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[Daily Newsletter related to Profession]

No 647 | Friday 25 March 2022

Most Authentic Newsletter of India

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

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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	Bhopal Smart City Development Corp CASE NO. 5 OF 2021 ORDER NO. 16 OF 2021	MP AAR	Where applicant develops land providing amenities such as drainage line, water line, electricity line, etc. and sells developed plot, sale of developed plot does not constitute a supply in GST. Supply - Sale of developed plot of land - Application is a public sector undertaking - Sole objective of applicant is planning and implementing smart city project in Bhopal - It develops land by way of carrying out development activities or providing amenities such as drainage line, water line, electricity line, land levelling, and common facilities viz. road, street light, etc. and sells developed plot of land to customer/buyer for which consideration is received before issuance of completion certificate - HELD : Supply which attracts GST is defined under section 7 - Except for activities listed in Schedule III of Central Goods and Services Tax Act, 2017 and these notified in terms of section 7(2)(b) all other activities amount to supply - Entry No. 5 in Schedule III states as : Sale of land and, subject to clause (b) of paragraph 5 of Schedule II, rate of building - Thus, sale of land, per se, is out of purview of GST on account of it not being a supply - Sale of developed plot of land does not constitute a supply within meaning of section 7 - GST is not applicable on such sale.

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2	New Nalbandh Traders v. State of Gujarat R/SPECIAL CIVIL APPLICATION NO. 17202 OF 2021 FEBRUARY 23, 2022.	Gujrat HC	Order blocking ITC without recording any reasons in writing is arbitrary & liable to be set aside. Whether blocking of credit without assigning any reasons is sustainable - HELD: Rule 86A has two pre-requisites and unless both pre-requisites are fulfilled, power to block electronic credit ledger (ECL), even to the extent of amount found to be fraudulently or wrongly availed cannot be exercised - Power under Rule 86A has civil consequences for taxpayer and cannot be exercised unless there is subjective satisfaction of the authority based on objective material - Although not expressly stated under Rule 86A, post decisional or remedial hearing would have to be granted to the person affected by blocking of ECL and the same shall be granted within two weeks from the date of the order of blocking ECL - Concerned authority may confirm or revoke the order blocking ECL after post decisional hearing is granted - Reasons must be recorded in writing in every case - Nothing to prove that impugned order blocking credit was passed after the concerned authority was satisfied to do the same - Arbitrary use of power under Rule 86A as both pre-requisites are not satisfied - Impugned order blocking ECL set aside - Department at liberty to pass fresh orders under Rule 86A - Petition partly allowed - Rule 86A of Central Goods and Services Tax Rule, 2017/Gujarat Goods and Services Tax Rules, 2017.

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

- ❖ CBIC introduced the facility of restoration of cancelled registration under Goods and Services Tax (GST) on its online portal effective from 23.03.2022.



Direct Taxes

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

- ❖ CBDT issues refunds of over Rs. 1,93,720 crores to more than 2.26 crore taxpayers from 1st Apr,2021 to 20th March,2022. Income tax refunds of Rs. 70,977 crores have been issued in 2,23,99,122 cases & corporate tax refunds of Rs. 1,22,744 crores have been issued in 2,34,293 cases. This includes 1.85 crore refunds of AY 2021-22 amounting to Rs. 38,447.27 crores.



ICSI Announcements

- ❖ ICSI announce recruitment of consultants at Noida, Navi Mumbai and Hyderabad - on contractual basis.

[Read this announcement](#)



Corporate Laws & SEBI

- ❖ Govt. notifies appointment of seven part-time members of 'National Financial Reporting Authority NFRA.

Here is notification ↓

[Download/Read](#)

- ❖ MCA informed parliament about steps proposed to be taken by Government to review and revamp our systems of fraud prevention and investigation and prosecution for financial frauds.

Read this ↓

[Link to download document](#)



Reserve Bank of India

- ❖ **RBI published Scheduled Banks' Statement of Position in India as on Friday, March 11, 2022.**

[Read this release](#)



Economy & Finance

- ❖ **Government e-Market portal touches an annual procurement of INR 1 Lakh crore within FY 2021-22.**

Government e Marketplace (GeM) has attained an annual procurement of INR 1 Lakh crore within FY 2021-22. This represents a 160% growth compared to last FY. Addressing media on the occasion, Shri Prashant Kumar Singh, CEO, GeM said that since inception the cumulative Gross Merchandise Value (GMV) reached INR 1 Lakh crore over 4 and half years, on 23rd March 2021, whereas the GMV of GeM in the current Financial Year surpassed Rs. 1 lakh crore (Ts. 1 trillion) in less than a year. This represents a 160% growth compared to last FY. Earlier in the day, the Prime Minister, Shri Narendra Modi had tweeted about this accomplishment.

Shri Singh added that the portal had transformed public procurement in India by driving its three pillars viz. inclusion, usability and transparency and efficiency and cost saving. The number of orders has also surpassed 31.5 Lakh in the current financial year with a growth at the rate of 22%. In a short span of 5 years, GeM has become one of the biggest government e-procurement platforms in the world.

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