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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.**

- ❖ **GSTN informs stakeholders about Module wise new functionalities deployed on the GST Portal.**

Various new functionalities are implemented on the GST Portal, from time to time, for GST stakeholders. These functionalities pertain to different modules such as Registration, Returns, Advance Ruling, Payment, Refund and other miscellaneous topics. Various webinars are also conducted as well informational videos prepared on these functionalities and posted on GSTNs dedicated YouTube channel for the benefit of the stakeholders.

Read this detailed 

[Advisory](#)

- **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	Ranjana Singh v. Commissioner of State Tax WRIT TAX NO. 1084 OF 2021 DECEMBER 9, 2021	Allahabad High Court	Court levied penalty on officer demanding unnecessary documents for grant of GST registration. Application of registration could not be rejected on ground of non-submission of electricity bill when PAN and Aadhaar details as well as house tax receipt were provided; since Authorities had acted with a view to harass petitioner, costs of Rs. 15,000 was imposed.

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
2	Vageesh Umesh Jaiswal v. State of Gujarat R/SPECIAL CIVIL APPLICATION NO. 19176 OF 2021 JANUARY 6, 2022	Gujrat High Court	SCN of cancellation of registration for bogus billing without any information is not sustainable. Show cause notice was issued seeking reason as to why registration should not be cancelled on account of bogus billing - However, allegation of bogus billing in SCN was not backed by any information or document - HELD : SCNs have great significance in adjudication proceedings as they ensure compliance of principles of natural justice - SCN is a mandatory requirement for raising any demand and it is foundation on which adjudicating authority has to build up a case - SCN is a document served on a taxable person asking explanation as to why a particular course of action should not be taken against such person and it must be a speaking and well-reasoned document - SCN should not be issued on assumptions and presumptions - Allegations and findings in SCN must be supported by some documentary evidences - SCN being vague and bereft of material particulars, impugned order set aside [Section 29 of Central Goods and Services Tax Act, 2017 read with rule 22(1) of Central Goods and Services Tax Rules, 2017/Gujarat Goods and Services Tax Act 2017] - [Paras 7, 8, 9 and 11] [In favour of assessee].

Sr.No.	Key to find the document	Authority who passed the order	Details of decision
3	Ajay Verma v. Union of India WRIT TAX NO. - 1169 OF 2021 FEBRUARY 9, 2022	HC of Allahabad	GST SCN & assessment order can't be challenged for lack of jurisdiction if assessee participated in assessment proceeding. Whether impugned show cause notice and assessment order issued by State Tax Officer (SGST Officer) are without jurisdiction due to assignment of assessee to Central Tax Officer (CGST Officer) even when petitioner submitted to jurisdiction of SGST Officer and participated in assessment proceeding without raising any objection as to jurisdiction - HELD : State officer being proper officer under the CGST Act / SGST Act having territorial jurisdiction over petitioner is competent to exercise powers conferred under the Act - For administrative convenience, petitioner was assigned to a central officer - It is not a case that state officer lacks inherent jurisdiction but it is a case where jurisdiction has been exercised by state officer in absence of any objection or pointing out by petitioner that the case has been assigned to a central officer - Impugned show cause notice and impugned assessment order do not suffer from any inherent lack of jurisdiction and instead it is the result of contributory error of jurisdiction by state officer - If petitioner objected it at the initial stage or during the course of assessment proceedings, position could have been rectified by state officer by informing the central officer to complete the assessment proceedings - Writ petition dismissed .

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

- ❖ Lucknow: A director of a fake firm was arrested for claiming fake ITC of GST worth Rs. 16.50 Crores.
- ❖ Registration under GST ACT cannot be cancelled by merely describing the Firm as 'Bogus': Allahabad High Court.



Corporate Laws & SEBI

- ❖ **MCA issues notification- "in case of a Nidhi Company, declaration by Govt shall be obtained by Nidhi before commencing the business and a declaration shall be submitted at the stage of incorporation. New FORM No.INC.20A also notified.**
[Here is notification](#)

- ❖ **SEBI clarifies w.r.t. validity of omnibus approval granted by the shareholders in relation to related party transactions.**

SEBI vide its circular dated Apr 8, 2022 has clarified that that listed entities which have obtained omnibus approval of shareholders w.r.t. the related party transactions in Annual General Meeting of the company that approval shall be valid till next AGM (for a period not exceeding 15 months). However, the shareholders' approval obtained in general meetings other than AGM shall be valid only for a period of 12 months.

[Circular is here](#)

- ❖ **SEBI directs stock exchanges to put in place SOPs for dispute resolution under stock exchange arbitration mechanism.**

SEBI has advised stock exchanges to put in place by June 01, 2022, Standard Operating Procedures (SOP) for operationalizing the resolution of all disputes pertaining to or emanating from investor services such as transfer/transmission of shares, demat/remat, issue of duplicate shares, transposition of holders, etc. and investor entitlements like corporate benefits, dividend, bonus shares, rights entitlements, credit of securities in public issue, interest /coupon payments on securities.

[Circular is here](#)



Insolvency & Bankruptcy

- **Notifications / Circulars / Press releases/ Write-ups by IBBI and Government.**
- ❖ **Insolvency and Bankruptcy Board of India amends the Insolvency and Bankruptcy Board of India (Voluntary Liquidation Process) Regulations, 2017 and explains the amendments clauses.**
[Read this press release](#)
- ❖ **Insolvency and Bankruptcy Board issues Discussion Paper on “Enhancing effectiveness of Information Utility”.**
[Download here](#)



Economy & Finance

- ❖ **Tax Revenues in 2021-22 exceed the Union Budget estimates by ₹5 lakh crores.**
The tax revenue in the Union Budget for 2021-22 was estimated at ₹22.17 lakh crore against the revised estimates of ₹19 lakh crore, with a growth of 17%. The Union Budget was presented on 1st February, 2021 when the 1st COVID wave had tapered off in India but the world was facing successive waves.
Against the Union Budget estimates of ₹22.17 lakh crore, the revenue collections as per the pre-actual figures is ₹27.07 lakh crore, almost ₹5 lakh crore above the budget estimates. This is a growth of 34% over last years revenue collection of ₹20.27 lakh crore, led by growth of 49% in direct taxes and supported by 20% growth in indirect taxes. This revenue growth has been propelled by rapid economic recovery after successive waves of COVID, supported by one of the largest immunization programme of the world run by the Government. It also signifies a robust recovery in the economy. These was also supplemented with better compliance efforts in taxation. Various efforts were taken by tax administration on direct as well indirect taxes to nudge higher compliance through use of technology and artificial intelligence.
[Finance Ministry Release](#)
- ❖ **RBI Monetary Policy 2022: Now Withdraw Cash from ATMs Without Carrying Your Debit, Credit Card.**