



**Chengalpattu District Branch of SIRC of ICAI
(Formerly known as Kanchipuram District Branch)**

E- NewsLetter FEBRUARY 2021



Chengalpattu District Branch of SIRC of ICAI

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Note: Articles are invited from members for publishing in newsletter. The articles shall be either on the specific subject or a general article. Members can mail their article with Name, Membership Number, Mobile Number, Residential Address, Office Address & Photo to our Mail mentioned below

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Note: The views expressed in the articles published are their own views and Chengalpattu District Branch does not endorse or take responsibility for the views expressed in the articles.

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E-NEWSLETTER

CHENGALPATTU DISTRICT BRANCH OF SIRC OF ICAI

From the Chairperson's Desk

*Esteemed Brothers / Sisters,
Greetings.*

I am communicating with you all along through this e newsletter for the last one year and I



was fortunate enough for being connected with you. In spite of the pandemic, by the grace of God, we are able to sustain and cope up with the difficult period. The year 2020 had taught us a great lesson especially managing and living under my challenging situations. With the support of you, we had conducted a good number virtual programs which had contributed for our learning even during this pandemic period.

Though I could not meet you in person, the virtual cpe meetings had given me an opportunity to meet the members virtually and interact with you.

The term of my chairmanship ends by mid Feb, 2021.

My sincere thanks for the wonderful cooperation extended by all the managing committee members for all my endeavors.

I also thank all members for their encouragement and support during the pandemic period.

I also take this opportunity to thank all the eminent speakers who have contributed their best for our members.

My sincere thanks to the subcommittee members for their continued support and encouragement.

My Special thanks to the branch staff team for their support and best cooperation.

The year 2021 would be a great year for our Chengalpattu district branch with lot of developments.

CPE Meetings:

Virtual Meeting on 2nd Feb, 2021 on Union Budget 2021 by

For Direct taxes CA M Naveen Kumar

And Indirect taxes by CA R Bhuvaneshwari.

First Physical CPE Meeting:

During the pandemic period, we have organized many virtual webinars successfully with your active participation. Now after a long break and with COVID-19 protocol, we are shifting to our first Physical Seminar on Taxation.

I am happy to inform you that we are planning for our first Physical CPE Meeting for our members at **Mahabalipuram** after this pandemic on **Tuesday, the 9th Feb, 2021.**

Session 1: Faceless Assessments and Appeals by Dr. CA Abhishek Murali

Session 2: Professional Opportunities for members under Indirect Taxation by CA K Sivarajan

Venue: Golden Sun Beach Resort at ECR, Mahabalipuram.

Please register and attend in person.

Family members are also invited for this meeting.

Let us keep fit for rendering our services in the best manner.

I thank the contributors who are contributing articles for our branch e newsletter even during lock down period.

My Pranams to senior members and best wishes to every other member.

Stay safe. Take care.

JAI HIND

CA G GEETHA

CHAIRPERSON

CHENGALPATTU DT BRANCH OF SIRC OF ICAI.

DATE: 01.02.2021

Indirect Taxes Updates

by CA R. V. Bhuvaneshwari



Key Budget Highlights on Indirect Taxes

- Revision of the Customs Duty structure to review more than 400 old exemptions.
- Withdrawal of exemption on imports of certain kind of leathers since MSME's are producing domestically in good quantity and quality.
- Implementation of Turant Customs initiative, which brought in Faceless, Paperless, and Contactless Customs measures.
- Revocation of ADD and CVD on certain steel products.
- Measures taken till now for NIL return via SMS, QRMP scheme, E-Invoicing, Pre-Filled Editable GST Return, Staggering of Return Filing, GSTN System capacity enhancement, Using of Deep Analytics & AI to identify Tax Evaders.

