A2Z TAXCORP LLP
NEW DELHI, INDIA

Indirect Tax and Other Laws Communique

29th September, 2014

This bulletin brings to you the highlights of recent updates and important judgments in the field of indirect taxation along with key inputs from other fields to keep you abreast of all the latest happenings.

CONTENTS

SERVICE TAX

NOTIFICATIONS/CIRCULARS

- **Clarification on chargeability of Service tax on transactions between Joint Venture and its members**

The Central Board of Excise and Customs (**"the CBEC"**) vide Circular No. 179/5/2014-ST dated September 24, 2014 (**"the Circular"**)has provided clarification with respect to chargeability of Service tax on transactions between a Joint Venture (**"JV"**) and its members post Negative List regime of Service Tax with effect from July 1, 2012 whereby all services are taxable subject to the definition of the service [available in Section65B(44) of the Finance Act, 1994], other than the services specified in the Negative list [Section 66D] and Mega Exemption Notification [Notification No. 25/2012]:-

(a) Provision of taxable services by the members of the JV to the JV and vice versa and inter se between the members of the JV

An unincorporated association or a body of persons, as the case may be, and a member thereof shall be treated as distinct persons in terms of Explanation 3(a) of Section 65B (44) of the Finance Act, 1994 (**"the Finance Act"**) .

In terms of the above explanation, the JV and the members of the JV are treated as distinct persons and therefore, taxable services provided for consideration, by the JV to its members or vice versa and between the members of the JV are taxable.

(b) Taxation of cash calls or capital contribution made by the members of the JV to the JV

Cash calls are capital contributions made by the members of the JV to the JV. If cash calls are merely a transaction in money, such transactions are excluded from the definition of service in terms of Section 65B(44) of the Finance Act.

The JV Agreement will determine whether cash call transactions are only transaction in money or consideration for taxable services. Some examples in the Circular are as follows: -

- Cash calls in the nature of advance payment by the members to the JV for service to be provided attract Service tax.
- Payments made out of cash calls pooled by the JV, towards taxable services received from a member or a third party is in the nature of consideration and hence attracts service tax.

- Consideration received (either in cash or kind) by the member for managing the cash calls or to provide support services (e.g. administrative service in the form of setting up/ management of a project office/site office) to the JV for a consideration either in cash or kind (say, goods or services) also attracts Service tax.

(c) JV Agreement is a key to understand the taxation of transactions

JV being an unincorporated temporary association constituted for the limited purpose of carrying out a specified project within a time frame, a comprehensive examination of the various JV agreements (at times, there could be number of inter se agreements between members of the JV) holds the key to understanding of the taxation of transactions involving taxable services between the JV and its members or inter-se between the members of a JV.

RECENT CASE LAWS

- **Assessee not required to deposit penalty in excess of 25% of total tax amount if the service tax liability along with interest is deposited before issuance of Show Cause**

Baroda Surface Protection Services Vs. Commissioner of Central Excise & ST., Vadodara [2014 (9) TMI 748 - CESTAT Ahmedabad]

Baroda Surface Protection Services (**"the Assessee"**) discharged the entire Service tax liability and interest before issuance of Show cause notice which was issued after the amendment brought in Section 78 of the Finance Act, 1994 ("**the Finance Act**") w.e.f. May 10, 2008. Subsequently on receipt of Order-in-original, the Assessee discharged 25% amount of penalty imposed under Section 78 and also penalty under Section 77 but contested the imposition of penalty under Section 76 before the first appellate authority who rejected the appeal. The Assessee aggrieved by this order filed an appeal before the Hon'ble Tribunal.

The Department contended that imposition of simultaneous penalty under Section 76 and 78 of the Finance Act is correct as Section 78 got amended with effect from May 10, 2008 and any infringement prior to May 10, 2008 would attract both the penalties.

The Hon'ble Tribunal on hearing both the sides and considering the judgment of the Hon'ble High Court of Gujarat in the case of ***Commissioner of Service Tax Vs. Manan Motors Private Limited [2013 (31) STR 535 (Guj)]*** and Circular No. 137/167/2006-CX., dated October 3, 2007 (**"the Circular"**) set aside the Order. It was held relying on the Circular that where a person has paid service tax in full together with interest and penalty under sub-section 73(1A), the proceedings in respect of such person to whom notices are served under sub-section 73(1) shall be deemed to be concluded.

