.

Source: Notification No. 05/2026-Central Tax dated 26.10.2026.

GST 03 Nov 2026

GST Refunds Faster: System Order in 3 Working Days

GST refund processing changes from 1 November 2026:

Key Points: - Acknowledgement (RFD-02) or deficiency memo (RFD-03) within 10 days of filing, instead of 15; otherwise deemed acknowledged.

- Portal issues provisional refund order (RFD-04) within 3 working days of acknowledgement, based on system risk check; no officer revalidation needed.
- Refund order (RFD-06) and payment order (RFD-05) can come through the portal.
- Option to file refunds through a Facilitation Centre removed.

Source: Notification No. 05/2026-Central Tax dated 26.10.2026.

GST 03 Nov 2026

GSTR-5 by 13th; GSTR-4 After Exit by 30 June

Two GST return due date changes apply from 1 November 2026:

Key Points: - Non-resident taxable persons: GSTR-5 due by the 13th of the following month, instead of the 20th (Rule 63).

- Composition dealers who exit or whose option is withdrawn: GSTR-4 for the composition period due by 30 June after that financial year, instead of 30 April (Rule 62(5)).
- Annual GSTR-4 due date for continuing composition dealers is unchanged.

Source: Notification No. 05/2026-Central Tax dated 26.10.2026.

GST 03 Nov 2026

GST Registration Amendment: New Timelines in Rule 19

New Rule 19 for registration amendments from 1 November 2026:

Key Points: - File REG-14 within 15 days of any change.

- Principal place changes: officer approves within 15 days or issues REG-03; reply within 7 working days, else deemed rejected.
- Officer inaction: amendment deemed approved.
- Other changes: amended on filing after online validation.
- Rule 14A registrants: address amended on filing from 1 December 2026.
- PAN change: fresh registration.

Source: Notification No. 05/2026-Central Tax dated 26.10.2026.

GST 03 Nov 2026

Cancellation of GST Registration on Request: New Rule 20

Rule 20, cancellation on request, from 1 November 2026:

Key Points: - Apply in REG-16 within 30 days of event (no limit if sole proprietor dies).

- File required returns first; registration suspended meanwhile.
- Portal auto-cancels if returns and dues are clear, plus either monthly B2B output tax up to Rs. 2.5 lakh or GSTR-10 within 3 days of due date.
- Otherwise officer acts within 15 days of receiving application or reply, else deemed approved.

Source: Notification No. 05/2026-Central Tax dated 26.10.2026.

GST 29 Oct 2026

CGST Amendment Rules 2026: Registration and Refunds

CGST Amendment Rules 2026, mostly from 1 November 2026:
Key Points: - Rule 14B: a home-State registered seller using TCS-collecting e-commerce operators can register in another State without physical presence, using the consenting operator warehouse as principal place, if output tax on supplies to other-PAN registered buyers is up to Rs. 2.5 lakh/month.

- Refund deemed acknowledged without RFD-02/03 in 10 days.
- 1.5 times value cap in Rule 89(4)(C) removed.

Source: Notification No. 05/2026-Central Tax dated 26.10.2026.

GST 29 Oct 2026

GST TDS on Scrap and Used Cooking Oil from 1 Nov

From 1 November 2026, a registered person receiving any of these goods from another registered person must deduct GST TDS under Section 51:

- Used cooking oil (heading 1518)
- Waste and scrap of plastics (heading 3915)
- Waste and scrap of tyres (heading 4004)
- Metal scrap (Chapters 72 to 81)
- Electrical and electronics waste and scrap (heading 8549)

Clause (d) of Notification 50/2018-Central Tax is substituted to cover all five categories.

Source: Notification No. 07/2026-Central Tax dated 27.10.2026.

GST 29 Oct 2026

RCM on Used Cooking Oil and Certain Scrap from 1 Nov

From 1 November 2026, GST on these goods, when supplied by an unregistered person to a registered person, is payable by the registered buyer under reverse charge (RCM):

- Used cooking oil (heading 1518)
- Waste and scrap of plastics (heading 3915)
- Waste and scrap of tyres (heading 4004)
- Electrical and electronics waste and scrap (heading 8549)

Registered buyers should set up RCM payment and self-invoicing for such purchases.