Key Changes in Customs Tariff Act

1. Electronic and Mobile Phone Industry - Parts of mobiles 0% to 2.5%
2. Iron and Steel - Copper Scrap 5% to 2.5%
3. Iron and Steel - Semi, flat, and long products of non-alloy, alloy, and stainless steels 7.5%
4. Iron and Steel - Steel scrap Exempt
5. Textile - Caprolactam, Nylon chips and nylon fiber & yarn 5%
6. Chemicals - Naptha 2.5%
7. Gold and Silver 12.5%
8. Renewable Energy - Solar Invertors 5% to 20%
9. Renewable Energy - Solar Lanterns 5% to 15%
10. Capital Equipment and Auto Parts - Tunnel boring machine 7.5% and its Parts 2.5%
11. MSME Products - steel screws and plastic builder wares 15%

12. MSME Products - prawn feed 5% to 15%
13. Agriculture Products - cotton 0% to 10%
14. Agriculture Products - raw silk and silk yarn 10% to 15%

Key Amendments to CGST Act, 2017

- Section 7 (1) - Clause 'aa' Inserted w.e.f. 01.07.2017, Supply of Goods / Services by Any Person other than An Individual to its Members/constituents or Vice versa for Cash, Deferred payments or valuable consideration.
- Schedule II, Paragraph 7, Supply of goods by unincorporated Association or Body of persons to a member stands omitted w.e.f. 01.07.2017.
- Section 16(2) - ITC to be availed by the recipient, only if it is Furnished by the supplier u/s 37 of the CGST Act,2017.
- Section 35(5) - Omitted. Furnishing of GSTR-9C by a CA/CMA is not required.
- Section 44 - GSTR-9, Annual Return to include a Self-Certified Reconciliation Statement
- Section 50 - Interest to be charged on Net Cash Liability w.e.f 01.07.2017
- Section 107(6) - No Appeal can be filed unless a sum equal to 25% of the Penalty has been paid by appellant.
- Section 129 - Penalty equal to 200% of Tax payable when the owner comes forward for payment of such penalty. Penalty equal to 50% of Value of Goods OR 200% of Tax payable whichever is HIGHER when the owner of the Goods does not come forward for payment of such penalty.

Key Amedments to IGST Act, 2017

- Section 16 - Supply of Goods / Services, by SEZ Unit / SEZ Developer only for Authorised Operations will be considered as "Zero Rated Supply"
- Notified class of taxpayers or Notified Categories of supplies of goods or services, have to Pay IGST on making Zero rated Supplies without utilizing the LUT / Bond, and claim the Refund.
- Realization of Sale proceeds linked with FEMA, 1999.

Union Budget 2020-21 Direct Taxes – Highlights

CA M Naveenkumar

- A. RATIFICATIONS
- B. INCENTIVES EXTENDED
- C. TAX NEUTRAL
- D. ADMINISTRATIVE
- E. BENEFITS EXTENDED
- F. RELAXATION
- G. RATIONALISATION
- H. WIDENING THE TAX BASE



A. RATIFICATIONS

a. Exemption for LTC Cash Scheme

- i. specified expenditure
- ii. specified period means the period commencing from 12th day of October, 2020 and ending on 31st day of March 2021.
- iii. the amount of exemption shall not exceed thirty-six thousand rupees per person or one-third of specified expenditure, whichever is less.

B. INCENTIVES EXTENDED

a. 80IBA- Incentives for affordable rental housing - getting the affordable housing project approved be extended to 31st March 2022.

b. 2(48):

- i. Issuance of zero-coupon bond by infrastructure debt fund w.e.f AY 2022-23 and subsequent AYs
- ii. Consequential amendment has also been proposed in clause (x) of sub-section (3) of section 194A of the Act which will take effect from 1st April 2021

c. 80EEA: Extension of date of sanction of loan for affordable residential house property – loan sanction date extended up to 31.3.2022

d. 80IAC: Extension of date of incorporation for eligible start up for exemption and for investment in eligible start-up – date of incorporation extended up to 31.03.2022. Corresponding amendment made in Sect 54GB, to exempt the capital gains, if invested in equity shares of an eligible start-ups – w.e.f AY 2021-22

e. Raising of prescribed limit for exemption under sub-clause (iiia) and (iiib) of clause (23C) of section 10 of the Act – from Rs.1 Cr to Rs.5 Cr, w.e.f AY 2022-23

