Just in

[Daily newsletter related to Profession]

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Covering

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- Insolvency & Bankruptcy
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Indirect Taxes

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

❖ **Did you know this?**

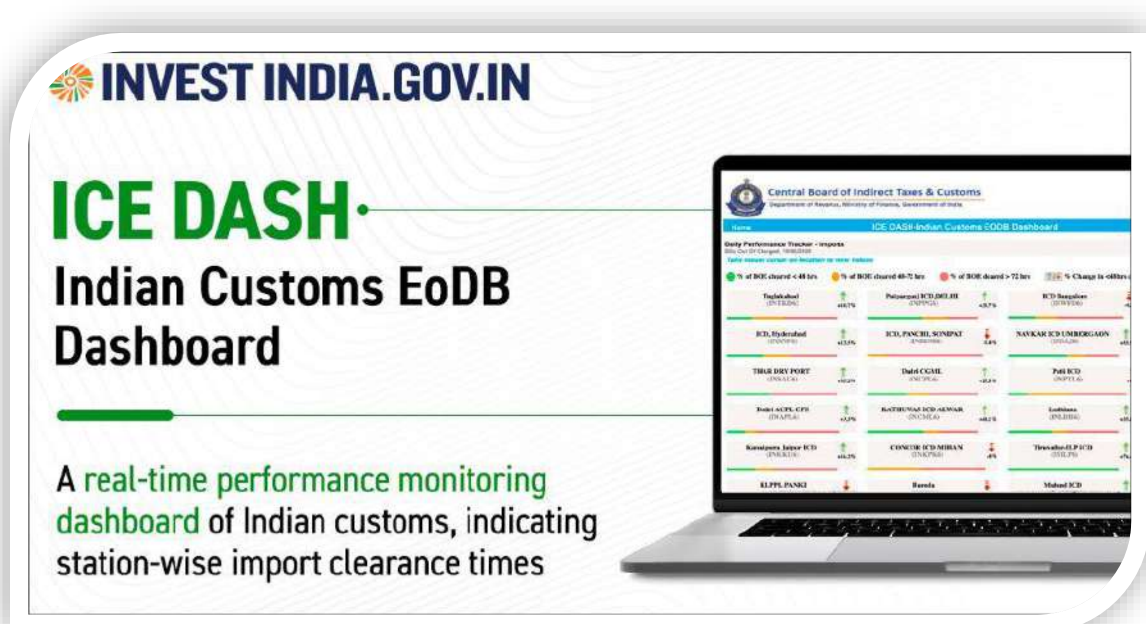
Section 23(2) of CGST Act empowers Centre Government may specify, by notification, the category of persons who may be exempted from obtaining registration.

Vide Notification No. 65/2017 – Central Tax dated 15th November 2017, Govt specified the persons making supplies of services, other than supplies specified under section 9(5) through an electronic commerce operator who is required to collect tax at source under section 52 of the said Act, and having an aggregate turnover, to be computed on all India basis, not exceeding 20 lakh rupees in a financial year, as the category of persons exempted from obtaining registration under the said Act.

❖ **Have you visited CBIC's ICE DASH yet? If not, have a look**

It provides real-time visibility into clearance times, helping custom officials easily identify which stations need attention for performance improvement.

[Visit this link to know more]



- **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
1	[2020] 117 taxmann.com 609 K.M. Trans Logistics (P.) Ltd., In re ORDER NO. RAJ/AAAR/5/2019-20	AAR Rajasthan	Consignment note is only a document by which responsibilities and rights are reduced in writing and its non-issuance does not affect rights of parties, hence GST on services provided by Goods Transport Agency cannot be avoided by mere non-issuance of consignment note.
2	[2020] 117 taxmann.com 949 Uttarakhand Forest Development Corporation, In re RULING NO. 02/2020-21 & APPLICATION NO. 11/2019-20	AAR Uttarakhand	Where applicant hires trucks from unregistered transporters and itself fills Form 2.1 for transportation of goods which carries details of materials, vehicle number, name of driver etc. and, hands over same to concerned transporter, in such a case, said Form 2.1 can be treated as consignment note which fulfils conditions of GTA and, thus, services received from unregistered transporters being in nature of 'GTA'services in terms of Notification dated 28 -06-2017, applicant is liable to pay GST on same under RCM.

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

❖ **Prime Minister's Office asks finance ministry to explain the GST pay-out mess.**
Taking a grim view of the GST compensation issue snowballing into a major controversy with even BJP-ruled states expressing concerns over non-payment by the Centre, the Prime Minister's Office (PMO) has sought explanation from the finance ministry, sources said.
The New India express report

❖ **Punjab's GST inflow in April-July 38% short of last year's mop-up**
HT Report

Direct Taxes

- **Notifications / Circulars / Press releases / FAQs / Portal Updates / Write-ups by Board "CBDT" and Government.**

❖ **IT Department hopes to complete all Faceless e-Assessments by mid-September.**
3,130 tax personnel, including 600 IT officers are busy implementing the Faceless e-Assessment scheme of Income Tax. Out of 58,319 cases selected for faceless assessment, already 8,700 cases have been disposed off. The scheme, first announced by the Finance Minister Ms. Nirmala Sitharaman in the 2019 budget speech, is seen as a big leap towards transparent tax administration.
Finance Ministry Release

