INDIAN JOURNAL OF LEGAL REVIEW

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UNVEILING THE NEXUS: GST REVENUE LOSS; CAUSES AND CONSEQUENCES AND CORRUPTION

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ABSTRACT

This dissertation, titled **"UNVEILING THE NEXUS: GST EVASION, REVENUE LOSS TO THE GOVERNMENT AND CORRUPTION IN INDIA"**, is the culmination of an extensive research journey undertaken as part of my academic curriculum in pursuit of the B.A. LL.B. degree. It represents a comprehensive effort to explore one of the most pressing challenges in India's tax administration — the evasion of Goods and Services Tax (GST) — and to propose feasible and forward-looking strategies to mitigate it.

The idea for this dissertation stemmed from an interest in understanding how modern legal and technological frameworks can enhance tax governance in a rapidly digitizing economy. Since its inception in 2017, GST has aimed to unify India's indirect tax structure. However, the system continues to face challenges from non-compliance, fraudulent invoicing, input tax credit misuse, and enforcement inefficiencies. These challenges formed the foundation of this research, which also includes a detailed review of the legal foundations and statutory structure that governs GST in India.

Spanning seventeen weeks of continuous analysis, the dissertation is built upon a structured series of weekly progress reports. Through these, I explored various dimensions of GST evasion — from sector-specific patterns to the role of administrative loopholes, and from legal enforcement barriers to the promise of emerging technologies such as Artificial Intelligence (AI) in monitoring and compliance. A key part of this project involved evaluating real-world case studies and drawing lessons from international models in countries like South Korea, Brazil, and Estonia.

The research methodology combines doctrinal and analytical approaches, supported by data from government reports, judicial pronouncements, expert opinions, and scholarly literature. Notably, the dissertation includes a dedicated chapter on the integration of AI into the GST framework — a forward-looking exploration of how technology can transform tax enforcement through real-time surveillance, predictive analytics, and fraud detection. This work would not have been possible without the guidance and encouragement of my faculty mentors, whose feedback helped shape the direction and depth of this study. I also wish to express gratitude to professionals and officials who shared valuable insights during informal interviews and discussions.

This dissertation is not only a fulfilment of academic requirements but also a reflection of my passion for tax law, policy innovation, and good governance. I hope that the findings and recommendations offered here serve as a meaningful contribution to the ongoing efforts to strengthen India's GST ecosystem.

GST EVASION; PATTERNS AND PRACTICES

1.1 FAKE INVOICES AND THEIR IMPACT ON GST EVASION:

Fake invoices have emerged as a prominent tool in the repertoire of those seeking to evade Goods and Services Tax (GST). This section delves into the patterns and consequences of employing fake invoices as a means of evading GST obligations. The creation and use of

fraudulent documentation not only undermine the integrity of the tax system but also contribute to substantial revenue losses. Exploring the methodologies behind generating fake invoices and their impact on GST evasion provides insights into the challenges faced by tax authorities and the need for robust

By scrutinizing the patterns and practices of GST evasion, this chapter aims to contribute valuable insights to policymakers, tax authorities, and businesses. Understanding the modus operandi of evasion allows for the development of proactive strategies and countermeasures, reinforcing the integrity of the GST system and minimizing revenue leakages.[572]

In scrutinizing the realm of GST evasion, the deployment of fake invoices emerges as a pervasive and deleterious practice. The creation and utilization of counterfeit documentation represent a sophisticated strategy employed by entities seeking to manipulate the tax system for their advantage. This intricate web of deception not only compromises the accuracy of tax records but also inflicts substantial financial losses on the government. Fake invoices often involve fictitious transactions, non-existent suppliers or recipients, and manipulated values, posing a formidable challenge to tax authorities striving to maintain the integrity of the GST framework.

The impact of fake invoices on GST evasion is profound, as it not only distorts the actual economic transactions but also undermines the effectiveness of the entire tax collection mechanism. By artificially inflating or deflating transactions, businesses engaging in this malpractice can significantly alter their tax liabilities, evading their fair share of GST obligations. Consequently, understanding the nuances of how fake invoices are generated and

utilized is imperative for developing targeted strategies to detect and prevent such fraudulent activities.

Moreover, the emergence of technology has amplified the sophistication of fake invoicing schemes. Advanced tools and software enable malevolent entities to produce more convincing and harder-to-detect fake invoices. These technological advancements necessitate a proactive approach from tax authorities, involving continuous adaptation and improvement of their detection mechanisms.

Efforts to combat fake invoicing must also consider the collaboration between tax authorities and the business community. Encouraging a culture of compliance and ethical business practices becomes crucial in mitigating the prevalence of fake invoices. Additionally, establishing stringent penalties and legal consequences for entities involved in such fraudulent activities acts as a deterrent, fostering a more responsible and transparent business environment.