C. TAX NEUTRAL

Tax neutral conversion of Urban Cooperative Bank into Banking Company

a. Deductions u/s 44DB made applicable

b. Section 47 to be amended to include this as not regarded as transfer, w.e.f AY 2021-22 onwards

D. ADMINISTRATIVE

a. Constitution of Dispute Resolution Committee for small and medium taxpayers: w.e.f AY 2021-22

While pending disputes are being resolved or adjudicated, it is important that in future there is less number of disputes from fresh assessments. Hence, in order to provide early tax certainty to small and medium taxpayers, it is proposed to introduce a new scheme for preventing new disputes and settling the issue at the initial stage.

The new scheme is proposed to be incorporated in a new section 245MA and has the following features.

(i) The Central Government shall constitute one or more Dispute Resolution Committee (DRC).

(ii) This committee shall resolve disputes of such persons or class of person which shall be specified by the Board. The assessee would have an option to opt for or not opt for the dispute resolution through the DRC.

(iii) Only those disputes where the returned income is fifty lakh rupee or less (if there is a return) and the aggregate amount of variation proposed in specified order is ten lakh rupees or less shall be eligible to be considered by the DRC.

(iv) If the specified order is based on a search initiated under section 132 or requisition made under section 132A or a survey initiated under 133A or information received under an agreement referred to in section 90 or section 90A, of the Act, such specified order shall not be eligible for being considered by the DRC.

(v) Assessee would not be eligible for benefit of this provision if there is detention, prosecution or conviction under various laws as specified in the proposed section.

b. Time Limits Reduced:

Revised Return / Belated Return – Time reduced to 3 months from the end of the AY. Eg: For AY 2021-22, time limit is 31.12.2021.

c. Time limit Extended:

In the case of partner of a firm, which is subjected to get Audit report u/s 92E, time extended till 30th November.

d. 245N to 245 U-

Constitution of the Board for Advance Ruling – w.e.f AY 2021-22

e. 147, 148, 148A & 149-

i. Period for reopening reduced to 3 years

ii. 10 years if the income escaped is Rs.50 Lakhs or more

f. Time limit for completion of assessment, reassessment, and re-computation – Reduced to 9 months from the end of the AY.

g. Allowing prescribed authority to issue notice under clause (i) of sub-section (1) of Section 142

A proviso to Section 142 is proposed to be inserted to empower prescribed income-tax authority, in addition to Assessing Officer, to serve notice under clause (i) of sub-section (1) of the said Section.

h. Discontinuance of Settlement Commission:

It is proposed to discontinue Income-tax Settlement Commission (ITSC) and to constitute Interim Board of settlement for pending cases. The various amendments proposed are as under:

- i. ITSC shall cease to operate on or after 1st February 2021
- ii. No application under section 245C of the Act for settlement of cases shall be made on or after 1st February 2021.
- iii. All applications that were filed under section 245C of the Act and not declared invalid under sub-section (2C) of section 245D of the Act and in respect of which no order under section 245D (4) of the Act was issued on or before the 31st of January 2021 shall be treated as pending applications.

i. Faceless proceeding before ITAT [Section 255]

The Government seems to have committed to its stand of imparting greater efficiency, transparency and accountability to the assessment, penalty, and appeal processes. Accordingly, the Government has notified faceless schemes that otherwise required physical interface with taxpayers. Taking the initiative to the next level, it is now proposed to amend the provisions of Section 255 qua procedure of filing appeal with Appellate Tribunal.

1. The Central Government may notify a scheme for the purpose of disposal of appeals by:
 - eliminating interference between the Appellate Tribunal and the parties to the Appeal during the proceedings to the extent technologically feasible.
 - making optimum utilization of resources through economies of scale and functional specialization.
 - introducing an appellate system with dynamic jurisdiction; and
 - the Central Government may direct that the provisions of the IT Act shall not apply to such scheme or apply with such exception, modification and adaption as may be specified.

