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[Daily newsletter related to Profession]

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Indirect Taxes

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

❖ **GSTN update about shifting of navigation of "Comparison of liability declared, and ITC claimed" from the Returns Dashboard to Services dropdown.**

The functionality "Comparison of liability declared, and ITC claimed" has been removed from Return Dashboard. It has now been made available on the main page, under the 'Services' tab, 'Return' sub-tab as "Tax liabilities and ITC comparison" , to make it more user friendly and for ease of access by the taxpayers.

The aforementioned functionality can now be accessed as per the following navigation (Post-login):
Home > Services > Returns > Tax liabilities and ITC comparison
More details here

- **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] 119 taxmann.com 320 Mother Earth Environ Tech (P.) Ltd., In re ADVANCE RULING NO. KAR/ADRG/46 OF 2020 SEPTEMBER 11, 2020	AAR Karnataka	Land filling pit is 'civil structure' & not 'plant & machinery', ITC cannot be claimed on its construction. Definition of civil structure involves engineering work at both levels i.e. above and below the ground and since, in instant case, applicant has performed civil work to create the landfill pits below the ground, it is a 'civil structure' and not a plant and thus, applicant cannot claim input tax credit on material and services utilized for the construction of such land filling pit.

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

❖ **GST scam needs deeper probe: High Court.**

The Punjab and Haryana High Court today made it clear that alleged connivance of transporters, "passers" or mediators and officials to facilitate the GST evasion in Punjab required a deeper probe. The investigation is going on. It appears that officials were being paid bribe on a monthly basis," it asserted.

[The tribune report]

Direct Taxes

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

❖ **CBDT's update of refunds**

CBDT issues refunds of over Rs. 1,11,372 crores to more than 32.07 lakh taxpayers between 1st April,2020 to 22nd September,2020. Income tax refunds of Rs. 31,856 crores have been issued in 30,29,681 cases & corporate tax refunds of Rs.79,517 crore have been issued in 1,76,966cases.

Source: Income Tax India Twitter Account

❖ **Last date for filing of belated or revised ITRs for AY 2019-20 (FY 2018-19) is 30th September 2020. File now- CBDT Advisory**

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

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
1	[2020] 119 taxmann.com 310 Kaveri Associates v. ACIT Bangalore	Karnataka HC	No penalty if it was not mentioned in notice that assessee had concealed income or finished inaccurate details.

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

❖ **With Covid restrictions gone, demonetisation cash deposits back under the Income Tax scanner.**

The taxman is back knocking on the door. In the past one month several individuals have been summoned by the investigation wing of the income tax (I-T) department for depositing large amounts of cash with banks immediately after demonetisation was announced on November 8, 2016.

ET Report

❖ **9 key changes in ITR-1 and ITR-2 for FY 2019-20.**

The Income Tax Department has notified income tax return (ITR) forms 1 to 7 for the financial year (FY) 2019-20. These forms are applicable for filing of ITR in respect of income earned during the previous year, FY 2019-20 (between April 1, 2019 and March 31, 2020).

ET Report

❖ **CA associations urge FM to extend due date for income tax returns filing to March 31, 2021.**

"It is recommended that the due date for filing of returns for all the taxpayers for Assessment Year 2020-21 be extended to March 31, 2021 and the due date for filing the tax audit report also be extended to February 28, 2021," they have written in their representation, adding that the timeline for filing all the reports and certificates under the Act which fall due along with or in connection with the ITR filing due dates may also be extended to March 31, 2021.

Financial Express Report

❖ **No, the due date to file tax returns has not been extended to March 31, 2021.**

The fake news probably stemmed from confusion after the Taxation and Other Laws (Relaxation and Amendment of Certain Provisions) Bill, 2020, was introduced in Lok Sabha on September 18.