Accordingly, penalty in excess of 25% of the amount of penalty deposited was set aside.

- **Penalty under Section 78 of the Finance Act cannot be invoked in absence of mens rea**

Mohan Poddar Vs. CCE, Raipur [2014 (9) TMI 782 - CESTAT NEW DELHI]

In the instant case, Mohan Poddar (**"the Assessee"**) was executing the work of construction of various categories of houses for Chhattisgarh Housing Board. The DGCEI conducted an investigation of the Assessee and it was observed that the services rendered by the Assessee were covered under the taxable category of Construction of Complex service. Further, during the period from July 2, 2005 to August 16, 2007, the Assessee was liable to pay Service tax amounting to ₹ 62,46,844/- after obtaining the benefit of abatement.

On being pointed out by DGCEI, the Assessee took Service tax registration and discharged Service tax liability of ₹40,99,354/- and ₹35,24,663/- till March 25,2008 and August 22, 2008 respectively. The Department issued Show Cause Notice on June 5,2008. The Adjudicating Authority found that payment of ₹ 40,98,454/- only was made till the date of issuance of the Show Cause Notice as against the total demand of ₹ 62,46,844/-. Thus, an Order in original ("**OIO"**) dated October 30,2008 was passed confirming balance Service tax demand along with interest and imposition of penalty under Section 77 and Section 78 of the Finance Act, 1994 (**"the Finance Act"**). Aggrieved by the OIO, the Assessee filed an appeal before the Hon'ble Tribunal. The Assessee contended that there was no discussion/analysis with regard to the allegation of suppression in the Show cause notice.

The Hon'ble Tribunal in absence of any discussion with regard to mala fide intention and mens rea set aside the OIO to the extent it related to imposition of penalty under Section 78 of the Finance Act.

CENTRAL EXCISE

RECENT CASE LAWS

- **All the units situated at a place would constitute a factory for the purpose of availment of Cenvat credit**

CCE, Bangalore Vs. Biocon Ltd. [2014 (9) TMI 716 - Karnataka High Court]

Biocon Ltd (**"the Respondent"**) was having two units, one Domestic Tariff Area (**"DTA"**) unit and another Export Oriented Unit (**"EOU"**). Both units were situated in the same factory premises and manufacturing excisable goods. The Respondent purchased furnace oil from which steam was generated within the said factory premises and Cenvat credit was availed on the same. The said steam was utilized by the Respondent in the manufacturing of excisable goods in both the units.

The Department had raised the objection on such utilization of electricity by the EOU and asked for the reversal of the proportionate Cenvat credit availed on furnace oil utilized in the generation of Steam / Electricity cleared to the EOU unit as required in terms of Rule 57 AD (2) of Central Excise Rules, 1944 read with Rules 6(2) & (3) of the CENVAT Credit Rules 2004 (**"the Credit Rules"**).

Accordingly, Show cause notices were issued to the Respondent for the reversal of Cenvat credit plus Interest as applicable and penalty was also proposed in the above Show cause notices.

The Adjudicating Authority (**"the AA"**) after considering the submission of the Respondent, confirmed the demand of reversal of Cenvat credit amounting to Rs.8,59,291/- including cess for the period May 16, 2005 to November 2005, under Rule 14 of the Credit Rules.

The Learned Commissioner (Appeals) set aside the order of the AA and the Hon'ble CESTAT confirmed the order of the learned Commissioner (Appeals) relying upon the finding of the Hon'ble Tribunal in the case of ***Dhampur Sugar Mills Ltd. Vs CCE[2007 (129) ELT 73 (T)]*** which has been upheld by the Apex Court wherein it was held that the factories are situated in the same compound are to be treated as one and the units have to be treated as single Factory.

Being aggrieved, the Department filed an appeal to the Hon'ble High Court.

