



IDT ASSESSMENT AND LITIGATION

BDO in India
2023

The Indian indirect tax laws typically require taxpayers to self-assess the tax liability and discharge the same in the prescribed manner. Certain indirect tax laws prescribe the methodology with respect to the declaration of specified details of supply/ procurements in the returns while paying taxes. As the details required under the law are submitted by the taxpayer, the tax authority may conduct a scrutiny/ assessment/ audit to validate the disclosures and the taxes paid. It involves the examination of records, returns and other documents maintained or furnished by the taxpayer under the law to ascertain the correctness of details declared including taxable turnover, taxes paid, refund claimed, input tax credit availed, etc., and to assess compliance with the provisions of the tax law. The assessment/ audit is carried out as per the timelines prescribed under the respective tax law.

Under the erstwhile VAT law and the current GST law, state-level assessments are undertaken by the Authorities. The assessment of Service Tax was centralised, and Customs is generally on the basis of the port of import.

WHY BUSINESSES NEED TO BE ASSESSMENT-READY

IMPORTANCE

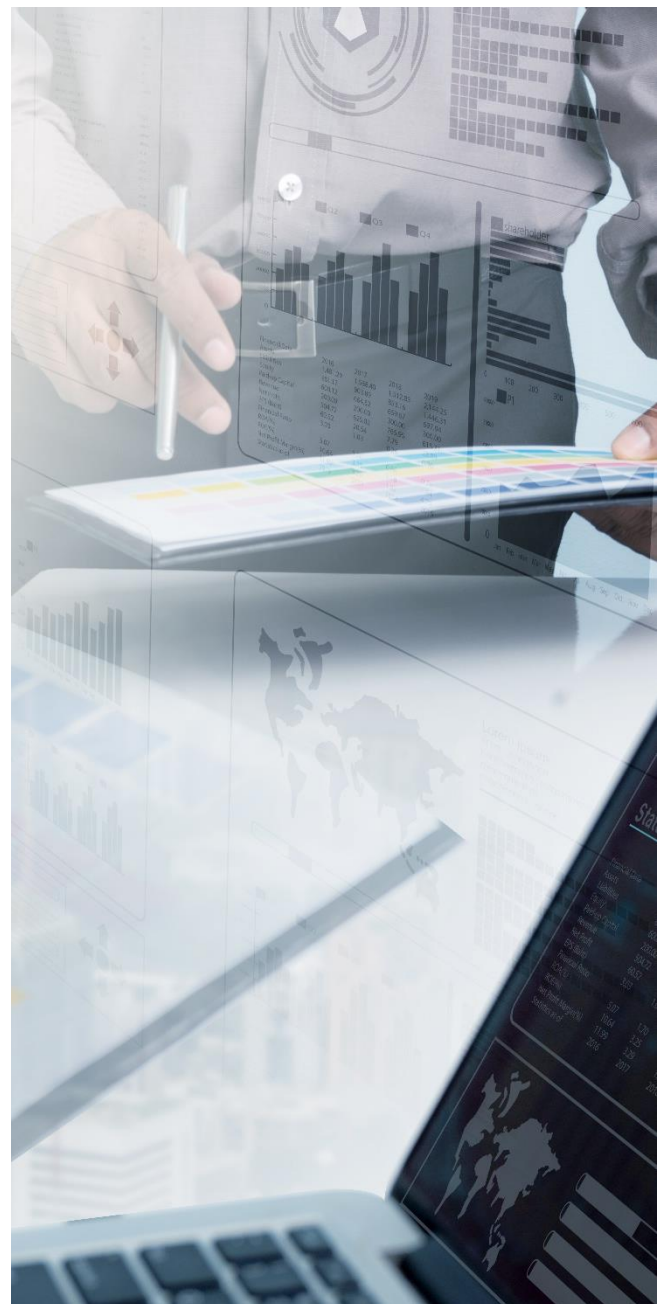
- Positions adopted at the time of implementation may have evolved with newer precedents and policy changes. With laws and positions getting crystallised, revisits and corrective actions become inevitable.
- The law has been evolving and clarifications were not received on several questions.
- Business processes and industry practices may have undergone change with corresponding changes in tax consequences which may require correction.

