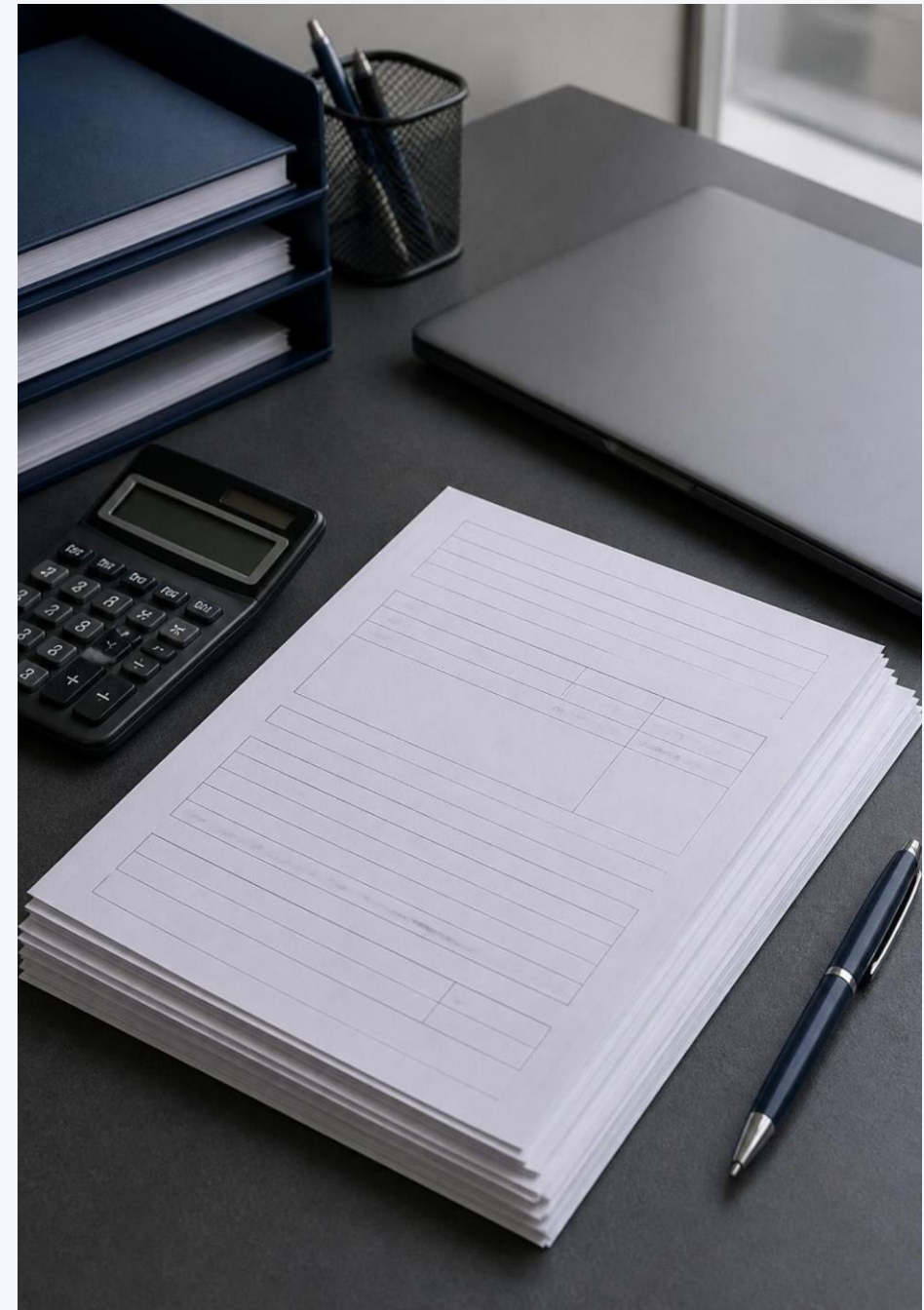




Tax Bulletin

Oct 2026 · Issue 1

Tax Alert · GST Technical Update · GST Judicial Precedent



About The Tax Bulletin

The Tax Bulletin from Team CGA Legal keeps readers updated with important legal and judicial updates in Goods & Services Tax and other Tax laws. The Newsletter also includes a special column of Tax Alerts for the month.

