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[Daily Newsletter related to Profession]

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

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Indirect Taxes

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

❖ **CBIC issues circular on Schemes for Rebate of State Levies (RoSL) to mitigate incidence of state VAT and other state taxes on export of garments.**
[Download 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] 120 taxmann.com 302 ABB India Ltd. v. Union of India CIVIL APPLICATION (FOR ORDERS) NO. 2 OF 2020 R/SPECIAL CIVIL APPLICATION NO. 728 OF 2020 FEBRUARY 11, 2020	Gujrat HC	**Authority cannot issue confiscation notice, if assessee complied with High Court order for release of detained goods** Where High Court had passed a specific order directing assessee to deposit tax and penalty with department for release of detained goods and vehicle and assessee fully complied with such order, subsequently Competent Authority could not issue on assessee a notice under section 129(6) in FORM GST-MOV-10.

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

❖ **GST: Madras HC order quashing levy of interest on ITC component.**
What could be seen as a significant relief to GST assesses, Madras High Court has set aside orders for levying interest on input tax credit (ITC) as applied on delayed payment. This is in line with GST Council's resolution of levying interest on net cash liability only with effect from July 1, 2017.
[Business-line report]

ICAI Announcements

- **ICAI issues Exposure Draft of Revised AS 21, The Effects of Changes in Foreign Exchange Rates.**
  Exposure Draft of revised AS 21, The Effects of Changes in Foreign Exchange Rates, has been issued by the ASB for comments with the last date being December 3, 2020.
  More details here

- **Direct Taxes Committee of ICAI is organizing the online "Refresher Course on Income Tax Returns" - 15 Structured CPE hours to be held on 03rd, 04th, 06th, 07th and 08th December 2020 from 02:00 pm to 05:00 pm.**
  More details 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] 121 taxmann.com 23 Kiran Gupta v. State Bank of India W.P.(C) NO. 7230 OF 2020 CM.APPLICATION NO. 24414 OF 2020 NOVEMBER 2, 2020	Delhi HC	**Bank can initiate proceedings against guarantor under SARFAESI during continuation of CIRP against borrower** Neither section 14 nor section 31 of IBC place any fetters on banks/Financial Institutions from initiation and continuation of proceedings against guarantor for recovering their dues liability of principal borrower and Guarantor remain co-extensive and respondent/Bank is well entitled to initiate proceedings against guarantor under SARFAESI Act during continuation of Insolvency Resolution Process against Principal Borrower

SEBI

- **SEBI issues its monthly bulletin- October 2020.**
  download your copy here

Reserve Bank of India

- **Opening of Current Accounts by Banks - Need for Discipline, RBI issues instructions to banks.**
  Download notification here

Economy & Finance

- **Ministry of Finance issues factual position in respect to Service Charges levied by banks**
  There have been several media reports alluding to steep increase in service charges by certain Public Sector Banks (PSBs). In this context, the factual position is as follows:

  Basic Savings Bank Deposit (BSBD) accounts including Jan Dhan accounts - No service charge is applicable on the 60.04 crore BSBD accounts, including 41.13 crore Jan Dhan accounts opened by the poor and unbanked segments of society, for the free services prescribed by RBI. Regular Savings accounts, Current Accounts, Cash credit accounts & Overdraft accounts: In this regard, while the charges have not been increased, Bank of Baroda had made certain changes w.e.f. 1st November, 2020, with regard to the number of free cash deposits and withdrawals per month. The number of free cash deposits and withdrawals, have been reduced from 5 each per month to 3 each per month, with no change in the charges for transactions in excess of these free transactions.

  Bank of Baroda has since informed that in the light of the current COVID related situation, they have decided to withdraw the changes. Further, no other PSB has increased such charges recently.

Although, as per RBI guidelines, all banks, including PSBs, are permitted to levy charges for their services in a fair, transparent and non-discriminatory manner, based upon costs involved, other PSBs have also intimated that they do not propose to raise bank charges in the near future in view of the COVID pandemic.
Ministry of Finance Release here

- **INDIA'S MERCHANDISE TRADE: Preliminary Data, October 2020.**
  India's merchandise exports in October 2020 were USD 24.82 billion, as compared to USD 26.23 billion in October 2019, a fall of 5.4%.
  India's merchandise imports in October 2020 were USD 33.6 billion, as compared to USD 37.99 billion in October 2019, a decline of 11.56%.
  India is thus a net importer in October 2020, with a trade deficit of USD 8.78 billion, as compared to trade deficit of USD 11.76 billion-Improvement by 25.34%.
  Value of non-petroleum and non-gems and jewellery exports in October 2020 was USD 20.28 billion, as compared to USD 19.07 billion in October 2019, a positive growth of 6.34%.
  Non-oil, non-GJ (gold, silver & Precious metals) imports were USD 22.83 billion in October 2020, as compared to USD 24.9 billion in October 2019, a negative growth of 8.31%.
  Top 5 commodities of export which recorded positive growth during October 2020 vis-à-vis October 2019 are: Other Cereals (369.30%), Rice (112.15%), Oil meals (76.62%), Iron Ore (73.89%), Oil Seeds (54.06%).
  Top 5 commodity groups of import showing a fall in October 2020 over the corresponding month of last year are: Silver (-90.54%), Newsprint (-79.99%), Cotton Raw and Waste (-77.40%), Pulses(-65.15%), Transport equipment (-56.32%).
  MOCI Release

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