The Hon'ble High Court relied upon the following judgments of the Apex court

- **Vikram Cements Vs CCE, Indore [2006 (194) ELT 3 (SC)]**
- **Maruthi Suzuki Ltd Vs CCE, DELHI-III [2009 (240) ELT 641 (SC)].**

and held that since, the Respondent had more than one units within the factory then the word factory cannot be confined to the single unit of the factory but it extends to the all the units situated at a place and all the units would be construed as "a factory".

Further in terms of the Credit Rules, it was held that inputs were used within factory of the production for generation of electricity or steam. Therefore, they were eligible to avail Cenvat credit provided such electricity or steam was used within the factory of production for manufacture of excisable goods.

- **While finalization of provisional assessment, the excess payment of duty can be adjusted against the short payment of duty**

CCE Vs BSL Ltd. [2014 (9) TMI 771 – CESTAT - New Delhi]

BSL Ltd. (**"the Respondent"**) was engaged in manufacture of excisable goods i.e. Woolen Yarn, Polyester Yarn etc. The period of dispute in this case is from April 1, 2003 to March 31, 2004. The Respondent sent the goods to the job worker for processing and got back the processed goods from the job workers and the same goods were sold by the Respondent.

Goods were cleared to job worker after making the provisional assessment in terms of the order of the Deputy Commissioner dated March 11, 2003 for the period April 2003 to March 2004.

The Deputy Commissioner after making finalization of provisional assessment dated March 11, 2005 raised the duty demand of Rs. 14,60,053/- in respect of short payment of duty on provisional assessment.

The Respondent found that during the provisional assessment period he had paid excess duty of Rs. 3,54,467/-. The Deputy Commissioner held that such excess payment cannot be adjusted with the demand raised in finalization of provisional assessment and the Respondent will have to file the refund claim in terms of the Section 11B of the Central Excise Act, 1944.

The said denial of adjustment was challenged before the Commissioner (Appeals) who allowed the adjustment.

Being aggrieved, the Department filed an appeal before the Hon'ble CESTAT, New Delhi.

The Hon'ble CESTAT relied upon the finding of the Hon'ble Karnataka High Court in the case of ***Toyota Kirloskar Auto Parts Pvt. Ltd. vs. CCE, LTU, Bangalore [2012 (276) E.L.T. 332 (Kar.)]*** and held that in terms of the Rule 7 of the Central Excise Rules, 2002 such excess payment of duty can be adjusted against the short payment of duty on finalization of provisional assessment.

- **Penalty proceedings must be initiated within a reasonable period of time and said reasonable period is 5 years from relevant date**

CCE, Chandigarh-I Vs Sawan Mal Shibu Mal Steel Rolling Mills [2014, 49 taxmann.com 157 (Punjab & Haryana-High Court)]

Sawan Mal Shibu Mal (**"the Respondent"**) was a manufacturer of excisable goods and discharging his duty liability under Compounded Levy Scheme for the period September 1997 to March 2000 as per Section 3A of the Central Excise Act, 1944.

During the scrutiny of returns, it was observed that the Respondent had failed to pay the duty liability within the statutory time period for the period December 1999 to March 2000.

A Show cause notice was issued to the Respondent and the Adjudicating Authority vide order dated February 26, 2009 imposed penalty of Rs. 1,66,407/- (i.e. equal amount of the duty liability). The First Appellate Authority and the Appellate

Tribunal set aside the order of the Adjudicating Authority.

The Department preferred an appeal before the Hon'ble Punjab & Haryana High Court.

The Hon'ble High Court relied upon the judgment of the Apex Court in the case of ***Raghuvar (India) Ltd.*** **[2000 (118) ELT 311]**, and held that five year is reasonable time for initiation of penalty proceedings but in the present case, penalty proceedings were initiated after the period of five years. So it was not sustainable.

- **Clarification on Major issues pertaining to refund of Cenvat credit to Exporters**

Apotex Research Pvt. Ltd. & Others Vs. CC, Bangalore-Cus. & Others [2014-TIOL-1836-CESTAT-Bang]

In the instant case, 56 Appeals were heard together and the Bangalore Bench of the CESTAT passed an interim order on 16 Common/ Legal Issues pertaining to refund of Cenvat credit under the Cenvat Credit Rules, 2004 (**"the Credit Rules"**) for exporters, as mentioned hereunder:

Issue 1: Whether Refund under Rule 5 of the Credit Rules would be admissible when there was no notification issued prescribing safeguards, conditions and limitations to be fulfilled?