CGA Legal sends legal recommendations with significant implications for improving compliance in your business.

All editions of our newsletters can be referred to at:

<https://www.cgalegal.co.in/newsletters.php>

Other Offerings from Team CGA Legal

CGA Legal Tax Alert

Our monthly calendar details all GST & Income Tax related compliances for the month so that you never miss a compliance.

CGA Legal Meet

Our monthly webinar series discusses trending GST legal and compliance issues.

Previous editions can be accessed on our website:

www.cgalegal.co.in

In this Issue.....

Tax Alert – October 2026

- Listing the due dates of various compliance under GST & Income Tax for the month of October-2026

57th GST Council Meeting

- 57th GST Council Meeting – Snapshot of Recommendations
- 57th GST Council Meeting – FAQs

GST Technical Updates

- GST Revenue Collection – September 2026
- Advisory on “Multistate Registration” Facility for GST Registration
- Advisory on use of version 3.3 of emSigner
- Enabling Filing of Appeals in Cases Involving NIL or Zero Demand Amount

GST Judicial Precedents

- Mandatory time-limit for penalty order following detention or seizure of goods in transit. Mohd Hazzak Lohar versus Commissioner State Tax, Excise & Taxation, Kashmir (Jammu and Kashmir and Ladakh High Court).
- Whether the 10% pre-deposit under Section 107(6), effective 01.10.2025, applies when the SCN preceded that date but adjudication followed it. Gaurav Jain versus Joint Commissioner (Appeals-II) CGST Delhi Zone (Delhi High Court).
- Whether a time-barred Section 73 demand can use Section 74 extended limitation through general allegations of fraud, wilful misstatement or suppression, without particulars in the SCN. M/s G.R. Infra Projects Limited Ratlam Versus The State of Madhya Pradesh & Ors. (Supreme Court).
- Whether penalty u/s 129 can be levied for an expired e-way bill. M/s. Om Fuels Versus Pawan Kumar Jeewani. (GSTAT Lucknow).
- Whether penalty u/s 129 can be levied for non generation of e-invoice. VLM Null Group Versus Additional Commissioner, Grade II, Third & Ors. (GSTAT Lucknow).

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Tax Alert



Tax Alert - October 2026

Date	Types of Return	Period	Types of Taxpayer
07-10-2026	TDS/ TCS Payment	September 2026	All persons liable to Deposit TDS/ TCS deducted or collected in September.
10-10-2026	GSTR-7	September 2026	TDS Deductors.
10-10-2026	GSTR-8	September 2026	E-Commerce Operators
11-10-2026	GSTR-1	September 2026	Turnover more than INR 5 crore in the preceding FY, or up to INR 5 crores and opted for monthly return filing.
13-10-2026	GSTR-1	Jul to Sept 2026	Turnover up to INR 5 Crores and under QRMP Scheme
13-10-2026	GSTR-6	September 2026	Input Service Distributors (ISD).
13-10-2026	GSTR-5	September 2026	Non-Resident Taxable Person.
14-10-2026 to 20-10-2026	GSTR-1A Amendment Return	September 2026	Monthly GSTR-1 filers wishing to amend details after GSTR-1 filing
18-10-2026	CMP-08	Jul to Sept 2026	Composition Dealer
20-10-2026	GSTR-3B	September 2026	Turnover more than INR 5 crore in the preceding FY, or up to INR 5 crore in the preceding FY but opted for monthly return filing.
20-10-2026	GSTR-5A	September 2026	OIDAR Service Providers
21-10-2026 (extended)	Form 3CA/ 3CB & 3CD, Form 10B/ 10BB	FY 2025-26 (AY 2026-27)	Assesseees whose accounts require audit (Individuals, HUF, Partnership Firms, LLP & Companies), other than assesseees required to furnish a report under section 92E
22-10-2026	GSTR-3B	Jul to Sept 2026	QRMP taxpayers with aggregate turnover upto INR 5 Cr for *Category A States
24-10-2026	GSTR-3B	Jul to Sept 2026	QRMP taxpayers with aggregate turnover upto INR 5 Cr for **Category B States
25-10-2026	ITC-04 (Half-yearly)	Apr to Sept 2026	Principals with aggregate turnover above INR 5 crore in the preceding FY, sending goods to job workers.

