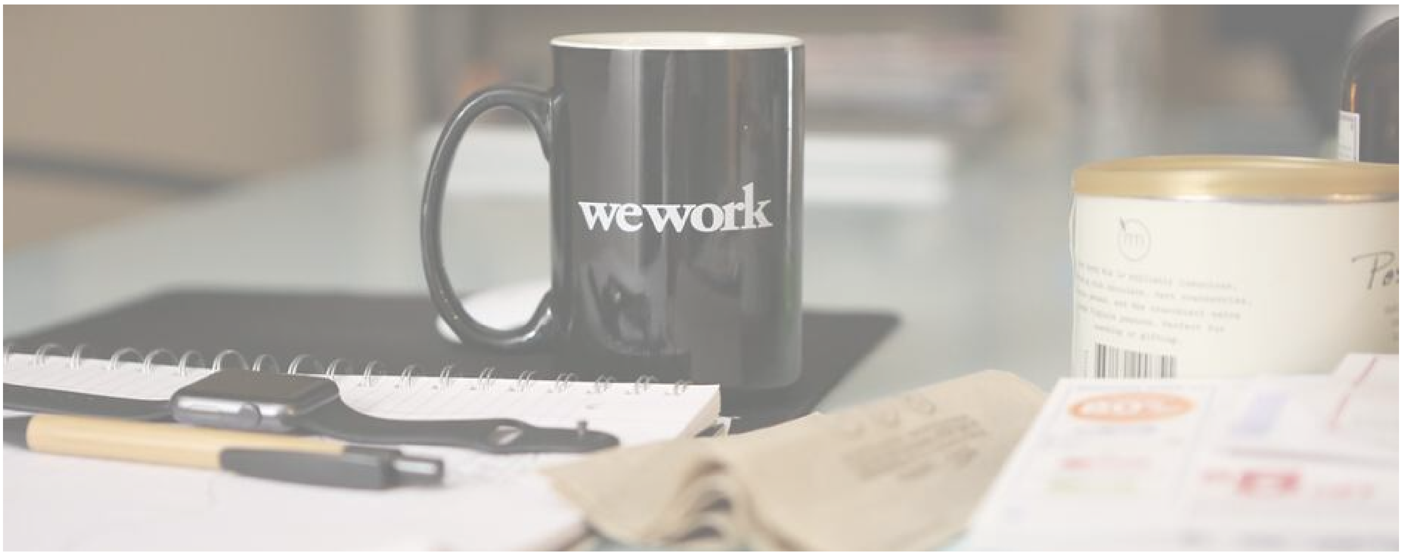
APRIL 16, 2020 | THURSDAY ISSUE 209

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

By Pradeep Goyal, FCA | CFA | CPA, Australia | Registered Valuer | Insolvency Professional | ID-IICA | ICAI Certified GST Expert

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

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

Goods & Service Tax & other Indirect taxes

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

❖ **Relief provided to taxpayers in view of Covid-19 pandemic**

Relief Provided to Taxpayers in View of COVID-19 Pandemic

GOODS AND SERVICES TAX NETWORK

Return to be filed by NRTP, ISD, TDS & TCS taxpayers

S. No.	Form	To be filed by	Tax Period	Due Date	Extended Date
1	GSTR-5	Non Resident Taxpayers	March, April & May, 2020	20th of succeeding month	30th June, 2020
2	GSTR-6	Input Service Distributors	-do-	13th of succeeding month	30th June, 2020
3	GSTR-7	Tax Deductors at Source (TDS deductors)	-do-	10th of succeeding month	30th June, 2020
4	GSTR-8	Tax Collectors at Source (TCS collectors)	-do-	10th of succeeding month	30th June, 2020

For more details, please visit here

❖ **Government's Order to open the Offices of Gov. of India, Its Autonomous/Subordinate offices w.e.f. 20 April 2020.**
Read order here

❖ **What is TCS Mechanism in GST**
Tax Collection at Source (TCS) has similarities with TDS, as well as a few distinctive features. TDS refers to the tax which is deducted when the recipient of goods or services makes some payments under a contract etc. while TCS refers to the tax which is collected by the electronic commerce operator when a supplier supplies some goods or services through its portal and the payment for that supply is collected by the electronic commerce operator.
Download the CBIC E-flyer

- **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 158 Rajeev Bansal & Sudershan Mittal, In re RULING NO. 10 OF 2019-20 JANUARY 9, 2020	Authority for advance rulings, Utarakhand	Notification no. 12/2017-Central Tax(Rate)	**Sale of under construction building under 'Business Transfer Agreement' is supply of service, exempt from GST** Applicant carrying on business of constructing residential/commercial complexes and selling thereof, sold its under construction building as a whole with its all assets and transferred rights of same to buyer including approved map from competent authority and sought advance ruling on applicability of exemption NN 12/2017-Central Tax(Rate) on said 'Business Transfer Agreement'. It is found that buyer has purchased the under construction building/business to carry on same kind of business as purchaser. Thus, applicant having transferred business as a going concern, it may be treated as supply of services as per serial No. 2 of Notification No. 12/2017-Central Tax(Rate) dated 28-6-2017 and same is exempted from levy of GST.