Wherever the refund has been rejected on the ground of words used in the notification, it will have to be remanded to the original adjudicating authority for reconsideration of the eligibility of credit.

Issue 2: In the case of refund under Rule 5 of the Credit Rules, place of removal which has been a subject matter of dispute in several cases.

Place of removal shall be taken as port/airport/land customs station and all the services utilized up to the stage would become eligible for refund under Rule 5.

Issue 3: Whether Cenvat credit can be refunded under Rule 5 when there was no Notification prior to 14.03.2006?

Yes, the Cenvat credit can be refunded even when there was no Notification prior to March 14, 2006.

Issue 4: Stand taken by the Revenue that in respect of 100% EOUs, the Cenvat credit cannot be taken at all since the finished goods are exempt tenable

Post 10.09.2004, Cenvat credit cannot be denied on the ground that unit availing the credit is a 100% EOU. And so refund has to be given.

Issue 5: The activity of provision of service is in India and therefore the claim for refund on the ground that service has been exported cannot be accepted

The Central Board of Excise & Customs (**"the CBEC"**) has issued a clarification vide Circular No. 111/5/2009-ST dated 24.02.2009. In this Circular, in paragraph-3, the CBEC has accepted that for category (iii) services *(As per Export of Services Rules, 2005)*, it is possible that export of service may take place even when all the relevant activities take place in India so long as benefits of these services accrue outside India.

Issue 6: Nexus between the input services and the output services

It is nobody's case that there is no need to establish the relation between the input services and the business of manufacture.

Issue 7: Foreign Inward Remittance Certificate

In certain cases, the lower authorities have taken a view that production of foreign inward remittance certificate by the claimant to claim refund is not sufficient. A certificate from the bank certifying that the amount in the invoice has been received specifically with reference to the invoice has to be made available. What is required to be established by an exporter is that in respect of Invoices raised by him, consideration in foreign currency has been received.

Issue 8: Can clearance to a 100% EOU be considered as export?

Yes, clearance to a 100% EOU has to be considered as export.

Issue 9: Proof of payment of service tax

Proof of payment of service tax is not required to be asked for from the claimant while determination of refund claims.

Issue 10: Defective documents

Rejection of the claim for refund of Cenvat credit on the ground that it is not admissible when the unit was not registered cannot be upheld.

Issue 11: Condonation of omissions in documents as per the provisions of Rule 9 of the Credit Rules

Rule 9(2) of the Credit Rules provides that if the document does not contain all the particulars but contains details of duty or service tax payable, description of goods, etc. Cenvat credit may be allowed.

Issue 12: Rejection of refund claim on the ground that output service is not taxable

Decisions in cases where credit has been denied or refund has been denied on the ground that export is not made under Bond or Letter of Undertaking cannot be sustained.

Issue 13: Cenvat credit without registration

Provisions of Rule 3 of the Credit Rules show that credit can be taken by a manufacturer or a provider of output service and there is no requirement of registration under Rule 3 of the Credit Rules at all.

Issue 14: Taxability of output and admissibility of Cenvat credit

The admissibility of Cenvat credit is not relevant for the purpose of determining whether refund is admissible under Rule 5 of the Credit Rules or not.

Issue 15: Relevant date for filing refund claim

Provisions of Section 11B of the Central Excise Act, 1944 for the purpose of limitation would be applicable.

Issue 16: Method for calculation of relevant date

The relevant date should be the date on which the consideration has been received where the claimant is service provider and consideration paid where the claimant is service receiver.

Based on these judgments, individual cases will be considered as part heard regarding major issues concerning refund of Cenvat credit to exporters.