Tax Alert - October 2026

Date	Types of Return	Period	Types of Taxpayer
28-10-2026	GSTR-11	September 2026	UIN Holders.
31-10-2026	TDS and TCS Return	Jul to Sept 2026	Taxpayers who deducted / collected tax at source. (Form 24Q = Form 138, Form 26Q = Form 140, Form 27Q = Form 144 and Form 27EQ = Form 143)
31-10-2026	Form 3CEB and Form 3CA/ 3CB & 3CD	FY 2025-26 (AY 2026-27)	Assessees required to furnish a report under section 92E of the Income-tax Act, 1961 (return of income due on 30-11-2026)

Notes for Tax Alerts

Categories of Taxpayers whose Aggregate Turnover is upto INR 5 crore for the purpose of filing GSTR-3B. Regular Taxpayers are classified by their principal place of business.

*Category A

Chhattisgarh, Madhya Pradesh, Gujarat, Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Telangana or Andhra Pradesh; Union territories of Daman and Diu and Dadra and Nagar Haveli, Puducherry, Andaman and Nicobar Islands and Lakshadweep.

**Category B

Himachal Pradesh, Punjab, Uttarakhand, Haryana, Rajasthan, Uttar Pradesh, Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya, Assam, West Bengal, Jharkhand or Odisha; Union territories of Jammu and Kashmir, Ladakh, Chandigarh and Delhi.

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57th GST Council Meeting



57th GST Council Meeting – Snapshot of Recommendations

Held 8 Oct 2026, New Delhi · Source: PIB press release

- Removal of arrest provisions
 - Prosecution threshold raised from ₹1 crore to ₹5 crore
 - General penalty reduced from ₹25,000 to ₹10,000
 - Wider eligibility for input tax credit and refunds
 - Further simplification of registration and compliance
 - Faster refunds
- Common standards for GST notices and proceedings
 - Smoother inter-state movement of goods
 - Intelligence-based and authorised interception of goods
 - Simplified registration for small sellers on e-commerce platforms
 - Facilitation of export of services
 - In-principle approval of an optional scheme for small consumer-facing businesses with turnover up to ₹5 crore

Detailed analysis has already been shared separately.

57th GST Council Meeting – FAQs

GSTN FAQs

Topics covered

- GST registration and amendment
- Cancellation of registration
- Simplified registration for eligible e-commerce sellers
- Faster / automated refund processing
- Proposed changes to ITC refund calculation (eligible input services and capital goods from specified dates)

Classification and treatment

- Certain goods
- Waste and scrap
- Helicopter passenger transport
- Hotel and restaurant services
- Research and development services

Detailed analysis has already been shared separately.

