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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 &
SEBI | Insolvency | 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 Notification no. 02/2022-Central Tax dated 11th March to appoint common adjudicating authority.**

Powers of Additional Commissioner or Joint Commissioner of Central Tax for passing an order or decision in respect of notices issued by DGGI officials.

Gazette notification → [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	Adani Enterprises Ltd. CASE NO. 04 OF 2021 ORDER NO. 10 OF 2021 AUGUST 6, 2021	AAR MP	Construction services and mining services can't be treated as composite supply as not naturally bundled. ▪ Activities of construction of colony and mining service though provided by same supplier are not naturally bundled and therefore, not a composite supply; instead, same would amount to works contract service. ▪ Input tax credit can be claimed with respect to supply of works contract service only if registered person who is in same line of business is using such services for further supply of works contract service; such credit cannot be used for providing other services.

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
2	Kuppan Gounder P.G. Natarajan v. DGGI, New Delhi. W.P. NO. 15708 OF 2021 W.M.P. NOS. 16604 AND 16605 OF 2021 JULY 29, 2021	Madras High Court	Mere pendency of certain proceedings before State GST Authority can't restrain Central GST Authority from issuing summon. Summon - Search, seizure, etc. - Central GST Authority issued summon to assessee stating that an enquiry was conducted in connection with assessee's company under Central Goods and Services Tax Act and so directed him to give evidences or produce documents in his possession or under his control - Assessee filed writ petition for quashing impugned summon - He was relying on prohibitory clause (b) of section 6(2), submitted that after some scrutiny State Authority had already issued to him a notice intimating discrepancies in return proceedings were in progress, Central Authority was bound to wait till conclusion of proceedings initiated by State Authority and thus summon issued by Central Authority was without jurisdiction - HELD : Very purpose and object of section 6(2)(b) is to ensure that on same subject parallel proceedings are to be avoided - It is to be established that subject matter is one and same - Mere pendency of certain proceedings before State Authority could not be a ground to restrain Central Authority from issuing summon and conduct investigation regarding impugned allegations.

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
3	NKAS Services (P.) Ltd. v. State of Jharkhand APARESH KUMAR SINGH AND DEEPAK ROSHAN, JJ. W.P.(T) NO. 2659 OF 2021 FEBRUARY 9, 2022.	Jharkhand HC	Form DRC-01 is a summary of SCN; Authorities are bound to issue SCN with full ingredients. Show cause notice - Vague show cause notice - Validity of SCN issued without striking out irrelevant portions and without stating the specific contravention committed - HELD: Impugned SCN is issued in a format without striking out irrelevant portions and without stating contraventions committed by petitioner - Summary of SCN does not provide for which works contract service liability was not disclosed by petitioner in GSTR-3B return - SCN is completely silent on violation or contravention alleged to have been committed by petitioner regarding which he has to defend himself - Summary of SCN issued in terms of Rule 142(1) though cannot be a substitute to SCN also fails to describe necessary facts which could give an inkling as to the contravention - Unless foundation of case is laid down in SCN assessee would be precluded from defending charges in a vague SCN - Impugned SCN does not fulfil ingredients of proper SCN and amounts to violation of principles of natural justice - Impugned SCN and summary of SCN are quashed - Writ petition allowed - Section 73 of Central Goods and Services Tax Act, 2017/Section 73 of Jharkhand Goods and Services Tax Act, 2017.

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

- ❖ **CGST Mumbai tightens belt, hints at prompt action and zero tolerance for GST evasion and ITC frauds. Unearths fake ITC amounting to Rs.396.84 crores, Recovers Rs. 28.65 Crores in last 6 months.**

[Read this press release](#)

- ❖ **CGST Delhi officials bust a syndicate of 7 firms in GST evasion of more than Rs 85 crores.**

Through extensive analysis of E-way bills, CGST Delhi East Commissionerate had busted a syndicate of five firms who were engaged in availing and utilising fake Input Tax Credit (ITC) of Goods and Services Tax (GST).

[Read this press release](#)



Direct Taxes

▪ **Legal Updates- Advance Ruling Authorities / Tribunals / High Courts / Supreme Court**

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1	Rakesh Janghu v. CPC, Bangalore IT APPEAL NO. 1914 (DELHI) OF 2021 [ASSESSMENT YEAR 2017-18] FEBRUARY 14, 2022	ITAT Delhi	FA 2021 amendments disallowing employee's contribution to ESI/PF apply prospectively. For assessment year 2017-18, employee's contribution towards PF & ESI was to be allowed as deduction under section 36(1)(va), read with section 2(24)(x), even when assessee had made payment after due date prescribed under relevant statute but before due date of filing of return under section 139(1).

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

- ❖ **GOI extend tenure of appointment of Shri G. S. Pannu, Vice-President, Income Tax Appellate Tribunal (ITAT), as President of the Tribunal, in officiating capacity for a further period of six months w.e.f. 6th March, 2022.**



ICAI Announcements

- ❖ **ICAI Convocation 2021-22 will be held for Members who are enrolled during the period from November 2019 to August 2021 and Rank holders of CA Final Examination held in July 2021. They will be awarded Certificate of Membership in this Convocation.**

[Read this announcement](#)



Insolvency & Bankruptcy

- **Notifications / Circulars / Press releases/ Write-ups by IBBI and Government.**

- ❖ **Insolvency Board IBBI released data of (As on 31st December, 2021).**
 - Corporate Insolvency Resolution Processes Yielding Resolution Plans.
[Read here](#)
 - Corporate Insolvency Resolution Processes ending with Order of Liquidation.
[Read here](#)



Reserve Bank of India

- ❖ **RBI directed Paytm Payments Bank Ltd to stop onboarding of new customers, also directed to appoint an IT audit firm to conduct a comprehensive System Audit of its IT system. Onboarding of new customers by Paytm Payments Bank Ltd will be subject to specific permission to be granted by RBI after reviewing report of the IT auditors.**
This action is based on certain material supervisory concerns observed in the bank.



Economy & Finance

- ❖ President of India appoint the Shri Justice Vipin Sanghi, senior-most Judge of the Delhi High Court to perform the duties of the office of Chief Justice of that High Court, with effect from 13.03.2022, vide notifications dated 11.03.2022.
- ❖ LIC India's profit rises to Rs 235 crore in December quarter. Profit was Rs 0.91 crore a year earlier. Profit for the nine months ended December climbed to Rs 1,642.78 crore from Rs 7.08 crore a year ago

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