APRIL 12, 2020 | SUNDAY ISSUE 207

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
Insolvency Laws
Corporate Laws

BIGGEST CHALLENGE- HOW TO KEEP UPDATED ON DAILY BASIS

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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.

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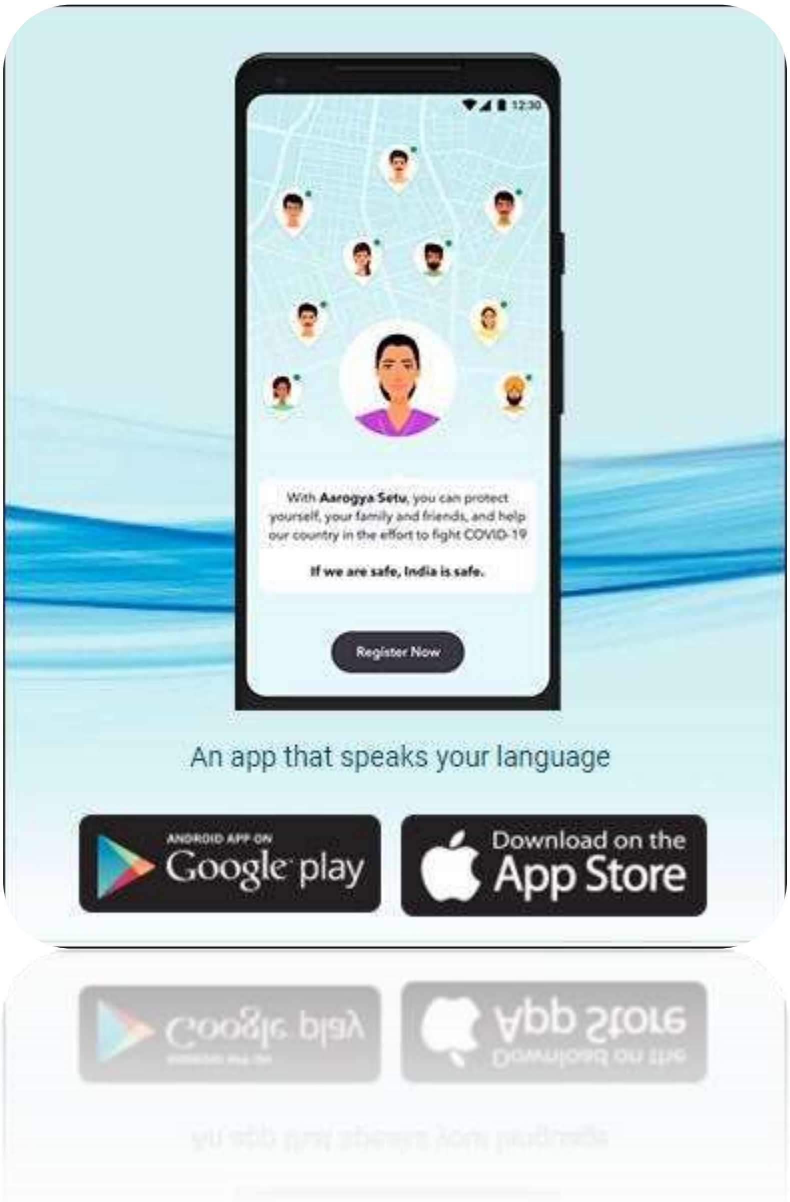
UPDATES RELATED TO

[From Monday to Friday 5 days a week as Saturdays and Sundays being holiday and closure of all government departments hence no updates]

Please download Aarogya Setu App

Aarogya Setu is a mobile application developed by the Government of India to connect essential health services with the people of India in our combined fight against COVID-19. The App is aimed at augmenting the initiatives of the Government of India, particularly the Department of Health, in proactively reaching out to and informing the users of the app regarding risks, best practices and relevant advisories pertaining to the containment of COVID-19. As more and more people use it, it’s effectiveness will increase. I urge you all to download it.



