

Just in™

[Daily Newsletter related to Profession]
No 284 | 6 October 2020

Direct & Indirect Taxes | ICAI & ICSI Updates | Corporate laws |
Insolvency | SEBI | RBI | Economy & Finance

Initiative by

PRADEEP GOYAL

Chartered Accountant

B.Com | FCA | CPA-Australia | Certified Fraud Examiner | Certified Data Analyst & Scientist | Data Privacy Practitioner |
Insolvency Professional | Registered Valuer | ICAI Certified GST Practitioner | Life-Time Member of Independent Directors'
Data Bank with IICA

pradeepgoyal@kcsassociates.in | +91-9811777103 | Connect me at **LinkedIn**





Indirect Taxes

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

- ❖ **Getting an error code, do not know what to do?**

Explore the ‘Common Errors and Suggested Solutions page’ on the GST portal and find the possible solution.

[Here is the link](#)

- ❖ **Recommendations of the 42nd GST Council Meeting held on 5th October 2020.**

- GST laws will be amended to make the GSTR-1/3B return filing system as the default return filing system.
- Taxpayers having aggregate annual turnover < Rs. 5 Crores the Council’s earlier recommendation of allowing filing of returns on a quarterly basis with monthly payments by such taxpayers to be implemented w.e.f. 01.01.2021
- FORM GSTR 1 would be mandatorily required to be filed before FORM GSTR3B w.e.f. 01.04.2021.
- Revised Requirement of declaring HSN for goods and SAC for services in invoices and in FORM GSTR-1 w.e.f. 01.04.2021.
- Refund to be paid/disbursed in a validated bank account linked with the PAN & Aadhaar of the registrant w.e.f. 01.01.2021.

[Here is detailed press release](#)

▪ 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 490 Jagdish Arora v. Union of India M.CR.C. NO.24219 OF 2020 AUGUST 18, 2020	MP HC	Former directors not involved in working of company being accused of committing offence under GST, granted bail. Where applicants who were in custody for offences punishable under section 132 for evasion of tax on sale and manufacture of rub-hand sanitizers by a company, filed bail application on ground that they had resigned from directorship of said company 11 years ago, bail application was to be allowed.
2	[2020] 120 taxmann.com 24 Midcon Polymers (P.) Ltd., In re ADVANCE RULING NO. KAR/ADRG/48 OF 2020 SEPTEMBER 16, 2020	AAR Karnataka	Property tax & other statutory levies not deductible from the value of renting of immovable property. Where assessee was engaged in business of renting of commercial property on monthly rents and allied business, assessee could not deduct property taxes and other statutory levies for purpose of arriving at value of rental income; and assessee was entitled to exemption of tax under general exemption of Rs. 20 lakhs, subject to condition that its annual turnover which included monthly rent and notional interest on security deposit by tenants, if it influences value of supply, did not exceed threshold limit

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
3	[2020] 120 taxmann.com 26 Konkan LNG (P.) Ltd., In re ORDER NO. MAH/AAAR/SS-RJ/14/2019-20 NOVEMBER 6, 2019	AAAR Maharashtra	Construction of breakwater wall to protect jetty is not 'plant & machinery'; ITC is not available. Where appellant company is engaged in regasification of LNG which reaches to plant through jetty, it is not eligible to avail input tax credit of taxes paid to supplier of goods and services on construction of breakwater wall which is an important and integral part of existing jetty, since breakwater wall does not remotely fall under 'plant and machinery' or machinery, or apparatus or equipment in terms of section 17
4	[2020] 120 taxmann.com 32 Datacon Technologies, In re ADVANCE RULING NO. KAR/ADRG/47 OF 2020 SEPTEMBER 11, 2020	AAR Karnataka	Services of scanning of answer sheets to educational institutions is w.r.t conduct of examination, exempt from GST. Where assessee, a service provider in respect of print solutions and infrastructure facilities, was given a job by State school board of education to scan OMR flying slip, OMR marks foil with barcode sticker, OMR attendance sheet and OMR absentee sheet along with data extraction and finalization of data in all four categories, activity of assessee was covered under "other educational support services" under SAC 999299 and was related to conduct of examination and, hence, was exempted in terms of Sl. No. 66 of Notification No. 12/2017-Central Tax, dated 28-6-2017