Source: Notification No. 04/2026-Central Tax (Rate) dated 27.10.2026.

GST

29 Oct 2026

GST on Hotels, Catering, EVs and Delivery from 1 Nov

From 1 November 2026:

- Hotel accommodation and outdoor catering services at 5%: ITC barred except same-line services, capped at 2.5% CGST.
- Restaurants (not at specified premises): ITC barred except same-line restaurant services.
- EV passenger transport and EV renting, battery charging in the price: 5% with restricted ITC, or 18% without restriction.
- Delivery via ECOs where supplier is not liable to register under Section 22(1), or for goods sold via ECOs: 5% without ITC.

Source: Notification No. 06/2026-Central Tax (Rate) dated 27.10.2026.

GST

29 Oct 2026

GST on Services Clarified: R&D, Leasing, Banks, NBFCs

CBIC clarifies GST on services (57th Council):

- R&D (entry 44A): for grant-funded R&D, a head-of-entity certificate confirming R&D, not consultancy, may suffice.
- Foreign shipping company Indian establishment: GST on free import of services from related or overseas establishment regularised as is where is (01.07.2017 to 31.10.2026).
- Vehicle leasing: road tax, insurance, FASTag recoveries taxed at leasing rate.
- Bank fund transfer pricing: notional interest on loans/advances exempt.
- NBFC lending services to banks under co-lending: taxable.

Source: CBIC Circular No. 266/12/2026-GST dated 28.10.2026.

SECTION 02

Case Laws

Recent court and tribunal decisions, with the facts and what was decided.

28 OCT 2026 · CIVIL APPEAL NO. 13953 to 13956 OF 2026

Fresh Evidence of Share Overvaluation Supports Reopening of Completed Assessments

Chetan Sabharwal v. Assistant Commissioner of Income-tax

THE FACTS

The assessee, along with other shareholders, sold shares of two companies for substantial consideration and claimed a deduction u/s 54F by investing the capital gains in residential property.

The original assessments were completed u/s 143(3). Subsequently, the Investigation Unit reported that the shares were prima facie overvalued compared with the underlying assets.

Based on the investigation report, the AO issued reassessment notices u/s 148, which the assessee challenged on the grounds of change of opinion.

WHAT THE COURT DECIDED

The SC held that fresh tangible material having a rational nexus with possible income escapement provides valid grounds for initiating reassessment.

The Court observed that reassessment does not amount to a change of opinion where the specific issues were not consciously examined during the original assessment proceedings.

Accordingly, the SC upheld the validity of reassessment notices issued u/s 148 and dismissed the assessees appeals.

27 OCT 2026 · CIVIL APPEAL NO. 8932 OF 2013

Unpaid excise duty cannot be disallowed when no deduction was claimed in the books of accounts.

Lakshmi Sugar Mills co. Ltd. v. Commissioner of Income-tax

THE FACTS

The assessee, a sugar manufacturer, reported unpaid excise duty of Rs. 69.92 lakh on closing stock in its Tax Audit Report.
The AO disallowed the amount u/s 43B and 145A, despite the assessee not claiming it as an expense in the Profit and Loss Account.
The CIT(A) and Tribunal deleted the addition, but the HC restored it, holding that excise duty was payable on the goods removed.

WHAT THE COURT DECIDED

The SC found that the relevant stock remained in the bonded warehouse and the HCs assumption that the goods had been removed was incorrect.
Since the disputed excise duty was neither paid nor claimed as an expense, its disallowance u/s 43B was legally unsustainable.
The SC set aside the HCs order and allowed the assessees appeal.