- Google play link here
- App Store link here

Goods & Service Tax & other Indirect taxes

- **Notifications/Circulars/Press releases/FAQs/Portal Updates/Write-ups by CBIC/Government.**

❖ **Government issued instruction for Implementation of decision to expedite pending refund claims as referred to** Press Note dated 08th April 2020 of Department of Revenue, Ministry of Finance with regards to refunds **wherein it was decided that all pending GST refunds including IGST refunds shall be expeditiously processed.**

Below instructions issued-

- Even though the GST Law provides 15 days for issuing acknowledgement or deficiency memo and total 60 days for disposing off refund claims without any liability to pay interest, all pending refund applications must be taken up for processing immediately;
- For facilitation of taxpayers, all communication must be done using official email IDs. It may please be noted that the prescribed process doesn't warrant any physical submission of documents and any such practice must be avoided.
- So far as the IGST Refunds of the exporters in whose case the / scrolls have been suspended based on instructions from DGARM, extant procedure prescribed vide letter dated 23.01.2020 shall continue to be followed.
- Daily monitoring of disposal of pending refund claims be done by the Zonal Pr. Chief Commissioner/Chief Commissioners and efforts should be made to dispose of all the pending refund claims by 30th April 2020.

Download instruction here [Instruction no. 2/1/2020-GST date 09/04/20]

❖ **CGST Rules, 2017 as amended up to 03.04.2020 have been uploaded by CBIC-updated up-to Notification No. 30/2020-Central Tax (Dated 03rd April, 2020).**
Central Goods and Services Tax (CGST) Rules, 2017
Download Part – A (Rules)
Download Part – B (Forms)

- **CBIC allowed clearance of goods under India's Trade Agreements without original Certificate of Origin.**

  The import consignments, where a preferential treatment of goods under a Free Trade Agreement has been claimed but the original hard copy of CoO has not been submitted or only digitally signed copy or unsigned copy of CoO is submitted, may be assessed and cleared provisionally in terms of section 18 of the Customs Act, 1962. The final assessment may be done subsequently on submission of the original COO certificate by the importer. The revenue may be secured through undertaking and appropriate security.

  Custom Circular No. 18/2020 dated 11/04/2020

- **GSTN issued an Alert for Input Service Distributors (ISDs), for data in SAVE stage in their Form GSTR 6 pursuant to changes being made in the credit utilization criteria in Form GSTR-6, filed by Input Service Distributors (ISDs) which are likely to be implemented on the GST portal with effect from 14.04.2020.**

  During the implementation of this change, any data which is lying in Form GSTR-6 of ISDs, in saved stage, will be lost. Thus, if there is some data, filled up in Form GSTR-6 and is in saved stage (which is not Submitted so far), that data will not be available to ISD, in their Form GSTR 6, for its further use. ISD will be required to fill up this data (which was in Saved stage and now lost due to implementation of change) again in their Form GSTR 6. So all the Input Service Distributors (ISDs) are requested to take note of this and take suitable action accordingly.

  GSTN Advisory

- **Legal updates- Advance Ruling Authorities/Tribunals/High Courts/Supreme Court**

Sr.No.	Key to find the document	Authority who passed the order	Details of decision	
			Provisions discussed	**Decision**
1	[2020] 116 taxmann.com 102 Hitachi Power Europe GmbH, In re SEPTEMBER 11, 2019	AAR Uttar Pradesh	Section 7 of CGST Act, 2017.	No GST leviable on salaries paid to expat employees for services rendered by them to Indian office of foreign company.