CUSTOMS

NOTIFICATIONS/CIRCULARS

Extension of Anti-Dumping Duty on Flexible Slab Stock Polyol

The Central Government has imposed Anti-Dumping Duty (**"ADD"**) on "Flexible SlabStock Polyol", falling under sub-heading 3907 20 of the First Schedule to the Customs Tariff Act, 1975 imported into India exported from or originating in the People's Republic of China, Republic of Korea and Chinese Taipei imposed *vide* Notification No. 89/2009-Customs, dated August 31, 2009. Now this ADD extended for the period of one year vide the **Notification No. 42/2014-Customs - (ADD) dated September 25, 2014.** (**"the Notification"**).

The Notification shall be effective up to August 30, 2015, unless revoked earlier.

RECENT CASE LAWS

- **Mere issuance or dispatch of notices to petitioners would not amount to servicing of notice**

Purushottam Jajodia & Others Vs. Directorate of Revenue Intelligence, New Delhi &Anr [2014-TIOL-1303-HC-DEL-CUS]

In the instant case, goods and currency of Purushottam Jajodia & others (**"the Petitioners"**) were seized on October for a period of 6 months. The Commissioner extended the period of seizure of goods & currency by a further 6 months. Accordingly, in terms of the proviso to Section 110(2) of the Customs Act, 1962 (**"the Customs Act"**) a notice was to be issued to the Petitioners under Section 124(a) within a period of 6 months of the date of order of extension. However, the

Petitioners did not receive the notice within the period of 6 months.

The Petitioners filed a petition before the Hon'ble Court that the notice was not received within the stipulated period of 6 months. The Revenue contended that the notice was dispatched to the Petitioners within the period of 6 months and that amounts to service of notice.

The Hon'ble High Court held that the object of Section 124(a) of the Customs Act is that the person concerned had to be informed of the grounds on which the confiscation of the goods is to be founded. This can only happen when the person from whom the goods have been seized, receives the notice and is capable of reading and understanding the grounds of the proposed confiscation.

Therefore, upon a conjoint reading of Section 110(2) and Section 124(a) of the Customs Act, the notice can only be regarded as having been "given" when it is actually received or deemed to be received by the person from whom the goods have been seized. The Hon'ble High Court also rejected the submission of the Revenue that the expressions "serve", "given" and "send" were used interchangeably and, therefore, the word "given" used in Section 110(2) and Section 124(a) of the Customs Act would also mean "served".

Accordingly, it was held that the Petitioners did not receive the notices within a period of 6 months and the Revenue was directed to release the goods and currency seized from the Petitioners.

- **Repugnancy between Handbook of Procedures and Foreign Trade Policy has to be decided in favour of the Foreign Trade Policy**

BRG Iron & Steel Co. Pvt. Ltd. Vs. Union of India & Others [2014-TIOL-1526-HC-DEL-CUS]

In the instant case, BRG Iron & Steel Co. Pvt. Ltd. (**"the Petitioner"**) is a two star export house status holder and has filed a petition against the communication dated May 31, 2013 issued by the office of Additional Director General of Foreign Trade (**"DGFT"**) wherein the Additional DGFT has informed the Petitioner that it's entitlement under the Advance Authorization dated May 9, 2012, was limited to a sum of Rs. 38,83,52,050/- instead of Rs. 77,03,73,810/- Therefore, the Petitioner was advised to submit the said Advanced Authorization for endorsement of Bank Guarantee condition for the differential amount.

The Petitioner contended that it was exempt from the condition of furnishing bank guarantees in respect of any scheme framed under the Foreign Trade Policy. Further, the Petitioner submitted that it was entitled to Advance Authorization of a higher value and, therefore, the reduction in the value of Advance Authorization as indicated in the communication was not justified.

The High Court of Delhi held that since the Foreign Trade Policy expressly provides that a status holder will have the privilege of exemption from providing a Bank Guarantee in respect of any scheme, the Handbook of Procedures, which is for providing the procedure in aid of the Foreign Trade Policy cannot impose a condition which militates against the Foreign Trade Policy.

Thus, it was held that the repugnancy between the Handbook of Procedures and the Foreign Trade Policy must be resolved in favour of the Foreign Trade Policy. Accordingly, the condition imposed under the Handbook of Procedures to the extent that it requires a "status holder" to provide a bank guarantee to the Custom Authorities for the duty free inputs was contrary to the Foreign Trade Policy and was liable to be disregarded.