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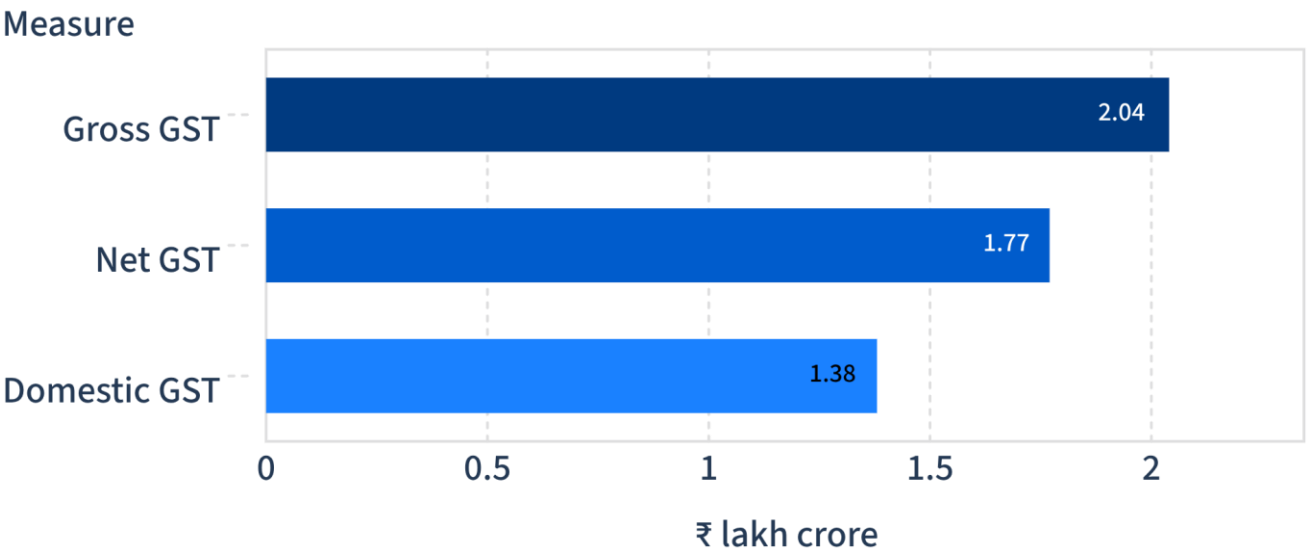
GST Technical Updates



GST Revenue Collection – September 2026

Dated: 01-10-2026

September collections • ₹ lakh crore



Gross collections grew 14.7% YoY; net GST grew 18.1%; domestic GST grew 10.1%.

GST on imports was ₹65,525 crore, up 25.9%.

Apr–Sep 2026

Cumulative gross GST	₹12.46 lakh crore 11.6% growth
Cumulative net GST	₹10.66 lakh crore 10.4% growth
Total refunds	₹27,001 crore Declining 3% YoY

Strong import-related collections and lower refunds contributed significantly to robust growth in net GST revenue during September 2026.

Advisory on “Multistate Registration” Facility for GST Registration

Dated: 01-10-2026

Taxpayers seeking registration in multiple States/UTs under the same PAN can apply simultaneously. The functionality is currently available only for Normal Taxpayers.

01

Select States/UTs

The “Multistate Registration” tab on the Common Portal homepage enables selection of multiple States/UTs. A Master TRN is generated on selection.

02

Submit common information

Using the Master TRN, provide Common Registration Information (CRI): Business Details, Promoter/Partner details, Authorised signatory, Authorised representative, and Goods and Services. The Master TRN must be submitted within 15 days.

03

Complete individual TRNs

After CRI submission, individual TRNs are generated for each State/UT. Common information is auto populated and remains editable.

Add Principal Place of Business (PPoB), Additional Place of Business (APoB), State-specific Information, and Aadhaar authentication.

Common information need not be entered separately for each State/UT application, reducing repetitive data entry and facilitating ease of doing business.

Advisory on use of version 3.3 of emSigner

Dated: 19-09-2026

The GST Portal announced emSigner Version 3.3 for compatibility with new DSC USB dongles issued on or after 21 September 2026.

Existing DSC users

No immediate action is required if the existing DSC and emSigner work normally. Version 3.3 is backward compatible with existing tokens.

DSCs issued on FIPS 140-2 dongles on or before 21 September 2026 remain valid until expiry.

New DSC tokens

Users issued a new/renewed DSC on a new dongle on or after 21 September 2026 must upgrade to emSigner v3.3. Older versions do not support these tokens.

Future issuance/renewal generally requires FIPS 140-3 compliant dongles, subject to applicable exceptions.

Java 1.8 (OpenJDK/Oracle) is required; Java 9 and above are not supported.

