

THE DAILY LIFELINE

Official Newsletter of Diucon



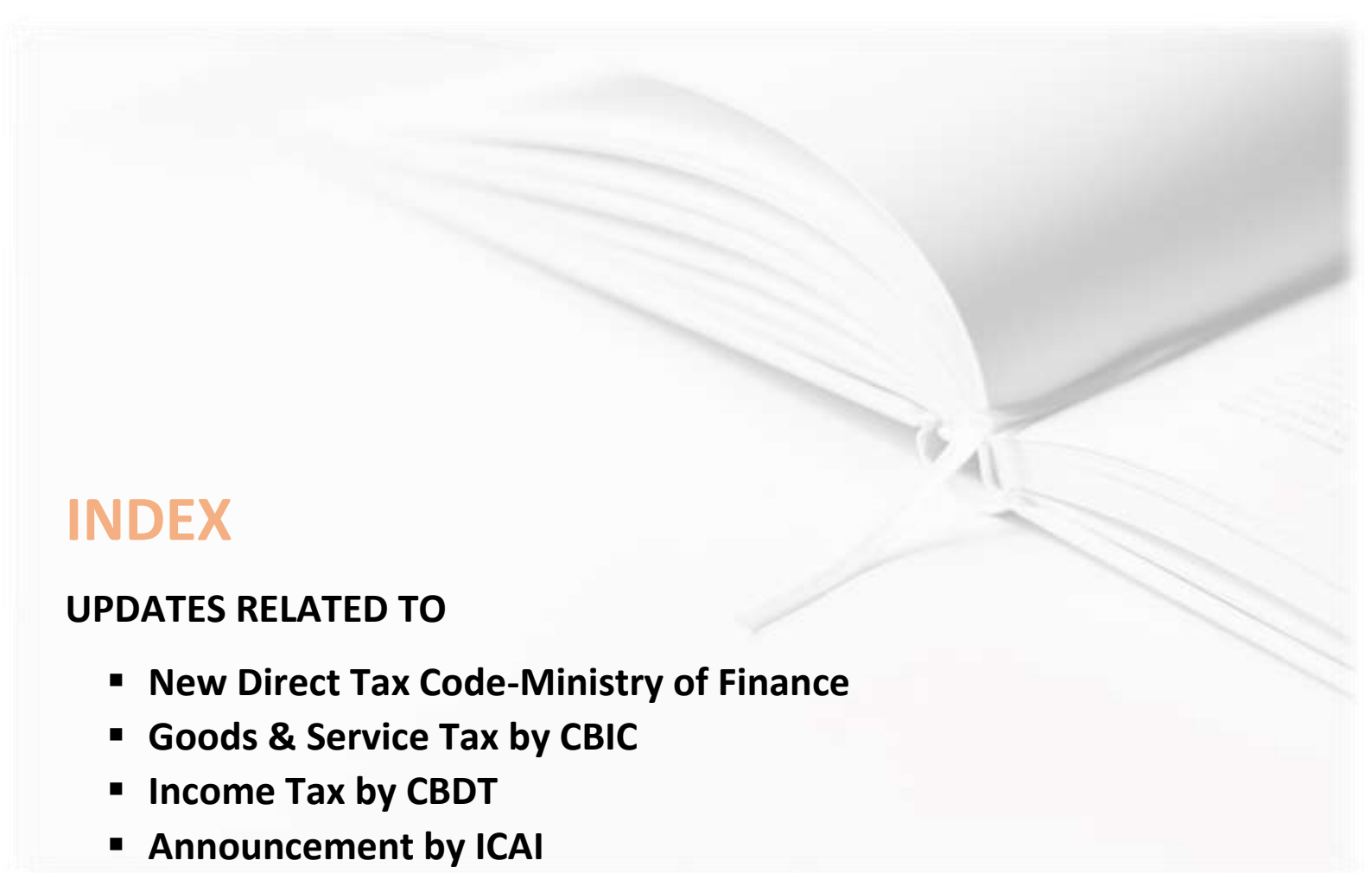
WHAT'S NEW IN PROFESSIONAL/ BUSINESS WORLD TODAY:

Goods & Service Tax
Direct Tax Code
Income Tax
Economy | Finance

BIGGEST CHALLENGE- HOW TO KEEP UPDATED ON DAILY BASIS

By Pradeep Goyal, FCA | ACPA, Australia

Laws are changing frequently in India, there are big developments and announcements on daily basis in Economic & Finance world and many other reforms are on the way. This newsletter will keep you updated on daily basis along with documents taken from authentic sources.