Sr.No.	Key to find the document	Authority who passed the order	Details of decision	
			Provisions discussed	Decision
2	[2020] 116 taxmann.com 126 Manmohan Lalman Agarwal v. State of Gujarat R/CRIMINAL MISC APPLICATION NO. 21575 OF 2019 JANUARY 31, 2020	Gujrat High Court	Section 132 of CGST Act.	**Anticipatory bail allowed to assessees as revenue unable to bring on record special circumstances against them.** Where two assesses filed application for anticipatory bail in event of their arrest in connection with FIR registered for offence punishable under provisions of GST Act, considering aspects that assessees were old and revenue was unable to bring on record any special circumstances against assessees, GST Authorities were to be directed that in event of arrest of assessees, they should be released on bail on their furnishing personal bond of Rs. 10,000 each with one surety of like amount.

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

❖ To support the nation's economic activity in these testing times, various Zones under CBIC are sanctioning drawback claims and IGST Refunds on fast track basis.

Income Tax

- **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	Details of decision: Decision
1	[2020] 116 taxmann.com 124 Pirna Urban Co-operative Credit Society Ltd. v. Income-tax officer, Ward 1(4) WRIT PETITION NO. 180 OF 2020 FEBRUARY 25, 2020	Bombay High Court	Section 220 of Income Tax Act.	**AO couldn't insist Bank to remit tax dues of assessee until he disposed of application seeking stay on recoveries.** Where Assessing Officer issued a notice to assessee's bank requiring it to remit income tax dues of assessee; whereas before issuing of impugned notice assessee had made an application to Assessing Officer seeking a stay on recoveries, Assessing Officer was to be directed to dispose of assessee's application expeditiously and until said application was disposed of, he would not insist upon compliance with impugned notice.

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

❖ **Over 10.2 lakh Refunds worth Rs 4,250 crore issued in a week by CBDT to help taxpayers in COVID-19 pandemic situation.**

In pursuance to the Government's decision vide Press Note on 8th April 2020 to issue pending income tax refunds up to Rs 5 lakh in order to help taxpayers in a COVID-19 pandemic situations, CBDT said that it has already issued over 10.2 lakh refunds totalling to around Rs. 4,250 crores as on 14th April 2020. These refunds are over and above the 2.50 crore refunds already issued in FY 19-20 till 31st March 2020 totalling Rs 1.84 lakh crore. Fin Min Press Release

Announcement by ICAI

- **ICAI's Advisory for Bank Branch Auditors- 2019-20**
  Professional Development Committee, ICAI issued an advisory for the Bank Branch Auditors for initiating the process of Statutory bank branch audit remotely to ensure timely and effective Bank Audit.
  The said advisory has been emailed to all the Applicants whose names were appearing in the RBI Bank Branch Audit Panel. Members / CA Firms who have been allotted the Branch Audit of PSBs for the year 2019-2020, advised to check their emails.
  Source- ICAI portal

- **Committee on Insolvency & Bankruptcy Code, ICAI is organizing a Live Webcast on "COVID -19 Impact on IBC Proceedings" on 18th April, 2020 from 4.00 pm to 6.00 pm.**
  Link to join

Announcement by ICSI

- **Frequently asked questions on 15 Days e-Academic Programme including 8 Days e-EDP.**
  Click here for more details

- **Certificate Course in Goods & Services Tax - Registration Open.**
  Click here for more details

- **Revised Schedule for 15 days' e Academic Programme including 08 days' e EDP (3 Days e Governance and 05 Days Skill Development Programme.**
  Click here for more details

- **Clarification/Guidance on applicability of Secretarial Standards on Meetings of the Board of Directors (SS-1) and General Meetings (SS-2).**
  Click here for more details

Corporate Laws

- **MCA informs that Web Service "Company Affirmation of Readiness towards COVID-19" has been discontinued w.e.f 14th April 2020.**

- **Invitation for Public Comments on Draft Valuers Bill, 2020**

  Ministry of Corporate Affairs had constituted a Committee of Experts (CoE) under the Chairpersonship of Shri M. S. Sahoo, Chairperson, Insolvency and Bankruptcy Board of India (IBBI) on 30th August 2019 to examine the need for an institutional framework for regulation and development of Valuation Profession. Based on comprehensive study and analysis of all relevant issues and taking the inputs of key stakeholders, the Committee has submitted its report to the Government of India on 31st March 2020 along with Draft Valuers Bill, 2020, recommending to establish a National Institute of Valuers.

  Public comments are hereby solicited on the Draft Valuers Bill, 2020, Stakeholders are requested to send their comments by EMAIL ONLY at tharvinder-upsc@gov.in by end of business hours of 14th May 2020.