Direct Taxes

Legal Updates- Tribunals / High Courts / Supreme Court

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
1	2020] 120 taxmann.com 25 Vaduganathan Talkies v. Income Tax Officer, Non-Corporate Ward 20(5) TAX CASE APPEAL NOS. 645, 646 & 647 OF 2019 SEPTEMBER 22, 2020	Madras HC	HC justified Sec. 40A (3) disallowance as assessee making cash payments though despite having banking facilities. Where assessee-company made cash payments for purpose of acquiring rights to screen movies in theatres to various parties, running into lakhs of rupees, though payees were identifiable, but since inspite of availability of banking facilities, assessee had been regularly effecting cash payments, said payments were to be disallowed in terms of section 40A(3), read with rule 6DD.



ICAI Announcements

- ❖ Live Webinar on "Commonly found Non-compliances/ Errors - Form No.3CA/ 3CB/ 3CD Tax Audit Report under section 44AB of the Income tax Act, 1961" on 7th October 2020 from 3.00 PM to 5.00 PM.
[Click here for more](#)
- ❖ GST & Indirect Taxes Committee of ICAI is organizing 3 Days Refresher Course on GST from 8th to 10th October 2020 which is hosted by Tinsukia Branch of EIRC of ICAI.
[Click here for more](#)

- ❖ **Live webinar: Red Flags in relation to Avoidance Transactions Review under IBC on 09th October 2020 (Friday) from 03.00 pm to 05.00 pm by the Committee on Insolvency & Bankruptcy Code of ICAI.**

[Click here for more](#)

- ❖ **"Refresher Course on Income Tax Returns" - 15 Structured CPE hours to be held on 10th, 17th, 18th, 24th and 31st October 2020 from 11.00 am to 2.00 pm.**

[Click here for more](#)



ICSI Announcements

- ❖ **ICSI released Exposure Draft of Guidance Note on Auditing Standard on Secretarial Audit (CSAS-4).**

[Download here](#)



SEBI

- ❖ **SEBI issued guidelines for Standardization of timeline for listing of securities issued on a private placement basis.**

[Here is Circular No SEBI/HO/DDHS/CIR/P/2020/198](#)



Reserve Bank of India

- ❖ **RBI releases data on ECB/FCCB/RDB for August 2020**

The Reserve Bank of India released the data on External Commercial Borrowings (ECB), Foreign Currency Convertible Bonds (FCCB) and Rupee Denominated Bonds (RDB) both, through Automatic Route and Approval Route, for the month of August 2020.

[Download here](#)



Economy & Finance

❖ **SC Loan Moratorium Hearing HIGHLIGHTS: Court defers next hearing to Oct 13; asks all affidavits filed by Oct 12.**

The Supreme Court Monday asked the Centre and the Reserve Bank of India (RBI) to place on record the K V Kamath committee recommendation on debt restructuring due to COVID-19 related stress on various sectors as also the notifications and circulars issued by them so far on the issue of loan moratorium. The apex court's direction came after the Finance Ministry decided to grant relief to individual borrowers as well as medium and small industries by agreeing to waive compound interest (interest on interest) charged on loans of up to Rs 2 crores for a six-month moratorium period announced due to the pandemic.

[CNBC Report](#)

❖ **State Recovery Tracker: High-GDP states catch up with rest of India on economic revival.**

Until recently, economic revival in India was mostly limited to smaller states. The lingering impact of the pandemic was still felt in larger, richer states. But that trend is now reversing. The top states are now catching up with the rest of India in getting back on track, shows Mint's latest State Recovery Tracker.

[Mint Report](#)

SAVE WATER || SAVE UNIVERSE