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[Daily Newsletter related to Profession]
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Most Authentic Newsletter of India

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

Initiative by

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Indirect Taxes

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	Ratan Industries Limited v. State of Uttar Pradesh WRIT TAX NO. - 660 OF 2020 DECEMBER 17, 2020 Download order here	Allahabad HC	Section 73 of the Central Goods and Services Tax Act, 2017/Section 73 of the Uttar Pradesh Goods and Services Tax Act, 2017 - Demands and recovery - Tax or input tax credit due not involving fraud or misstatement or suppression - Competent Authority passed an order of demand in Form GST DRC - 07 on assessee and demanded a certain amount as tax and interest thereon - Appellate Authority dismissed appeal preferred by assessee as being beyond prescribed period of limitation - Assessee contended before High Court that prior to passing of order of demand no show cause notice was served upon it and no order giving reasoning for levy of demand was served upon it - Whether orders passed by Competent Authority and Appellate Authority were wholly arbitrary and contrary to manner of passing order as prescribed under Act and were completely in violation of principles of natural justice - Held, yes - Whether impugned orders deserved to be set aside - Held, yes - Whether Competent Authority was to be granted liberty to pass fresh order after giving an opportunity of hearing to assessee - Held, yes [Paras 8,9, and 10][In favour of assessee].

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
1	Erode City Municipal Corporation ORDER NO. 14/ARA OF 2021 APRIL 28, 2021	AUTHORITY FOR ADVANCE RULINGS, TAMILNADU	Park fee, market fee etc. directly collected by Municipal Corporation from public are exempted from GST. Where applicant-municipality directly collects (1) park fee for allowing public entry to park maintained by it, (2) market fee from farmers/Merchants for allowing them entry to market, (3) bus entrance fee etc., said functions of applicant being covered under Twelfth Schedule of Constitution are not a supply of service and hence not liable to GST as per Notification No.14/2017-C.T. (Rate) dated 28-6-2017.

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

❖ **Exporters having tripartite agreements with multinationals under GST scanner.**

The tax department has held back the export benefits of many companies that have three-way contracts, or tripartite agreements, with multinationals, the Economic Times mentioned in a report citing people dealing with such cases. The indirect-tax department is of the view that many fintech companies, captive units of multinational banks and several other entities providing IT and IT-enabled services that have such agreements do not really export services but are merely intermediaries or agents.

Direct Taxes

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

Compliance Check functionality for Section 206AB & 206CCA (refer CBDT Circular No. 11/2021 dt 21.06.2021) facilitates tax deductors/collectors to verify if a person is a “Specified Person”.

[Procedure for using the functionality is available at this link.](#)

- **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	[2021] 127 taxmann.com 596 Jyoti Ltd. v. Deputy Commissioner of Income-tax (International Taxation), Vadodara IT APPEAL NO.666 (AHD.) OF 2018 [ASSESSMENT YEAR 2014-15] MARCH 22, 2021	Ahmedabad Tribunal	Section 206AA does not override provision of section 90 and, thus, TDS had been rightly deducted by assessee on payment made to non-resident by applying tax rate prescribed under DTAA and not as per section 206AA.

ICAI Announcements

- ❖ **ICAI notifies Chartered Accountants (Amendment) Regulations, 2021 to provide for manner of Industrial training by students.**

[Gazetted notification here](#)

ICSI Announcements

- ❖ Extension of ICSI UDIN & ECSIN Amnesty Scheme - 2021 till June 30, 2021
- ❖ Online Registration of Members for ICSI Mega Placement Drive-I, 2021.
- ❖ Announcement - Granting exemption to Graduates and Postgraduates from the recognized Universities from appearing in CSEET and enabling them to take direct admission in CS Executive Programme.

[Details here](#)

Corporate Laws

- ❖ MCA published new accounting standards through Companies (Accounting Standards) Rules, 2021.

[here is notification.](#)

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	Committee of Creditors of EMCO Ltd. v. Mrs. Mary Mody COMPANY APPEAL (AT) (INSOLVENCY) NO. 307 OF 2020 MARCH 2, 2021	NCL-AT Delhi	Resolution Professional can raise interim finance to run corporate debtor during CIRP period only subject to approval of Committee of Creditors by a vote of 66 per cent.

Economy & Finance

❖ India attracted US\$ 6.24 billion total FDI inflow during April 2021.

Measures taken by the Government on the fronts of Foreign Direct Investment (FDI) policy reforms, investment facilitation and ease of doing business have resulted in increased FDI inflows into the country. The following trends in India's Foreign Direct Investment are an endorsement of its status as a preferred investment destination amongst global investors:

- India has attracted total FDI inflow of US\$ 6.24 billion during April, 2021 and it is 38% higher as compared to April 2020 (US\$ 4.53 billion).
- During April, 2021 FDI Equity inflows amounting to US\$ 4.44 billion were reported in the country which is an increase of 60% over the FDI Equity inflow of April 2020 (US\$ 2.77 billion).
- During April 2021, Mauritius is the top investing country with 24% of the FDI Equity inflows, followed by Singapore (21%) and Japan (11%).
- 'Computer Software & Hardware' has emerged as the top sector during April 2021 with around 24% share of the total FDI Equity inflow followed by Services Sector (23%) and Education Sector (8%) respectively.
- Karnataka is the top recipient state during April, 2021 with 31% share of the total FDI Equity inflows, followed by Maharashtra (19%) and Delhi (15%).

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