  MCA Release here

- **Report of Committee of Expert for Valuation Bill, 2020.**

  Download here

  The Complete Report (Volume I, II & III) can be accessed using thin link

The Insolvency and Bankruptcy Law

- **Legal updates- NCLT | NCLAT | 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 129 State Bank of India v. Sungrowth Share & Stocks Ltd. C.P. (I.B.) NO. 796/KB/2018 SEPTEMBER 4, 2019	NCLT Kolkata	Section 7 of IBC	Guarantor of corporate debtor cannot shield itself from being liable to outstanding dues merely because financial creditor consented to resolution plan of principal debtor thereby giving discharge to principal debtor from paying bank its debt.

Security and Exchange Board of India (SEBI)

- **Capital and debt market services shall continue to operate as per revised guidelines by MHA: SEBI**
  The MHA vide Order No. 40-3/2020- DM-I (A) dated April 15, 2020 has issued revised guidelines on the measures to be taken for containment of COVID-19 and directed that these measures will continue to remain in force up to May 03, 2020. The guidelines permit continuation of certain services which includes the SEBI and Capital and Debt Market Services. Accordingly, in terms of clause 7 iii, of the Guidelines, the Notification dated Mar 24,2020 will continue to remain in force up-to May 03, 2020.
  SEBI release here

Reserve Bank of India

- **RBI release data of Overseas Direct Investment for March 2020**
  Download here

- **RBI release Monthly Data on India's International Trade in Services- February 2020**
  Download here

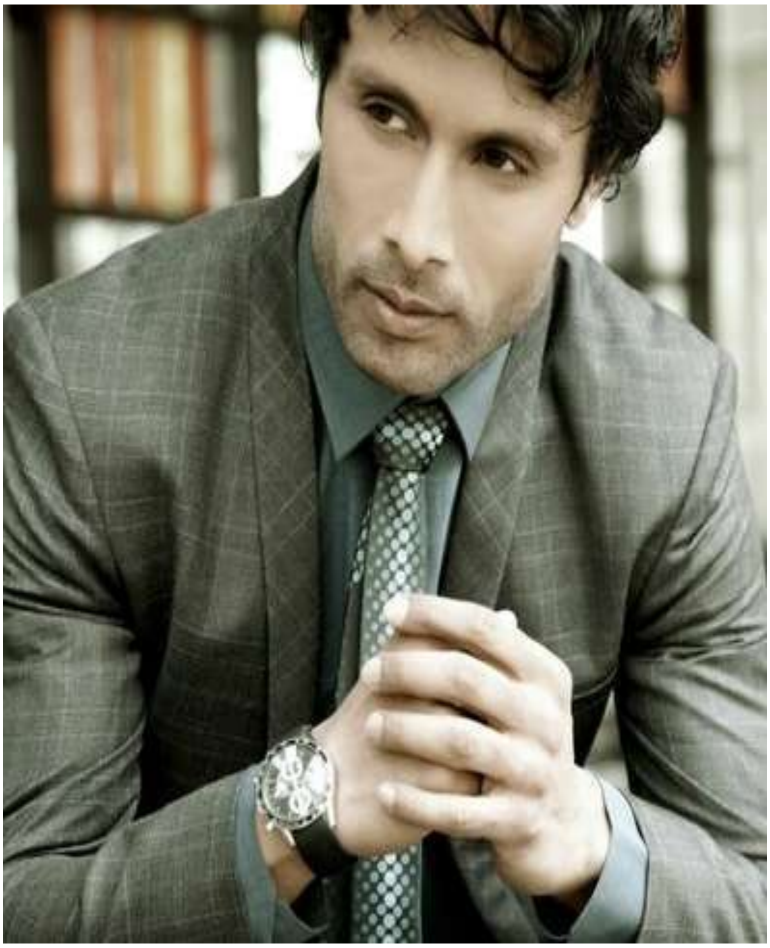
Economy & Finance

- **Date of Filing Electronic Challan Cum Return (ECR) for Wage Month March, 2020 Extended Up to 15.05.2020 from 15.04.2020.**
  Considering the unprecedented situation created by COVID-19 and lockdown announced by the Central Government from 24.03.2020 midnight onwards to prevent the spread of Covid-19, the due date for filing of Electronic Challan Cum Return (ECR) for wage month March, 2020 is extended up to 15.05.2020 for employers who have paid wages to their employees for March, 2020.
  Fin Min Press Release here

- **RBI, SEBI split over default recognition; MFs, rating agencies seek clarity**
  Contradictory moves by the Securities and Exchange Board of India (SEBI) and the Reserve Bank of India (RBI) over default recognition, particularly in non-banking financial companies (NBFCs), have put mutual funds (MFs) and credit-rating agencies in a spot at a time when Rs 2.5 trillion worth of papers are due for maturity. Business Standard Report

Knowledge shared= Knowledge^2

==



About Scribbler

PRADEEP GOYAL

- **Fellow Member** of the Institute of Chartered Accountants of India.
- **Associate member** of Professional Accounting Body of Certified Practising Accountants (CPA), Australia.
- **Registered Valuer with IBBI-** Asset Class- Securities or Financial Assets
- **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.

==================================

Connect

pradeep@pgaa.in

+91-9811777103

http://www.pgaa.in

Profile

Page

[Double click on icons to open]