However, the entitlement of the Petitioner under the Advance Authorization was held to be the same as communicated by the Additional DGFT.

- **Amendment to Shipping Bill is permitted without any time limit even after export of goods**

VRA Cotton Mills Pvt. Ltd. Vs. Commissioner of Customs, Jamnagar (Preventive)[2014-TIOL-1438-CESTAT-AHM]

In the instant case, VRA Cotton Mills Pvt. Ltd. (**"the Appellant"**) is an exporter who applied for Duty Free Import Authorization (**"DFIA"**) to the Director General of Foreign Trade (**"DGFT"**) who had issued DFIA with export obligation of Rs. 25 crores to the Appellant. However, the Appellant could not fulfill export obligation and requested DGFT, New Delhi for cancellation of DFIA. The DGFT, New Delhi cancelled DFIA to the Appellant vide their communication dated July 10, 2013. Thereafter, the Appellant requested the Commissioner of Customs(Prev.), Jamnagar for conversion of Shipping Bills from DFIA to Drawback scheme on July 20, 2013, which was rejected on the ground that request for conversion is not made by the Appellant within three months from the date of the Let Export Order (**"LEO"**).

The Department further contended that although Section 149 of Customs Act, 1962 (**"the Customs Act"**) provides for amendment of documents, it does not envisage conversion of Shipping Bill from one export promotion scheme to the other.

The Appellant filed an appeal before the Hon'ble Ahmadabad CESTAT. The Hon'ble Tribunal held that Section 149 of the Customs Act permits amendment of shipping bill without any time limit even after export of goods. Further, there was no specific time limitation of 3 months for applying for the conversion of Shipping Bill. It was further held that export of taxes was not the intention of the Government and hence, conversion of Shipping Bills was allowed to the Appellant.

VALUE ADDED TAX

NOTIFICATIONS/CIRCULARS

D-VAT Circular 13 of 2014-15: Date Extended to November 28, 2014 for Filing of Form 9

The DVAT Department has extended the last date of filing of online return in Form 9 for the year 2013-14 to November 28, 2014.

It is relevant to note that Form 9 is to be filed by dealers who have made the following transactions: -

(i) interstate sale at concessional rates against statutory Forms 'C' or

(ii) stock transferred against 'F' Forms or

(iii) sold the goods against 'H' Forms to dealers (other than Delhi) or

(iv) claimed deduction from taxable turnover against E-I Forms /E-II Forms or I Forms / J Forms etc.

NEWS FLASH

Service taxes set to get a big infrastructure bump

The services which were earlier exempted as Infrastructure services will soon come under the scope of Service tax and form more than a third of the country's Rs. 4.5-lakh-crore construction sector.

The real estate activities are subject to service tax at present but not infrastructure development services such as construction of roads, bridges and airports. If infrastructure services are made subject to Service tax, the real impact for developers would be on the net value addition as they would get credit for the taxes paid on the inputs.

Uncertainty in tax implications & aggressive revenue approach affecting new Investments

The Apex body ASSOCHAM has shown serious concern over the aggressive revenue approach of the Central Board of Excise and Customs (CBEC) and said that since Service tax is transaction based tax, the aggressive approach has only led to more litigation and uncertainty in tax implications. It also said that Service tax registration process is time consuming and painful process which is not conducive to the economic growth and is adversely affecting the new investments. There is need to simplify the registration process if the Service tax administrators want to achieve the reasonable tax revenue target in 2-3 years.

Apart from this, ASSOCHAM has also suggested to increase the number of Tribunal benches urgently owing to huge pendency of legal cases.

The new Company law will not be a burden on independent directors: MCA Official

The officials of Ministry of Corporate Affairs on the ASSOCHAM event said that the independent directors should not see the new Company law as the burden or functioning as onerous. Although the New Law has put more penalties on the independent directors but it also has the provisions to protect their interest unless they are conniving or have taken part in any fraud or acted lack of due diligence.