BENEFITS

- All documents, records and reconciliations will be ready for the assessments.
- The probability of unexpected questions surfacing during the assessments is reduced.
- Since corrective actions are taken early on, there is a possibility of reducing the exposure on account of penalties and/or interest.
- Early indication of non-compliance for timely corrective action by vendors, for ITC availment, wherever possible.
- Timely action may optimise tax benefits which may not have been evaluated or actioned.

APPROACH

- Collation of invoices, bills of supplies, e-way bills, return filing due dates, sales and purchase registers, GST monthly and annual returns and tax payment challans.
- Review of sample invoices, agreements and documents.
- Reconciliations and mapping including revenue, output taxes paid and input tax credit availed as per Form GSTR-3B vis-à-vis input tax available in form GSTR-2A/B.
- Keeping the assessment file/ e-data ready.
- Representation before the tax authorities and follow-up to close the assessment timely.



HOW WE CAN HELP

Our team of Indirect tax professionals are led by an experienced group of Partners and Directors. Through a strong network of professionals across the country, we provide businesses end-to-end solutions for pan-India assessments right from identifying the requirements to obtaining the order. Our aggregation of experiences ensures validation of positions/stands adopted and consistency in approach. We provide support in:

Identifying the data/document requirements that the Assessing Officer (AO) may require and communicating to the client a Document/Information checklist

Assisting in the extraction and submission of details and drafting correspondence for submissions before the AO

Representing the business before the AO

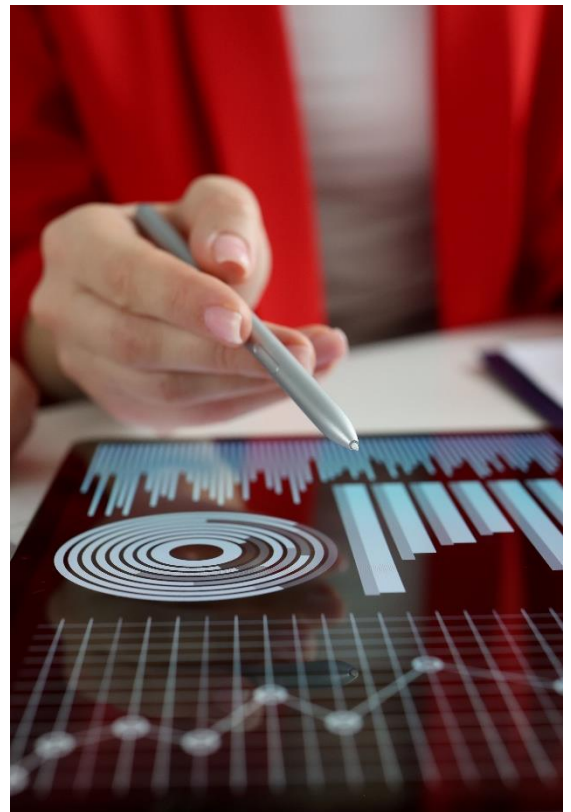
Following-up with AO for obtaining order(s) on a 'best effort' basis

TAX LITIGATION A ONE-STOP DIGITAL SOLUTION FOR ALL YOUR TAX PROCEEDINGS

'Tax Litigation' is a digitally secured platform enabling users to effectively coordinate and monitor information, data and documents across the enterprise. The platform provides a comprehensive overview of event-based actions through a centralised database to assess the tax impact.

The platform is specifically designed for tax-based (Direct and Indirect taxes) litigations, providing complete case history, guidance, step-by-step process monitoring and notification alerts, improving overall litigation strategy with data analytics and deeper insights. Our Tax Litigation solution offers businesses:

- Secure cloud-based platform to provide role-based and real-time access to authorised users.
- Paperless litigation management through digitisation of tax documents and electronic tracking of tax proceedings.
- Curated and interactive dashboards and reports for monitoring ongoing tax proceedings, current and past litigations and assistance in decision-making.
- Detailed tax information for tracking tax issues across various stages of litigations for multiple years.
- Intelligent mapping of information to track the journey of tax issues, grounds and litigation costs.
- Complete repository of multiple aspects of tax litigation from case details, documents and information about tax authorities, judiciary, counsels and consultants.
- Standardised approach to litigation information and document management, consolidation and reporting across tax litigations of multiple entities within the group.
- Prompted consequential housekeeping action, triggered upon conclusion of a proceeding/ litigation.