INDEX

UPDATES RELATED TO

- **New Direct Tax Code-Ministry of Finance**
- **Goods & Service Tax by CBIC**
- **Income Tax by CBDT**
- **Announcement by ICAI**
- **Announcements by ICSI**
- **Corporate Laws by MCA**
- **The Insolvency and Bankruptcy Law by IBBI**
- **Listing/Market by SEBI**
- **Foreign Trade Policy by DGFT**
- **Start-ups by Start Up India Department**
- **Micro, Small & Medium Enterprises by Ministry of MSME**
- **Money Market/Banks by RBI**
- **New acts notified/Bills introduced in parliament or Executive orders by President**
- **Latest developments in Economy & Finance world.**



Updates related to Goods & Service Tax & other Indirect taxes by CBIC

▪ Legal updates- Court/AAARA judgements/Advance Rulings

[AAARA- Appellate Authority for Advance Ruling | ARA- Advance Ruling Authority]

Sr.No.	Key to find the document	Court/ARA/AAAR	Description	
			Ruling/Judgement	Summary
1	[2019] 109 taxmann.com 155 (AAR-WEST BENGAL) West Bengal Medical Services Corpn. Ltd., In re CASE NO. 29 OF 2019 ORDER NO. 22/WBAAR/2019-20 SEPTEMBER 9, 2019	Authority for Advance Rulings, West Bengal	Ruling	Where applicant, a fully owned entity is engaged in managing procurement of drugs & equipment for medical colleges and hospitals and construction and maintenance of health facilities with 100% participation, by way of equity and control of Government, to carry out a function entrusted to a Panchayat under Sl. No. 23 of 11th Schedule under Article 243G of Constitution, it is a Govt. authority as defined under para No. 2(zf) of NN 12/2017-Central Tax (Rate), dated 28-6-2017 & eligible for exemption under Sl. No. 5 of the said notification on supply of any service in relation to establishment and maintenance of hospitals and similar health facilities. [Exemption notification entries discussed]

Sr.No.	Key to find the document	Court/ARA/AAAR	Description	
			Ruling/Judgement	Summary
2	[2019] 109 taxmann.com 154. Altabur Rahaman Mollah, In re CASE NO. 30 OF 2019 ORDER NO. 21/WBAAR/2019-20 SEPTEMBER 9, 2019	Authority for Advance Rulings, West Bengal	Ruling	Where applicant is supplying facility management services like mechanised and manual cleaning, housekeeping, security services etc. to various Central Government and State Government hospitals, cleaning of hospital premises is not classified under 'Sanitation or similar service' under SAC 99945, and, therefore benefit of exemption from payment of GST is not available to applicant under Notification No. 12/2017-Central Tax (Rate) dated 28-6-2017 for supply of security services and cleaning and sweeping services [Exemption notification entries discussed]
3	[2019] 108 taxmann.com 288 Sanskruti Motors v. Assistant State Tax Officer, Wayanad W.P. (C) NO. 19284 OF 2019 JULY 15, 2019	High Court of Kerala	Judgement	Where Competent Authority detained goods of assessee under transport & issued notice under section 129(3) demanding tax & penalty, said authority was directed to release goods on assessee bank guarantee for tax and penalty demanded in notice. [Provisions discussed- Section 129 of CGST Act read with Rule 140]

- **News/Latest Developments/Other updates**

- ❖ **Biggest ever PAN-India joint operation by Directorate General of GST Intelligence and Directorate General of Revenue Intelligence against fraudulently claiming refund of IGST by exporters. DGGI & DRI crackdown involved about 1200 officers.**