22 OCT 2026 · WRIT PETITION NO. 4298 OF 2026

Reassessment Invalid Due to Delayed Disclosure; Rights Share Allotment Not Taxable Under Section 56(2)(x)

Grasim Industries Ltd. v. Deputy Commissioner of Income-tax, Central

THE FACTS

Grasim Industries subscribed to Vodafone Ideas rights shares at Rs. 12.50 per share, whereas the Revenue determined their fair market value at Rs. 13.925 per share.
The AO proposed to tax the price difference u/s 56(2)(x) and initiated reassessment proceedings u/s 148A.
The necessary supporting information was furnished after expiry of the limitation period prescribed u/s 149(2)(b).

WHAT THE COURT DECIDED

The Court held that reassessment proceedings were invalid as the mandatory information was not furnished along with the SCN within the prescribed limitation period.
Proportionate allotment of rights shares to existing shareholders, without any disproportionate benefit, cannot be taxed merely due to the difference between subscription price and fair market value.
The Bombay HC quashed the reassessment notice and consequential proceedings in favour of the assessee.

05 OCT 2026 · W.P.(C) Nos. 3501 & 3449 of 2026

Limitation Governed by Substantive SCN and Adjudication Order Dates, Not DRC-01/DRC-07

Aparna Collection v. Union of India

THE FACTS

Aparna Collection faced GST proceedings for allegedly claiming wrongful ITC of Rs. 23,06,264 and Rs. 2,68,320 through invoices from non-existent suppliers.
The substantive SCNs were dated 9 and 11 July 2024, whereas DRC-01 summaries were dated 23 and 28 August 2024. One DRC-07 summary was also issued after the assessees claimed limitation deadline.
The assessee challenged the proceedings as time-barred and disputed the evidence supporting allegations of fraud and wrongful ITC claims.

WHAT THE COURT DECIDED

The Delhi HC held that limitation is determined by the dates of the substantive SCNs and adjudication orders, not merely by the later dates of DRC-01 and DRC-07 summaries.
The Court rejected the limitation challenge based solely on the summary dates and held that the remaining factual and legal disputes should be raised before the statutory Appellate Authority.
The writ petitions were disposed of, granting liberty to the assessee to appeal u/s 107 of the CGST Act, without the Court expressing an opinion on the merits of the remaining disputes.

05 OCT 2026 · SLP Appeal (C) No(s). 34425 OF 2026

Supreme Court Upholds Dismissal of Writ Petitions as Effective Statutory Appellate Remedy Was Available

Kapil Arora v. Union of India

THE FACTS

The GST department seized electronic data and handwritten kachcha parchis during an investigation and alleged unaccounted supplies without GST invoices.
The SCNs were issued, and orders-in-original were passed against the assessees.
The assessees challenged the orders through writ petitions, raising natural justice and evidentiary issues; one had also filed a statutory appeal against the same order.

WHAT THE COURT DECIDED

The SC dismissed the SLPs, finding no grounds to interfere with the HCs judgment.
The statutory appellate remedy was considered effective for examining factual disputes, evidentiary issues, and allegations of procedural violations.
The Court upheld the dismissal of the writ petitions, including the parallel writ, while preserving the assessees right to raise their contentions before the appellate authority.

01 OCT 2026 · W.P. (C) No.15557 of 2024

GST Refund Withholding Upheld Where Pending Anti-Evasion Investigation Indicated Fraud and Revenue Risk

Devi Electronics (P.) Ltd. v. Commissioner CGST Delhi South

THE FACTS

The petitioner claimed Rs. 3.15 crore IGST refund on exports, which was allowed by the Appellate Authority.
The Departments ongoing investigation revealed non-existent suppliers, doubtful goods movement, and discrepancies in the supply chain.
The Commissioner withheld the refund u/s 54(11) on the ground that the investigation could adversely affect revenue.

WHAT THE COURT DECIDED

An ongoing investigation can constitute any other proceedings for Section 54(11).
The Commissioner had sufficient contemporaneous material to form an opinion of possible fraud/malfeasance affecting revenue.
The Court upheld the withholding of refund and dismissed the writ petition, leaving disputed issues to the GSTAT.