Taxpayers facing DSC signing issues should upgrade to emSigner v3.3 through the GST Portal.

Enabling Filing of Appeals in Cases Involving NIL or Zero Demand Amount

Dated: 07-09-2026

01

Disputed liability

A liability dispute exists, but the demand order reflects “NIL” or “Zero” because the taxpayer paid before the order was issued.

02

Validation removed

The GST Portal has removed the previous validation that restricted appeals against these demand orders.

03

File GST APL-01

Taxpayers facing this issue can now file an appeal in Form GST APL-01 against demand orders reflecting a NIL or Zero demand amount.

For queries or difficulty while filing the appeal, taxpayers may raise a ticket with the GST Helpdesk for assistance.

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GST Judicial Precedents



Mandatory time-limit for penalty order following detention or seizure of goods in transit

Mohd Hazzak Lohar, Versus Commissioner State Tax, Excise & Taxation, Kashmir (Jammu and Kashmir and Ladakh High Court)

Facts

Petitioners challenged the Order dated 22nd September 2025 because respondent no. 2 passed it after expiry of the seven days stipulated in Section 129(3) of the Act of 2017 for ordering payment of penalty under clause (a) or (b) of Section 129(1).

Held

The High Court of Gujarat in Allcargo Logistics Limited. [2025 (12) TMI 1732 - GUJARAT HIGH COURT] and couple of other judgements, has held the provisions of Section 129(3) mandatory and held that failure to adhere to the timelines prescribed therein would vitiate order of detention.

The use of "shall" in Section 129(3), the coercive nature of detention and seizure, and the object of preventing arbitrary or prolonged detention establish that the stipulated timelines are mandatory. Absence of an express consequence for breach does not render the requirement directory; legislative intent, the statutory object and the rights affected govern that determination. Even intervening circumstances and a delay of one day could not excuse non-compliance with the prescribed period.

The penalty notice/order issued beyond seven days from service of the show-cause notice was quashed, without prejudice to proceedings permissible under other provisions of the Act of 2017. The writ petition was allowed and the penalty notice/order was quashed for breach of the mandatory time-limit under Section 129(3) of the Act of 2017.

The writ petition was allowed; the penalty notice/order was quashed for breach of the mandatory Section 129(3) time-limit.

Does the 10% pre-deposit apply when the SCN preceded 01.10.2025 but adjudication followed it?

Gaurav Jain Versus Joint Commissioner (Appeals-II) CGST Delhi Zone (Delhi High Court)

Facts

The petitioners were issued Show Cause Notices dated 25.06.2025 under Section 122(1A) of the CGST Act, proposing personal penalties against them. Importantly, the SCNs proposed penalty only and did not involve any demand of tax against the petitioners. At the time when the SCNs were issued, i.e. 25.06.2025, Section 107(6) of the CGST Act did not prescribe any percentage-based pre-deposit for filing an appeal against a penalty-only order.

Subsequently, the Finance Act, 2025 substituted the proviso to Section 107(6) with effect from 01.10.2025. The amended provision introduced a requirement to deposit 10% of the penalty imposed as a pre-condition for filing an appeal against a penalty-only order.

The adjudicating authority subsequently passed Orders-in-Original dated 16.12.2025, i.e. after the amendment had come into force, imposing penalties upon the petitioners. Consequently, when the petitioners sought to appeal against the penalty orders, the Department/Appellate Authority took the view that the new 10% pre-deposit requirement would apply.

Held

The Court held that the right of appeal is a substantive right and not merely a procedural right. Such right vests when the proceedings commence, which in the present case was the issuance of the SCN dated 25.06.2025. The Court applied the principle that an appellate remedy is an “appellate package”, comprising the forum, scope and conditions governing the appeal. Once this package has vested, a subsequent amendment imposing a more onerous condition cannot ordinarily affect the vested right unless the legislature has expressly or necessarily intended retrospective application.