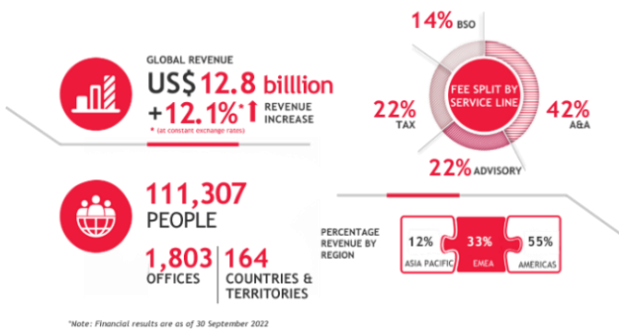
SMART VIRTUAL AGENT (BOT)

The Smart Virtual Agent (BOT) facilitates auto-downloading of GST Notices from the GST Portal. Presently GST notices are received via e-mail and reflected on the GST portal, thus tracking the same is a burdensome process specifically for multiple GSTINs. The BOT offers a completely automated process for downloading GST notices and provides users:

- Smart mechanism for notice downloading.
- Multiple registration notices downloading at a go.
- Single storage location for easy access.
- Auto-e-mail of notices to stakeholders.
- Chrome compatibility web app.
- Manual configurable of FP periods (No of days).

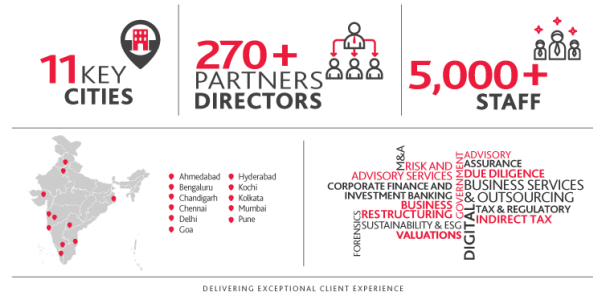
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BDO is a leading professional services organisation and are global leaders of the mid-tier, with a presence in 160+ countries and over 111,300 people working out of more than 1,800 offices. We endeavor to deliver an exceptional client experience through a tailored solutions approach, while partnering with our employees and clients globally.



ABOUT BDO IN INDIA

BDO in India offers Assurance, Tax, Advisory, Business Services & Outsourcing and Digital Services for both domestic and international clients across industries. The team at BDO in India consists of over 5,000 professionals led by more than 270 partners and directors operating out of 16 offices, across 11 key cities.



OUR SERVICES

ASSURANCE

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- Financial Statement Audit and Attestation Services

ADVISORY

- Forensics
- Government Advisory
- IT Risk Advisory & Assurance
- Management Consulting
- Risk Advisory Services
- Sustainability & ESG
- Business Restructuring
- Corporate Finance and Investment Banking
- Deal Value Creation
- Financial Due Diligence
- M&A Tax and Regulatory
- Strategy & Commercial Due Diligence
- Valuations

BUSINESS SERVICES & OUTSOURCING

- Global Outsourcing
- Finance and Accounting Outsourcing
- Human Resource Outsourcing
- Payroll Management and Compliance Services
- Secretarial Services and Compliance Management
- Shared Services Centre



BDO DIGITAL

- Digital Services
- Technology Products and Solutions

TAX

- Corporate Tax Services
- Financial Services Tax
- Global Employer Services
- International Tax Services
- Private Client Services
- Tax Outsourcing
- Transfer Pricing
- Customs & International Trade
- Goods & Services Tax (GST)
- Indirect Tax Assessment & Litigation Assistance
- Tax Technology

CONTACT US

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