The day long operation revealed that many of the entities spread across the length and breadth of the country were either non-existent or had given fictitious addresses. The preliminary examination of the records/documents resumed during the course of the joint operation along with the statements recorded of various persons indicated that an Input Tax Credit of more than Rs. 470 Crore (Invoice value of approx. Rs 3500 Crores) is bogus/ fake which has been further utilized by the exporters for effecting exports on payment of IGST through ITC and claiming consequential cash refund of the same. Besides, an IGST refund amount of around Rs 450 crore is under examination. Further, some live export consignments of these exporters have been intercepted at Vadodara Rail Container Terminal, Mundra port and Nhava Sheva port for examination in order to ascertain mis-declaration. Further investigations in the matter are under progress.

[\[For more details, read here Ministry of Finance Press Release\]](#)

- ❖ **Due date to file FY19 GST returns may be extended beyond 31 Dec**

Businesses are likely to receive more time to file their annual returns GST and audit reports for fiscal year 2018-19. GST Council, is expected to extend the due date for FY19 from the current 31 December.

[Live mint report](#)

- ❖ **Firms with annual income up-to Rs 2 crore could get GST return relief.**

GST Council is set to discuss a proposal to exempt small businesses with annual turnover of less than Rs 2 crore from filing annual returns. Senior officials said that despite three extensions for filing the returns, the number has been unsatisfactory. "It is ranging from 25-27 per cent despite extension of deadlines. The GST Council will discuss the issue in its meeting on September 20," said an official.

[ET Report](#)



Updates related to Income Tax by CBDT

- **Notification/Circular/Press release/FAQs**
- ❖ **Big Development as Government notifies Income Tax E-assessment Scheme, 2019**

Ministry of Finance Notification dated 12th September, 2019 published in official gazette vide S.O. 3264(E) dated 12th September, 2019 effective from date of its publication in the Official Gazette i.e. 12th September, 2019. [Notification here](#)

Highlights of scheme

- National e-Assessment Centre for whole country will be managing entire assessment proceedings ONLINE from issuing of notice u/s 143(2) to passing of assessment order.
- Regional e-assessment Centre will communicate only with National e-Assessment Centre only. No interaction with taxpayers neither electronically nor manually.
- Separate verification and technical units have been formed which will be interacting with National e-Assessment Centre only in case assessment unit request for certain verification or need technical assistance.
- Assessment unit will make draft assessment order which will be examined by National e-Assessment Centre and will be assigned to a review unit in any one Regional e-assessment Centre. Once draft is finalised, National Centre will provide an opportunity to the assessee, in case a modification is proposed, by serving a notice calling upon him to show cause as to why the assessment should not be completed as per the draft assessment order. The assessee or his authorised representative, as the case may be, shall be entitled to seek personal hearing so as to make his oral submissions or present his case before the income-tax authority in any unit under this Scheme, and such hearing shall be conducted exclusively through video conferencing, including use of any telecommunication application software which supports video telephony, in accordance with the procedure laid down by the Board
- all communications between the National e-assessment Centre and the assessee, or his authorised representative, shall be exchanged exclusively by electronic mode.
- all internal communications between the National e-assessment Centre, Regional e-assessment Centres and various units shall be exchanged exclusively by electronic mode.

- A person shall not be required to appear either personally or through authorised representative in connection with any proceedings under this Scheme before the income-tax authority at the National e-assessment Centre or Regional e-assessment Centre or any unit set up under this Scheme.
- Any examination or recording of the statement of the assessee or any other person (other than statement recorded in the course of survey under section 133A of the Act) shall be conducted by an income-tax authority in any unit under this Scheme, exclusively through video conferencing, including use of any telecommunication application software which supports video telephony in accordance with the procedure laid down by the Board.