Income Tax

- **Notifications/Circulars/Instructions/Press releases/FAQs by Board/Government**

❖ **Submission of certificate for claiming deduction u/s 80G of the Income-tax Act, 1961 in respect of donation made by an employee to the 'Prime Minister's Citizen Assistance and Relief in Emergency Situations Fund (PM CARE FUND).**
Deduction to concerned employee will be admissible u/s 80G on the basis of form 16/ certificate issued by DDO/employer in this regard.
Download this advisory here

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

Sr.No.	Key to find the document	Authority who passed the order	Details of decision	
			Provisions discussed	Decision
1	[2020] 116 taxmann.com 107 Principal Commissioner of Income-tax-14 v. Summit India Water Treatment and Services Ltd.* R/TAX APPEAL NO. 830 OF 2019 FEBRUARY 3, 2020	Gujrat High Court	Section 172, read with sections 40(a)(ia), 194C and 195, of the Income-tax Act, 1961	Where assessee had paid export freight to a shipping agent of non-resident ship owner or charter without deduction of tax at source, provisions of section 172 would be applicable in instant case and provisions of section 194C or section 195 which provide for deduction of tax at source shall not be applicable.

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

❖ **Amidst COVID-19 lockdown, Income Tax Appellate Tribunal holds interactive session with COVID-19 with renowned preacher Sri Sri Ravi Shankar.**
Law Ministry Press Release

Announcement by ICAI

- **ICAI announce launch of New Courses at Direct Taxes Hub.**
  Visit here for more details

Corporate Laws

- **MCA issued COVID-19 related Frequently Asked Questions (FAQs) on Corporate Social Responsibility (CSR).**
  - Contribution made to 'PM CARES Fund' qualify as CSR expenditure;
  - Contribution made to 'Chief Minister's Relief Funds' or 'State Relief Fund for COVID-19' **shall not qualify** as CSR expenditure;
  - Contribution made to State Disaster Management Authority to combat COVID-19 **shall qualify** as CSR expenditure;
  - Spending of CSR funds for COVID-19 related activities **shall qualify** as CSR expenditure;
  - Payment of salary/wages to employees and workers, including contract labour, casual/daily wage workers during the lockdown period **cannot be adjusted** against the CSR expenditure of the companies;
  - Payment of exgratia to temporary /casual/daily wage workers **shall qualify** as CSR expenditure.

  Download MCA General Circular No. 15 /2020

- Public Comments on Draft Companies (Corporate Social Responsibility Policy) Amendment Rules, 2020, Last Date of Submission of Suggestions has been extended from April 10, 2020 to April 20, 2020.

Economy & Finance

- **Department of commerce has provided a number of relaxations / extensions of various compliance deadlines etc. to address corona pandemic related hardships of exporters.**
  In order to give relief to businesses and affected individuals amidst the stress caused by the novel coronavirus pandemic, Department of Commerce, Ministry of Commerce and Industry has introduced several relaxations and extensions in deadlines etc. with regard to compliances mandated under its schemes and activities.
  The key relaxations pertaining to the Department of Commerce are given in this MOCI Press Release

- **Relaxation of provisions for Account holders of PPF, Sukanya Samriddhi Account (SSA) and RD.**

  Govt has taken the decision to safeguard interests of small savings depositors in view of the lockdown in the country due to Covid19 Pandemic. The subscribers of PPF and SSA may now deposit their savings up-to 30th June, 2020, which couldn't be deposited in FY 2019-20 due to lockdown in the country. The revival fee/ penalty charges are waived of on the PPF, SSA/ RD accounts in which mandatory minimum deposit in not made up-to 31st March, 2020 subject to such deposit are made up-to 30th June, 2020. All those PPF subscribers, whose accounts were matured on 31.03.2020 (including one-year window for extension), can now be extended up-to 30.06.2020.