Business Line Report

ICAI Announcements

- **Extension of validity of Registration Period on account of cancellation and merging of May 2020 examination with November 2020 examination due to outbreak of COVID-19.**
  More details here

- **Advanced Integrated Course on Information Technology and Soft Skills (Advanced ICITSS)-Adv. Information Technology Test - Home Based Mode between 16th to 18th October 2020.**
  More details here

- **Reckoning the date of revocation of the lockdown to be 30th September 2020 w.r.t extensions granted regarding the validity of Peer Review Certificate in the wake of COVID-19 spurt across the country.**
  More details here

- **Online Certificate Course on ADR (Arbitration, Mediation & Conciliation) organized by Committee on Economic, Commercial Laws & Economic Advisory in Sept-Oct-2020.**

- **ICAI's upcoming events and programs**

  - Five Days Online Executive Development Program on Business Responsibility and Sustainability Reporting (BRSR) from 26th September 2020 - SRSB, ICAI

  - Register for the ICAI Global week on "Promoting accounting and finance services globally" from 27th September 2020 to 1st October 2020.

  - GST & Indirect Taxes Committee of ICAI is organizing a Virtual CPE Meeting on Form GSTR-9 and Form GSTR-9C on 27th September 2020 which is hosted by Chengalpattu District Branch of SIRC of ICAI

  - "Refresher Course on Tax Audit" - 15 Structured CPE hours from 03rd October 2020 to 07th October 2020 from 3.30 pm to 6.30 pm.

  Visit here for more details and registration

Insolvency & Bankruptcy

- **Notifications / Circulars / Press releases / FAQs / Portal Updates / Write-ups by Board “IBBI” and Government.**

❖ **Government notifies Insolvency and Bankruptcy Code (Second Amendment) Act, 2020 effective from 5th day of June 2020.**

  - New section 10A “Suspension of initiation of corporate insolvency resolution process” has been inserted.
  - New sub-section (3) has been inserted in section 66.

  Notified act can be downloaded here

- **Legal Updates- NCLTs / NCL-ATs / Supreme Court**
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Sr.No.	Key to find the document	Authority who passed the order	Details of decision
1	[2020] 119 taxmann.com 301 Sandip kumar Bajaj v. State Bank of India I.A. NO. G.A. 1 OF 2020 AND W.P.O. 236 OF 2020 SEPTEMBER 15, 2020	Kolkata High Court	**Bank can proceed against guarantor in event of default without even exhausting remedies against principal debtor.** As per provisions of section 14(3)(b), prohibition on institution or continuation of suits and other proceedings against corporate debtor do not extend to a surety, however, liability of surety is co-extensive with that of principal debtor unless it is otherwise provided by contract, therefore, when a default is made in making repayment by principal debtor, banker will be able to proceed against guarantor/surety even without exhausting remedies against principal debtor.

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

❖ **Six-month IBC suspension ends today, decision on extension soon.**

The six-month suspension of insolvency and bankruptcy proceedings against companies comes to an end on Thursday and government sources have hinted that there could be another extension in the light of the economic stress caused by the pandemic. The Ministry of Corporate Affairs has received extensive feedback from the industry and is likely to announce a decision on whether or not the corporate insolvency resolution process will be suspended for another six months this week.

Business Standard Report

❖ **Delhi HC seeks Centre's reply on plea challenging IBC provision.**

The Delhi High Court has asked the Centre, insolvency regulator IBBI and State Bank of India (SBI) to file replies on former Bhushan Power and Steel Chairman Sanjay Singhal's petition challenging the provisions on personal insolvency proceedings against the guarantors of corporate debtors. It may be recalled that SBI had recently invoked the personal guarantees of Sanjay Singhal and sent him a demand notice for recovery of ₹12,275.91 crore as the guarantor of various loans availed by the company.

Business Line Report

❖ **Personal guarantors cannot be singled out in IBC, says Telangana HC**

Vikram Posala, counsel for the petitioner, pointed out that the exclusion of all other persons and only getting in personal guarantors apart from corporate debtors was a product of excessive delegations.

Telegraph report

Economy & Finance

❖ **Parliament passes three Labour Codes to pave way for enactment of historic "Game changer" Labour Laws.**

New Labour Codes envisage covering over 50 crore workers from organized, unorganized, and self-employed for minimum wages, social security.

Ministry Press Release

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