01 OCT 2026 · WPA No. 17895 of 2026

Ex Parte Order Quashed for Improper Service of Show Cause Notice

Arup Datta v. State of West Bengal

THE FACTS

The petitioner challenged an ex parte GST adjudication order dated 16.01.2025 concerning a demand for tax, interest, and penalty.
The SCN dated 22.10.2024 was uploaded only under the Additional Notice and Orders tab without separate intimation.
The petitioner contended that the lack of intimation prevented a reply and violated the principles of natural justice.

WHAT THE COURT DECIDED

The Court held that uploading the notice without separate intimation, resulting in denial of an opportunity to respond, violated natural justice.
The ex parte adjudication order dated 16.01.2025 was quashed and set aside.
The authority was directed to consider the petitioners reply, provide a hearing, and pass a fresh reasoned order within the prescribed timelines.

01 OCT 2026 · WP(C) NO. 33728 OF 2026

ITC cannot be denied under Section 16(4) when returns qualify for the extended cut-off under Section 16(5).

Maya Vinod v. Assistant State Tax Officer

THE FACTS

The petitioner claimed ITC for FY 2018-19, but the department denied it u/s 16(4) due to delayed filing of the February and March 2019 returns.
The petitioner filed the returns on 13.11.2019 and 27.11.2019, respectively, before the cut-off date of 30.11.2021 prescribed u/s 16(5).
The petitioner challenged the order passed u/s 73, arguing that the ITC claim was eligible u/s 16(5) despite the limitation u/s 16(4).

WHAT THE COURT DECIDED

The Kerala HC held that the petitioner was eligible for the benefit of Section 16(5), as both returns were filed before the prescribed cut-off date.
The Court quashed the order denying ITC, holding that rejection u/s 16(4) was unsustainable in view of Section 16(5).
The assessing authority was directed to reconsider the claim and grant ITC, subject to fulfilment of other applicable statutory conditions.

01 OCT 2026 · WP(C) NO. 33413 OF 2026

Consolidated Show Cause Notice Covering Multiple Financial Years Quashed; Separate Notices Permitted

Harish Kumar M. v. State of Kerala

THE FACTS

The GST authorities issued consolidated SCNs covering five financial years, from FY 2020-21 to FY 2024-25, for tax or ITC demands not involving fraud.
The petitioner challenged the notice, contending that separate notices were required for each financial year.
The petitioner relied on earlier Kerala HC rulings supporting the requirement for separate notices.

WHAT THE COURT DECIDED

The Kerala HC quashed the consolidated SCN in view of its earlier Division Bench decisions.
The authorities were granted liberty to issue separate notices for the relevant financial years, with the specified period excluded for limitation purposes.
All other contentions were kept open for consideration in fresh proceedings.

30 SEP 2026 · WRIT PETITION NO. 3233 OF 2019

Reassessment cannot proceed before disposal of objections and expiry of the four-week waiting period.

H. P. Diamonds India (P.) Ltd. v. Deputy Commissioner of Income-tax

THE FACTS

The assessee, a diamond trader, filed a nil-income return for AY 2012-13, and the assessment was completed u/s 143(3).

The AO reopened the assessment u/s 148 and issued a notice u/s 143(2) before furnishing the recorded reasons for reopening.

After rejecting the assessees objections on 31 October 2019, the AO issued a notice u/s 142(1) within the mandatory four-week waiting period.

WHAT THE COURT DECIDED

The Bombay HC held that objections to reopening must be disposed of through a speaking order before issuing a notice u/s 143(2) or proceeding with the assessment.

The AO must wait four weeks after communicating the rejection of objections before taking further action.

The Court quashed the notices issued u/s 143(2) and 142(1), along with consequential actions, allowing the assessees petition on these grounds.

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SECTION 03

Due Dates

GST, Income Tax and MCA dates for this month and next. Dates already passed are shown in grey.