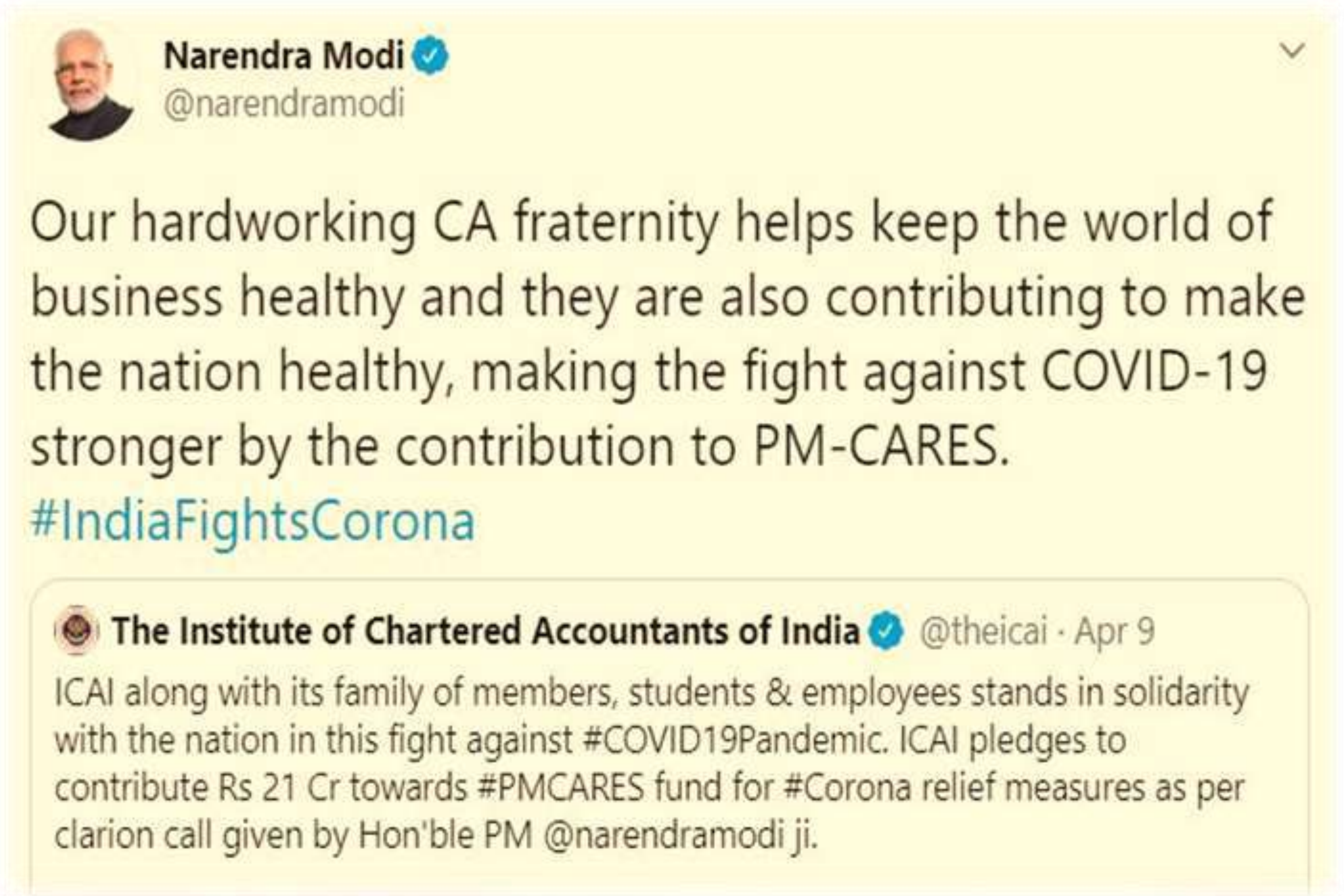
  Source- Department of Expenditure under MoF advisory

- **States want up to Rs 10-trn package from Centre, deficit financing from RBI.**

  States on Saturday demanded a package of up to Rs 10 trillion from the Centre and dues such as compensation on account of goods and services tax (GST), besides front-loading grants to local bodies. They also wanted the Reserve Bank of India (RBI) to go for deficit financing, which is printing notes, to help these packages.

  Business Standard Report

ICAI along with its family of members, students & employees stands in solidarity with the nation in this fight against Covid-19 pandemic. ICAI pledges to contribute Rs. 21 Crores towards PM Cares fund for corona relief measures. Honourable PM Sh. Narendra Modi appreciated this personally.



Knowledge shared= Knowledge^2

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About Scribbler

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Profile

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