Accordingly, the fact that the Order-in-Original was passed on 16.12.2025, after the amendment came into force, did not change the applicable appellate regime. The proceedings remained governed by the law prevailing when the SCN was issued.

The notice was held to be barred by limitation.

Can general allegations bring a time-barred Section 73 demand within Section 74 extended limitation?

M/s G.R. Infra Projects Limited Ratlam Versus State of Madhya Pradesh (Supreme Court)

Facts

The normal Section 73 limitation for the GST demand had expired. After considering the applicable annual-return filing extension and exclusion of the COVID-19 period, the notice deadline was 28.02.2025.

The Department issued an SCN dated 13.06.2025 invoking Section 74 extended limitation through allegations of “fraud or concealment of facts”. The notice was prima facie beyond normal limitation.

It did not specify what constituted fraud, wilful misstatement or suppression of facts, or identify the material supporting that inference.

Held

Section 74 cannot be invoked mechanically. The SCN itself must contain specific allegations and supporting material showing how fraud, wilful misstatement or suppression of facts are established.

Merely reciting “fraud” or “concealment of facts” without a factual basis is insufficient. A deficient SCN cannot later be cured by a counter-affidavit or other pleadings in writ proceedings.

Normal limitation expired on 28.02.2025, and the SCN of 13.06.2025 did not validly establish grounds for Section 74.

The notice was held to be barred by limitation.

Whether penalty u/s 129 can be levied for expired e-way bill

M/s. Om Fuels Versus Pawan Kumar Jeewani. (GSTAT Lucknow)

Facts

Goods purchased from Gujarat were transported to Ayodhya, Uttar Pradesh under a tax invoice and e-way bill generated under the CGST/UPGST Act, 2017.

The e-way bill was valid until 22.10.2025 at 11:59 PM. Transportation was delayed and validity was not extended. Authorities intercepted the vehicle on 24.10.2025 at approximately 06:00 AM, near the declared ship-to address at Ayodhya.

The proper officer examined the documents, found the e-way bill expired, and initiated Section 129 proceedings for transportation without a valid e-way bill.

Held

Expiry may establish a procedural/documentary lapse, but not by itself a deliberate attempt to evade tax. Surrounding circumstances must establish the factual basis for penalty.

The record showed no diversion, suppression of the transaction, goods discrepancy, undisclosed destination or independent material establishing intent to evade tax.

M/s. Hindustan Herbal Cosmetics [2024 (1) TMI 282 - ALLAHABAD HIGH COURT] held that no penalty arises without other material establishing intent to evade tax, a sine qua non for penalty.

“law is not to remain in a vacuum and has to be applied equitably in appropriate cases.”

The penalty was unsustainable; the order affirming it was set aside.

Whether penalty u/s 129 can be levied for non generation of e-invoice

VLM Null Group Versus Additional Commissioner, Grade II (GSTAT Lucknow)

Facts

Vehicle Registration No. NL- 01/AC-2258 was intercepted by the Mobile Squad Officer at Barajore Toll Plaza on 06.10.2024 at about 08:20 PM for goods verification under Section 68(3) of the CGST/UPGST Act, 2017.

The invoice lacked the QR Code/Invoice Reference Number (IRN) under Rule 46(r) and the declaration under Rule 46(s). The driver could not produce the electronically generated invoice required by Rule 48(4) of the CGST/UPGST Rules, 2017.

Goods and conveyance were detained. FORM GST MOV-06 was issued, followed by FORM GST MOV-07 seeking an explanation.

Held

Non-generation before movement was an initial breach of e-invoicing procedure. A procedural irregularity alone, however, does not justify Section 129 consequences.

Transport documents identified the supplier, recipient, goods, value and tax liability. The later e-invoice corresponded to the same transaction.

No material established fictitious documents, mismatched goods, suppressed value, concealed supply or an attempt to evade tax. The lapse could not conclusively establish intent to evade tax sufficient to sustain penalty.

The Section 129 penalty was unsustainable; the appellate order was set aside and consequential relief allowed.

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