- **Legal Updates- Tribunals / High Courts / Supreme Court**

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
1	[2020] 117 taxmann.com 966 Indus Towers Ltd. v. Assistant Commissioner of Income-tax W.P. (C) NO. 10289 OF 2019 MARCH 4, 2020	Delhi High Court	Where assessee had requested for stay on demand for recovery of tax under section 220 contending that prepaid taxes lying with revenue were higher as compared to 20 percent of disputed demand and interim stay was granted, but it was found that assessee itself computed book profit at Rs. 1127.45 crores and, thus, would be liable to pay tax of Rs. 224.71 crores and this was minimum tax liability of assessee and, thus, assessee had not approached High Court with clean hands and, consequently, writ discretionary jurisdiction could not be exercised by High Court in favour of assessee

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

❖ **Income Tax alert! Big leap towards transparent tax administration - Faceless e-assessments | What assessees should know.**

The Income Tax Department in October 2019 rolled out the faceless e-assessment scheme that eliminates physical interface between an assessing officer and an assessee. Eight cities – Mumbai, Delhi, Kolkata, Chennai, Bangalore, Hyderabad, Ahmedabad, and Pune are covered under the scheme. Shri Gupta said that the cases taken up for faceless e-assessment include a mix of returns filed by individuals, businesses, MSME as well as big companies.

Zee news report

ICAI Announcements

❖ **ICAI's Important Announcement regarding Additional Examination Centres.**

In continuation to Important Announcement No. 13-CA (EXAM)/N/2020 dated 15th July 2020, while considering the ongoing COVID-19 pandemic and in the interest of the well - being of students & members and to mitigate their hardships, as proactive measure for benefit and welfare of the students & members, it has been decided to open Additional Examination Centres, provided that sufficient number of candidates offer themselves to appear from each of the cities given in this link.

Read this announcement here

Insolvency & Bankruptcy

- **Legal Updates- NCLTs / NCL-ATs / Supreme Court**

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
1	[2020] 117 taxmann.com 967 IRIS Electro Optics (P.) Ltd. v. Bank of India	NCLT Hyderabad	Where an application filed for liquidation was pending consideration, financial creditor/member of Committee of Creditors would not be entitled to recall order of admission of CIRP or for replacing Resolution Professional by another person.

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

❖ **Insolvency and Bankruptcy Code (Amendment) Ordinance, 2020: Is It A Step In The Right Direction Amidst COVID-19?**

The spread of Coronavirus (COVID-19) pandemic across the globe followed by subsequent lockdowns has adversely affected business operations across the world. This has further increased the pressure on the distressed India markets, MSME and other small-scale business operations. As a result, various measures are being adopted by the government in the form of relief packages and legal amendments to deal with the already distressed market and for further strengthening the debt-resolution regime and ease of doing business; the latest amendment being the Insolvency and Bankruptcy Code ("IBC') Amendment Ordinance, 2020. The amendment to IBC 2016 is the combination of various reforms in light of the pandemic.

Read this report

SEBI

❖ **Listed entities may approach SEBI to resolve grievances against proxy advisors**

In order to facilitate resolution of grievances of listed entities against SEBI registered proxy advisors, the listed entities may approach SEBI. SEBI will examine the matter for non-compliance by proxy advisors with the provisions of the Code of Conduct under regulation 24(2) read with regulation 23(1) of the SEBI (Research Analyst) Regulations, 2014 and the procedural guidelines for proxy advisors issued vide SEBI circular no. SEBI/HO/IMD/DF1/CIR/P/2020/147 dated Aug 03, 2020.

SEBI Circular here

Reserve Bank of India

❖ **RBI released Marginal Cost of Funds Based Lending Rate (MCLR) for the month July 2020**

The Reserve Bank of India has today released Lending Rates of Scheduled Commercial Banks based on data received during the month of July 2020.

RBI Release here

Economy & Finance

- **Clean up balance sheets of corporates, banks to rein in fiscal deficit: IMF.**

  The International Monetary Fund (IMF) has suggested to India that it should clean up balance sheets of banks, non-banking financial companies, and corporates to rein in fiscal deficit. In its external sector report, IMF also called upon India to strengthen the governance of public sector banks. The Fund pegged the country's current account deficit at 0.3 per cent of the gross domestic product (GDP) in the current fiscal year.

  Improving the business climate, easing domestic supply bottlenecks, and liberalising trade and investment will be important to help attract foreign direct investment (FDI), boost the current account financing mix, and contain external vulnerabilities, the Fund said. "The current account deficit is projected to narrow to 0.3 per cent of GDP for India in 2020-21 driven mainly by lower oil prices and import compression due to weak domestic demand with unusually high uncertainty, including over the cyclical position of the economy," the Fund said. Gradual liberalisation of portfolio flows should be considered, while monitoring risks of portfolio flow reversals, it said.

  Business Standard Report

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