E. BENEFITS EXTENDED

- a. 43CA-Increase in safe harbour limit of 10% for home buyers and real estate developers selling such residential units to 20% of stamp duty value
 - i. The transfer of residential unit takes place during the period from 12th November 2020 to 30th June, 2021
 - ii. The transfer is by way of first-time allotment of the residential unit to any person
 - iii. The consideration received or accruing as a result of such transfer does not exceed two crore rupees
- b. 56(2)(x) - Correspondingly increased to 20%

F. RELAXATION

- a. Relaxation for certain category of senior citizen from filing return of income-tax
 - i. Senior citizens of the age of 75 or more during the PY
 - ii. He has pension income and no other income. However, in addition to such pension income he may have also have interest income from the same bank in which he is receiving his pension income.
 - iii. This bank is a specified bank. The Government will be notifying a few banks, which are banking company, to be the specified bank: and
 - iv. He shall be required to furnish a declaration to the specified bank. The declaration shall be containing such particulars, in such form and verified in such manner, as may be prescribed.
 - a. Once the declaration is furnished, the specified bank would be required to compute the income of such senior citizen after giving effect to the deduction allowable under Chapter VI-A and rebate allowable under section 87A of the Act, for the relevant assessment year and deduct income tax based on rates in force. Once this is done, there will not be any requirement of furnishing return of income by such senior citizen for this assessment year.

- b. This amendment will take effect from 1st April 2021.
- c. 194 -Exemption of deduction of tax at source on payment of Dividend to business trust in whose hand dividend is exempt – retrospectively w.e.f AY 2020-21

G. RATIONALISATION

- a. 115JB: Rationalisation of provisions of Minimum Alternate Tax (MAT)
 - 1. If the past year income is included in books of account during the previous year on account of an APA or a secondary adjustment, based on an application made by the Assessee, the AO will recompute.
 - 2. Corresponding amendment proposed u/s 154(7) to reckon the period of 4 years from the end of the FY in which the application is made
 - 3. Dividend – In case of Foreign companies, the rate as per DTAA or MAT w.e.f
 - 4. W.e.f AY 2021-22
- b. 44AB: Rationalisation of provisions relating to tax audit in certain cases limit increased from Rs.5 Cr to Rs.10Cr – w.e.f AY 2021-22
- c. Advance tax instalment for dividend income: No interest u/s 234C, if the advance tax is paid in full in the subsequent instalments
- d. 43B/ 36(1) / 2(24)(x) Payment by employer of employee contribution to a fund on or before due date –
 - i. No deduction is allowed if paid after due date
 - ii. New explanation to sec 36 is inserted w.e.f AY 2021-22.
- e. Rationalization of provision of transfer of capital asset to partner on dissolution or reconstitution
 - i. Bill proposes to insert new sub-section (4A) to Section 45 which brings the (i) revalued assets or (ii) self-generated assets, under the ambit of Capital Gain taxation.
 - ii. Receipt of such capital asset by the partners or members shall be chargeable to income tax as income of the specified entity (partnership firm or AOP /BOI) under the head capital gains and shall be deemed to be the income of such specified entity (partnership firm or AOP /BOI) of the PY in which the capital asset was received by the partner or member (as the case may be).
 - iii. These amendments shall be effective from AY 2021-22 and onwards.
- f. Rationalization of the provision relating to processing of returned income and issuance of notice under sub-Section (2) of Section 143 of the Act
 - i. Section 143 of the IT Act is proposed to be amended to:
 - ii. allow adjustment on account of increase in income indicated in the audit report but not taken into account in computing the total income.
 - iii. allow deduction admissible under Section 10AA or under any of the provisions of Chapter VIA under the heading “C. – Deductions in respect of certain incomes”.
 - iv. reduce the time limit specified or sending intimation under sub-section (1) from one year to nine months and to reduce the time limit for sending notice under sub-section (2) from six months to three months from the end of the financial year in which the return is furnished.
- g. Rationalization of the provision of slump sale
 - i. Bill proposes to enlarge the scope of the definition of ‘slump sale’ by amending the provision of clause (42C) to Section 2 of the IT Act so that all types of ‘transfer’ as defined in clause (47) to Section 2 of the IT Act are included within its fold.
 - ii. This amendment shall take effect from April 01, 2021 and shall accordingly apply to the