The fight against GST evasion must encompass multifaceted strategies, involving both technological innovation and legislative fortification. By unravelling the intricate dynamics of fake invoicing and its far-reaching consequences, policymakers and tax authorities can lay the groundwork for a more resilient and fraud-resistant GST system. This holistic understanding informs the development of effective countermeasures that address the root causes of GST evasion and safeguard the integrity of the tax framework counter measures.[573]

1.2 UNDERREPORTING OF SALES: STRATEGIES AND CONSEQUENCES:

The underreporting of sales stands out as a prevalent strategy in GST evasion. This

[572] Srivastava, A., & Sharma, P. (2018). *GST Evasion: Impact on Indian Economy. International Journal of Economics and Management Sciences,* 7(2), 112-125.

[573] Choudhury, D., & Mukherjee, A. (2020). *Goods and Services Tax (GST) Evasion: Causes and Remedies. International Journal of Taxation and Economic Development,* 8(3), 56-68.

section analysis the various tactics employed by businesses to underreport their sales figures, ranging from manipulating transaction values to concealing certain transactions altogether. Understanding the strategies used for underreporting sheds light on the vulnerabilities in the GST framework that allow such practices to persist. Additionally, exploring the consequences of underreporting, both for businesses and the government's revenue stream, underscores the imperative for stringent enforcement measures and deterrent penalties.[574]

In the labyrinth of GST evasion, one prominent tactic that surfaces is the underreporting of sales, constituting a complex and insidious challenge for tax authorities. Businesses often resort to various strategies to manipulate and downplay their sales figures, creating an environment where tax obligations are artificially reduced. This section delves into the strategies employed for underreporting and the ensuing consequences, shedding light on the intricacies of this practice.

One prevalent strategy involves the manipulation of transaction values, where businesses intentionally misrepresent the actual worth of goods or services supplied. By undervaluing transactions, entities reduce their taxable turnover, subsequently diminishing the GST liability incurred. Such underreporting not only distorts the economic reality but also places an undue burden on the government to detect and rectify these discrepancies.

Concealing transactions altogether is another facet of underreporting, wherein certain sales are intentionally omitted from the official records. This clandestine practice allows businesses to evade GST on specific transactions entirely, further exacerbating the challenges faced by tax authorities in maintaining accurate and comprehensive tax records.

The consequences of underreporting sales are multifaceted, affecting both businesses and government revenue streams. Businesses engaging in underreporting may gain a competitive advantage over compliant counterparts, leading to market distortions and an uneven playing field. From a governmental perspective, the revenue losses resulting from underreported sales directly impact public finances, potentially hampering essential services and development initiatives.

Strategies to combat underreporting must encompass a two-pronged approach involving preventive and punitive measures. Enhanced data analytics and technological solutions can play a pivotal role in detecting patterns indicative of underreporting, enabling tax authorities to identify discrepancies promptly. Additionally, fostering a culture of compliance through education, outreach, and collaboration can encourage businesses to uphold ethical reporting practices.

Legislative measures aimed at stringent penalties for underreporting can act as a deterrent, dissuading businesses from engaging in such practices. Implementing a robust audit and enforcement framework further bolsters the effectiveness of these penalties, ensuring that entities face consequences for their actions.

Ultimately, understanding the strategies and consequences of underreporting sales is instrumental in fortifying the GST framework. By addressing the root causes and implementing comprehensive countermeasures, tax authorities can foster a tax environment characterized by

574 Tiwari, S., & Mishra, S. (2017). Goods and Services Tax (GST) Evasion: A Study of Key Factors. Journal of Taxation and Regulatory Studies, 9(3), 90-104.

transparency, compliance, and fair economic practices.[575]

1.3 TECHNOLOGY-DRIVEN SOLUTIONS TO COMBAT GST EVASION:

As GST evasion evolves with sophisticated tactics, leveraging technology becomes paramount in combating fraudulent practices. This section explores the role of technology-driven solutions in curbing GST evasion. From data analytics and artificial intelligence to blockchain, technological advancements offer powerful tools for tax authorities to detect irregularities and patterns indicative of evasion. The implementation of robust digital infrastructure, such as the Goods and Services Tax Network (GSTN), plays a pivotal role in real-time monitoring and enforcement. Examining these technological solutions provides insights into the ongoing efforts to enhance the efficiency and effectiveness of GST administration, emphasizing the synergy between technology and tax enforcement.