November 2026

Date	Department	What is due	Period
07 Nov, Sat	Income Tax	TDS/TCS Payment	Oct, 26
	Income Tax	Form 127	Oct, 26
10 Nov, Tue	GST	GSTR-7	Oct, 26
	GST	GSTR-8	Oct, 26
11 Nov, Wed	GST	GSTR-1	Oct, 26
13 Nov, Fri	GST	GSTR-5	Oct, 26
	GST	GSTR-6	Oct, 26
	GST	IFF	Oct, 26
14 Nov, Sat	Income Tax	Issue of TDS Certificate- under section 395(4) of the Income-tax Act 2025	Sep, 26
15 Nov, Sun	Income Tax	TDS/TCS by Government without challan - Form No. 137	Oct, 26
	Income Tax	Form No. 1	Oct, 26
	Income Tax	Form No. 133	Jul - Sep, 26
	Income Tax	Form No. 131	Jul - Sep, 26
	PF & ESIC	PF & ESIC Payment	Oct, 26
20 Nov, Fri	GST	GSTR-5A	Oct, 26
	GST	GSTR-3B	Oct, 26
21 Nov, Sat	Income Tax	Extended ITR Filing	FY 25-26
25 Nov, Wed	GST	PMT-06	Oct, 26
29 Nov, Sun	MCA	Form PAS 6- Reconciliation of Share Capital Audit Report	FY 25-26
30 Nov, Mon	Income Tax	Transfer Pricing Audit	FY 25-26
	Income Tax	Form No. 5C	-
	Income Tax	Form No. 62	-
	Income Tax	Form 10-IG	-
	Income Tax	Form No. 3CFA	-
	Income Tax	Form No. 10-EE	-
	Income Tax	Form No. 3CEFA, Form No. 3CEFB & Form No. 3CEFC	-

Date	Department	What is due	Period
	Income Tax	Form No. 10CCD	-
	Income Tax	Form No. 10CCE	-
	Income Tax	Form No. 10H	-
	Income Tax	Form No. 10E	-
	Income Tax	Form No. 10CCF	-
	Income Tax	Form No. 3CLA	-
	Income Tax	Form No. 10BA	-
	Income Tax	Form No. 141	Oct, 26
	Income Tax	Form 10-IH	-
	Income Tax	Form No. 10BBD	-
	Income Tax	Form No. 10-IK	-
	Income Tax	Form No. 64	-
	Income Tax	Form No. 49C	-
	Income Tax	Form No. 10-II	-
	Income Tax	Rules 33, 34 and 35	-
	Income Tax	ITR Filing for Transfer Pricing Audit	-

December 2026

Date	Department	What is due	Period
07 Dec, Mon	Income Tax	TDS/TCS Payment	November, 26
	Income Tax	Form 127	November, 26
	Income Tax	Securities Transaction Tax	November, 26
	Income Tax	Commodities Transaction Tax	November, 26
10 Dec, Thu	GST	GSTR-7 for Nov, 26	Nov, 26
	GST	GSTR-8 for Nov, 26	Nov, 26
11 Dec, Fri	GST	GSTR-1 for the month of Nov, 26	Nov, 26
13 Dec, Sun	GST	GSTR-6 for the month of Nov, 26	Nov, 26
	GST	GSTR-5 for the month of Nov, 26	Nov, 26
	GST	IFF for Nov, 26	Nov, 26
15 Dec, Tue	Income Tax	Advance Tax	3rd Installment
	Income Tax	Form 1	November, 26
	Income Tax	Form 132	Oct, 26
	Income Tax	Form 137	November, 26
	PF & ESIC	PF & ESIC for Nov, 26	Nov, 26