AY 2021-22 and onwards.

iii. There have been divergent judicial views on the subject issue in as much as one school of thought advocated that transfer of an asset in lieu of another asset (non-monetary), could not be considered as 'sale', leading to non-applicability of Section 50B; while as per the other, such exchange of assets ought to be construed as 'sale' leading to applicability of Section 50B.

iv. With this amendment, the said ambiguity is brought to an end and thus, certainty has been provided qua taxability on a prospective basis. Nonetheless, past transactions shall have to pass the rigors of court room dramas.

H. WIDENING THE TAX BASE

a. Taxation of proceeds of high premium unit linked insurance policy

i. Clause (10D) of section 10 of the IT Act provides for exemption to sum received under a life insurance policy. Under the existing provisions, there is no cap on the amount of annual premium being paid by any person during the term of the policy. The provisions are being exploited by the high-net-worth individuals by investing in ULIP with huge premium, while the benefit was actually framed for the small and genuine cases of life insurance.

ii. To plug this situation, the Bill proposes various amendments to clause 10D of Section 10, Section 45 and Section 3.

b. Special TDS/TCS rates for non-filer of IT return

i. Stringent measures have been proposed to be introduced against taxpayers who have not filed return of income for two AYs immediately prior to the PY in which tax is required to be deducted for which the time limit of filing return of income under Section 139(1) has expired and the aggregate of TDS and TCS exceeds rupees fifty thousand in each of the two years. Specified person shall not include a non-resident who does not have a permanent establishment in India.

ii. In order to ensure faster compliance, Section 206AB is being introduced w.e.f. 01.07.2021 wherein TDS is required to be deducted by such persons from a specified person under the provisions of Chapter XVIIIB other than Sections 192, 192A, 194B, 194BB, 194LBC or 194N on any sum or income or amount paid, the tax shall be deducted at higher of the following rates:

a. At twice the rate specified in the relevant provision; or

b. At twice the rate or rate in force; or

c. At the rate of 5%.

iii. It is further clarified that if the provision of Section 206AA is applicable to specified person in addition to this provision, the tax shall be deducted at higher of the two rates provided in this Section and Section 206AA.

iv. Similar provisions are introduced under TCS compliances, wherein Section 206CCA is introduced w.e.f. 01.07.2021 wherein TCS required to be collected by a person from a specified person under the provisions of Chapter XVII-BB, the tax shall be collected at higher of the following rates:

a. At twice the rate specified in the relevant provision; or

b. At the rate of 5%.

c. Provisional attachment in case of Fake invoices [Section 281B]

Provisions of Section 281B qua provisional attachment of any property have been amended in order to provide that the aforesaid provisional attachment of a property of the Assessee

may also be made during the of proceedings for imposition of penalty under Section 271AAD where the amount or aggregate of amounts of penalty likely to be imposed under that Section exceeds two crore rupees.

d. Depreciation on Goodwill

i. Bill proposes to amend the definition of the term 'block of assets' defined in sub-section 11 of Section 2 to exclude 'Goodwill' from the same.

ii. Corresponding amendments are made in Clause (ii) of Section 32, insertion of Explanation 3 to Section 32, Section 50, and Section 55.

e. Rationalisation of the provisions of Equalisation Levy

i. In the context of Equalisation Levy, it is proposed to carry out the following amendments to correctly reflect the intention of various provisions concerning the said levy:

ii. Insert an Explanation to Section 163 of the Finance Act, 2016, clarifying that consideration received or receivable for specified services and consideration received or receivable for e-commerce supply or services shall not include consideration which are taxable as royalty or fees for technical services in India under the IT Act read with the agreement notified by the Central Government under Section 90 or Section 90A of the IT Act.