▪ **Legal updates- Tribunals, High Court & Supreme Court judgements**

Sr.No.	Key to find the document	Description	
		Tribunal/Court	Brief judgement
1	[2019] 109 taxmann.com 153 Smt. Asha Gandhi v. ITO, Ward-II (1), Ludhiana IT APPEAL NO. 1224 (CHD.) OF 2018 AUGUST 29, 2019	Chandigarh Tribunal	A tax advisory cell and tax compliance scheme need to be formulated for entrepreneurial fresh ventures

▪ **News/Latest Developments/Other updates**

- ❖ **Tax offences, failure to pay TDS up to Rs 25 lakh not be prosecuted by taxman**
Income Tax Department has come out with a new set of guidelines for identifying and processing cases for prosecution under direct tax laws. The guidelines make it clear that cases involving tax due to less than 25 lakhs or delay up to 60 days in depositing tax will not be taken up for prosecution barring exceptional circumstances.

[Hindu-Business Line Report](#)



- ## Updates related to Announcement by ICSI

- ## Corporate Laws by MCA

- ## The Insolvency and Bankruptcy Law.

- Page 6 of 8

- ❖ Board cancel Request for Proposal for Appointment of Consultants for Providing Accounting Support and Related Services to IBBI.

[Read here for more](#)

- ❖ Our Bankruptcy Code is world class - In Business line – says Board Chairman.

[Read here why](#)



Listing/Market by SEBI

- ❖ SEBI issues Schemes of Arrangement by Listed Entities and (ii) Relaxation under Sub-rule (7) of rule 19 of the Securities Contracts (Regulation) Rules, 1957.

[\[SEBI Circular No.: SEBI/HO/CFD/DIL1/CIR/P/2019/192 Sep 12, 2019\]](#)



Updates related to Start-ups by Start Up India Department

- ❖ This Bengaluru start-up has launched a first-of-its-kind teletherapy platform for patients with speech disorders.

[Read here this interesting story](#)

- ❖ Education tech start-up WhiteHat Jr., said on Tuesday that it has raised \$10 million in a Series A round led by existing investors Nexus Venture Partners and impact investor Omidyar Network.

[Read here the report](#)

- ❖ The Delhi-NCR region now counts more start-ups and unicorns than Bengaluru and Mumbai, says a report released by TiE Delhi-NCR and consulting firm Zinnov on Tuesday. [Read here full story](#)



Updates related to Money Market/Banks by RBI

- ❖ RBI issues monthly bulletin- [September, 2019.](#)



Updates related to Latest developments in Economy & Finance world

❖ Commerce & Industry Minister Addresses Board of Trade Meeting

Right Time Now to Expand India's Export Footprint Globally, every District to Transform into an Export Hub.

[Read here MOCI Release](#)

❖ Scheme for Export Credit to be Announced Soon: Piyush Goyal, ECG procedures being made Exporter Friendly.

[Read here MOCI Release](#)

❖ For the first time in FY20, RBI becomes net seller of dollars in July

Bank has turned a net seller of dollars for first time this fiscal in July, having sold \$93 million in the month on a net basis in the spot market, show the latest data from the central bank. During the reporting month, the Reserve Bank had purchased \$1.592 billion but sold \$1.685 billion in the spot market. In June, the RBI had net purchased \$2.463 billion, as it bought \$4.434 billion and sold \$1.971 billion. In May and April, the central bank had net purchased \$2.538 billion and \$4.901 billion, respectively. [Read here](#)

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A man with dark, wavy hair and a light beard is shown from the chest up. He is wearing a grey textured suit jacket over a dark blue shirt and a tie with a small, repeating geometric pattern. His hands are clasped together in front of him, and he is wearing a black leather strap watch with a silver-toned case and a white dial with multiple sub-dials. He is looking slightly to the right of the camera with a serious expression. The background is a blurred bookshelf filled with books.

- ❖ **Fellow Member** of the Institute of Chartered Accountants of India.
- ❖ **Associate member** of Professional Accounting Body of Certified Practising Accountants (CPA), Australia.
- ❖ **CFA (Corporate Finance)**- Columbia Business School, USA | EMERITUS Institute of Management, Singapore.
- ❖ **Certified Goods & Service Tax Practitioner** from ICAI & Ministry of Micro, Small & Medium Enterprises, Government of India.

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<http://www.pgaa.in>



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