Amazon's Karnataka tax trouble continues

The Amazon tax problems don't seem to resolve in early future as the intention of the Karnataka Government is not clear. The Karnataka Government has sent cancellation notices to around 100 sellers, or third party merchants, who sell their merchandise on Amazon.in, ordering them to stop storing their merchandise in the Amazon warehouse or fulfillment center located on the outskirts of Bangalore. The problem arose because the Government wanted Amazon to pay up value-added tax (VAT) for all the seller merchandise that is stored in its warehouse and is sold through its Fulfilment by Amazon (FBA) service.

Amazon, on its part, says it is just providing a service for third party sellers to sell their merchandise conveniently and quickly and is not liable to pay VAT as it does not own the merchandise. "Amazon.in is a market place where sellers of all sizes use our platform to reach customers across the country," a company spokesperson said.

VAT is a State tax that is charged on the sale of goods and is treated or interpreted differently in different States. Amazon has not faced tax issues in other States where it owns warehouses or fulfilment centres.

Government eases procedural norms for directors in new Companies law

The Government has simplified the procedural compliance rules governing the appointment and qualification of directors under the new Companies Act. The changes have been made through the Companies (Appointment and Qualification of Directors) Amendment Rules, 2014, according to the Corporate Affairs Ministry. These rules provide for establishing a data bank of persons who offer to be independent directors on the Board of Companies.

Now, the Ministry has done away with clauses that required concerned persons to include PAN details as well as their mother's and spouse's names in the data bank, among others. Further, some of the filing requirements have been simplified by omitting the need to file using certain prescribed forms, and some of the other forms have been amended.

Make in India to develop nation as manufacturing superpower: Modi

The PM highlights the need for highways and i-ways (information ways). He says he wants to enhance the public-private partnerships in skills development.

"Belief and trust in people is the most important thing a government can give its citizens," Modi adds.

He says FDI for Indians is a responsibility while for the rest of the world it is an opportunity. His definition for FDI is **First Develop India** emphasizing on the need for jobs, Modi says India must create opportunities of employment for if the poor get jobs the purchasing power of families will increase and this will increase consumption demand in the country.

S&P upgrades India's credit outlook to 'stable'

Rating agency Standard & Poor's has revised India's credit outlook to "stable" from "negative", acknowledging the improved economic environment in the country.

In a huge sentiment boost for India, global rating agency Standard & Poor's on Friday revised India's credit outlook to "stable" from "negative", acknowledging the improvement in the country's economic environment. Though the agency has maintained 'BBB-' long-term and 'A-3' short-term "unsolicited sovereign credit ratings", the revision in outlook will definitely be a positive. "Our outlook revision reflects our view that India's improved political setting offers a conducive environment for reforms, which could boost growth prospects and improve fiscal management," S&P said.

INDIRECT TAX CALENDAR FOR THE MONTH OF OCTOBER, 2014

Due Date	Period	EVENT	FORM
Payment of Service Tax / Excise Duty			
6th October	Quarter ended 30th September	Payment of Service Tax by Individual or Proprietary Firm or Partnership Firm	GAR-7
6th October	September	Online payment of Excise Duty/ Service Tax by Corporate	GAR-7
6th October	Quarterly	Small Scale Industries (**"SSI"**)	GAR-7
Return under Finance Act, 1994/ Central Excise Act, 1944			
25th October	Half yearly	Service Tax Assessee	ST-3
10th October	September	Excise Return (except SSIs and EOUs)	ER–1
10th October	September	Excise Return by EOUs	ER-2
10th October	Quarter ended 30th September	Excise Return by SSI Units	ER-3

Important Service Tax amendments applicable from 1st October, 2014:

Please click the below link for more details:

http://www.a2ztaxcorp.com/wp-content/uploads/2014/08/Important-ST-Amendment-applicable-w-e-f-1st-Oct-2014.pdf

ABOUT US

A2Z TAXCORP LLP having professionals from Multi disciplines which provides services under the Indirect & Direct Tax Laws, DGFT, Foreign Trade Policy, SEZ, EOU, Export – Import Laws, Free Trade Policy, Accounting, Auditing, Law, Company Laws, etc.

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