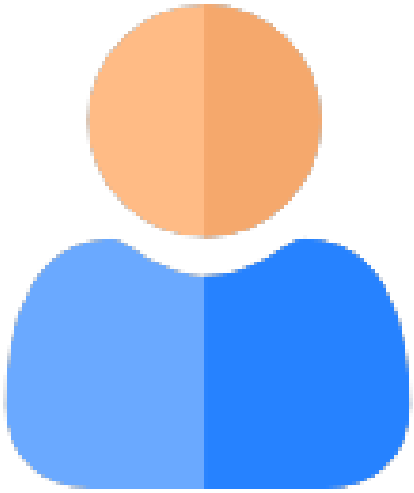
Date	Department	What is due	Period
20 Dec, Sun	GST	GSTR-5A for the month of Nov, 26	Nov, 26
	GST	GSTR-3B for the month of Nov, 26	Nov, 26
25 Dec, Fri	GST	PMT-06 for Nov, 26	Nov, 26
30 Dec, Wed	Income Tax	Form 3CEAC	
31 Dec, Thu	MCA	AOC-4 Extended	FY 25-26
	MCA	AOC-4 XBRL Extended	FY 25-26
	Income Tax	Form 141	November, 26
	Income Tax	Belated Return	FY 25-26
	Income Tax	Form 3CEAD	Jan - Dec, 26
	GST	GSTR- 9 Annual Return	FY 2025-26
	GST	GSTR- 9C GST Audit	FY 2025-26
	MCA	CSR-2	FY 25-26

I. H. Desai & Co.

SECTION 04

About I. H. Desai & Co.

Chartered Accountants



I H Desai & Co. is a team of distinguished chartered accountants in India.

The organization is a congregation of professionally qualified and experienced persons who are committed to add value and optimize the benefits accruing to clients. Our focus has been to build strong customer relationships through its personal touch and its consistency and quality of services.

We, follow a client-centric approach and work with our clients as their strategic business partners, rather than as their consultants.

OUR MISSION
Our mission is to provide unparalleled tax services with a focus on accuracy, timeliness, and client satisfaction. We strive to simplify complex tax regulations for our clients, ensuring compliance and maximizing savings. Our team is dedicated to staying abreast of the ever-evolving tax laws, offering proactive advice and tailored solutions.

OUR VISION
Our vision is to be a leading tax firm renowned for delivering exceptional and innovative tax solutions. We aspire to empower our clients with comprehensive, personalized tax strategies, enhancing their financial health and compliance. We are committed to nurturing a professional environment where trust, integrity, and expertise are the cornerstones.

We specialize in both direct and indirect taxation. From income tax to GST, we offer a one-stop solution for all your tax-related concerns.

Our dedicated team consists of 12 highly skilled professionals. Each member brings a unique set of skills, ensuring that we provide comprehensive solutions tailored to your needs.

Over the years, we have had the privilege of working with a diverse clientele. From small businesses to large corporations, we deliver exceptional service to all.

Our firm is not just about numbers; we believe in building long-term relationships. Trust and transparency are the cornerstones of our practice.

We understand the complexities of the financial landscape and are committed to staying ahead of the curve. Our team is always updated with the latest tax laws and regulations.

Efficiency and accuracy are our hallmarks. Our streamlined processes ensure that we deliver timely and accurate services, every time.

At I. H. Desai & Co. , your financial well-being is our top priority. Partner with us and experience unparalleled financial solutions that drive your business forward.

Technology is at the core of our operations. We employ modern software tools and digital platforms to make our

services more accessible and efficient for our clients.

I. H. Desai & Co.

SECTION 05

Services We Provide

Audit

Auditing Services	Our meticulous auditing practices help you maintain transparency and adhere to financial standards. Our meticulous auditing practices help you maintain transparency and adhere to financial standards.

GST

GST Compliance	From registration to return filing, we handle all your GST needs, ensuring full compliance with laws.

Income Tax

ITR Filing	Personl ITR Filing for individuals.
Tax Planning	Tax planning for businesses efficiently.
Income Tax Consultancy	We offer expert advice on income tax planning and filing, helping you optimize your tax liabilities.

Trust Registration & Taxation

Formation and Taxation of Trust	We offer services of Formation of Trusts, Societies, Section 8 Companies and offer services of Tax Return Filing, Advisory and Consultancy

Personal Finance

Financial Planning	We provide personalized financial planning services aimed at achieving your long-term financial goals.

Business Support Services

Payroll Management	Outsource your payroll to us and focus on your core business activities, while we handle the complexities.

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Accounting

Accounting	Monthly Outsourcing of your accounts

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SECTION 06

Contact Us

Thank you for reading. If any update in this issue affects you, or you have a question about it, get in touch. We will be glad to help.

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