In the dynamic landscape of GST evasion, technology-driven solutions play a pivotal role in combating fraudulent practices and fortifying the tax framework. This section delves into the diverse array of technological tools and innovations employed to detect and prevent GST evasion, emphasizing the symbiotic relationship between technology and effective tax administration.

DATA ANALYTICS:

Data analytics forms a cornerstone in the technological arsenal against GST evasion. Sophisticated analytical tools are employed to examine vast volumes of transactional data, uncovering patterns, irregularities, and trends that may signal potential tax evasion. These tools empower tax authorities with an unprecedented level

of insight, enabling them to conduct in-depth analyses and take pre-emptive action when suspicious activities are detected.

ARTIFICIAL INTELLIGENCE (AI):

The incorporation of artificial intelligence significantly bolsters the effectiveness of GST enforcement strategies. AI-driven models, particularly those utilizing machine learning, can autonomously analyze historical datasets, adapt to the continually evolving tactics used by evaders, and refine risk assessment processes. This dynamic learning capability enables tax authorities to anticipate and counteract new evasion methods, thus reinforcing the resilience of the compliance ecosystem.

BLOCKCHAIN TECHNOLOGY:

Blockchain's decentralized and immutable architecture introduces a critical layer of security to the GST framework. By ensuring that all transactions are recorded in a transparent and tamper-proof digital ledger, blockchain minimizes the risk of manipulative practices such as duplicate invoicing or fictitious transactions. This technology enhances the credibility and accountability of the tax system, laying a reliable foundation for transaction verification and audit trails.

REAL-TIME MONITORING THROUGH GSTN:

The Goods and Services Tax Network (GSTN) functions as the digital infrastructure underpinning the GST regime, enabling real-time compliance oversight. This robust platform facilitates continuous interaction between taxpayers and tax administrators, allowing immediate validation of filings, invoices, and returns. The capability for real-time monitoring considerably narrows the opportunity for tax evasion and strengthens the overall

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575Dasgupta, S., & Sarkar, A. (2018). *Impact of GST on Black Money and Corruption in India: An Empirical Analysis. Journal of Taxation and Financial Management, 7(1), 90-104.*

efficiency and responsiveness of tax administration. [576]

AUTOMATED COMPLIANCE TOOLS:

The implementation of automated compliance tools streamlines the reporting process for businesses while simultaneously enhancing the ability of tax authorities to detect anomalies. These tools can cross-verify reported data against predefined parameters, flagging inconsistencies for further scrutiny. Automation not only reduces the compliance burden on businesses but also strengthens the overall accuracy of tax records.

ELECTRONIC INVOICE SYSTEM:

The adoption of an electronic invoicing system adds an extra layer of transparency to transactions. By mandating the generation of electronic invoices through a standardized system, tax authorities gain real-time access to transactional data. This not only minimizes the scope for manual intervention but also accelerates the detection of potential evasion. [577]

SECURE DATA SHARING PLATFORMS:

Secure data-sharing platforms facilitate collaboration between different government agencies, enabling the seamless exchange of information relevant to GST enforcement. This interconnected approach ensures a comprehensive understanding of a taxpayer's financial activities, minimizing the likelihood of evasion slipping through the cracks.

PREDICTIVE ANALYTICS FOR RISK ASSESSMENT:

Predictive analytics utilizes historical data to forecast potential risks and identify high-risk entities for targeted scrutiny. By proactively assessing risk factors, tax authorities can allocate resources efficiently, focusing on areas with the highest probability of evasion. This strategic use of predictive analytics enhances the effectiveness of enforcement efforts.

EDUCATIONAL OUTREACH ON CYBERSECURITY:

Recognizing the significance of cybersecurity in safeguarding the integrity of the GSTN and related technological infrastructure, educational outreach initiatives are essential. Educating businesses and taxpayers about cybersecurity best practices creates a collaborative ecosystem where all stakeholders contribute to the resilience of the technological framework.[578]

In conclusion, the integration of technology-driven solutions is indispensable in the ongoing battle against GST evasion. By embracing innovation, tax authorities can bolster their enforcement capabilities, stay ahead of evolving evasion tactics, and foster a tax ecosystem characterized by transparency, efficiency, and resilience.

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[576] Verma, A., & Gupta, R. (2021). *Goods and Services Tax (GST) Evasion: An Empirical Analysis. Journal of Finance and Taxation, 9(2), 120-135.*

[577] Goyal, R., & Sharma, A. (2017). *Goods and Services Tax (GST) Evasion: Challenges and Solutions. National Journal of Finance and Accounting, 5(2), 112-125.*

[578] Jain, R., & Sharma, S. (2019). *Impact of GST Evasion on Revenue Collection: A Study in Indian Context. International Journal of Taxation and Economic Development, 7(3), 45-56*