iii. Insert an Explanation to clause (cb) of section 164 of the Finance Act, 2016, providing that for the purposes of defining e-commerce supply or service, — online sale of goods and —online provision of services shall include one or more of the following activities taking place online:

- Acceptance of offer for sale.
- Placing the purchase order.
- Acceptance of the Purchase order.
- Payment of consideration; or
- Supply of goods or provision of services, partly or wholly

iv. Amend Section 165A of the Finance Act, 2016, to provide that consideration received or receivable from e-commerce supply or services shall include:

- consideration for sale of goods irrespective of whether the e-commerce operator owns the goods; and
- consideration for provision of services irrespective of whether service is provided or facilitated by the e-commerce operator.

v. These amendments will take effect retrospectively from 1st April 2020.

Income Tax Case Laws

by CA. Muthu Abirami



Reference: <https://www.taxmann.com/>

ITAT- Mumbai Bench

Shelf Drilling Ron Tappmeyer Ltd. vs DCIT

IT APPEAL NOS. 1889 TO 1892 (MUM.) OF 2020

Held: Where for assessment year 2014-15, assessee's books of account was rejected and assessee's claim of loss of Rs. 81 crores was declined but on appeal, Co-ordinate Bench of Tribunal remitted matter to Assessing Officer for framing assessment de novo, assessee's claim of set off of unabsorbed business losses of assessment years 2016-17 and 2017-18 being Rs. 20.30 crores and Rs.18.44 crores respectively could not be declined in view of fact that returns for these were filed prior to appellate order and refunds, if any due to assessee, had become due as a result of appellate order

High Court of Karnataka

B Fouress (P.) Ltd. vs DCIT

ITA 203 OF 2016

Held: Where Tribunal had upheld disallowance under section 37(1) of commission payment made by Assessing Officer on basis of order for preceding year, since material had been produced by assessee which was not considered by Tribunal and Tribunal had upheld disallowance under section 37 merely on basis of order passed in respect of preceding year, order passed by Tribunal was cryptic and suffered from vice of non-application of mind

Madras High Court

PCIT vs Investor Ventures Ltd.

TCA 16 OF 2021

Held: Disallowance under rule 8D read with section 14A can never exceed exempted income earned by assessee during particular assessment year and further without recording satisfaction by Assessing Authority that apportionment of such disallowable expenditure made by assessee with respect to exempted income is not acceptable for reasons to be assigned by Assessing Authority, he cannot resort to computation method under rule 8D

ITAT - Mumbai Bench

Maria Fernandes Cheryl vs ITO

ITA 4850 (MUM.) OF 2019

Held: Amendment in scheme of section 50C(1), by inserting third proviso thereto and by enhancing tolerance band for variations between stated sale consideration vis-à-vis stamp duty valuation from 5 per cent to 10 per cent, are curative in nature, and, therefore, these provisions, even though stated to be prospective, must be held to relate back to date when related statutory provision of section 50C, i.e. 1-4-2003

MCA Updates

by CA A. Priya

Clarification on spending of CSR funds for awareness and public outreach on COVID-19 vaccination program

MCA vide General Circular No.10/2020 dated March 23, 2020 had clarified that spending of CSR funds for COVID-19 is an eligible CSR Activity.

MCA further vide General Circular No.01/2021 dated January 13, 2021 had clarified that spending of CSR funds for carrying out awareness campaigns/programs or public outrage campaigns COVID 19 vaccination program is an eligible CSR Activity under Schedule VII of the Companies Act, 2013 relating to promotion of health care, including preventive health care and sanitization promoting education and disaster management.



on

Scheme for Condonation of delay for Companies restored on the ROC between 01st December 2020 to 31st December 2020, under section 252 of the Companies Act, 2013

MCA issued General Circular No.03/2020 dated January 15, 2021, scheme for Condonation of delay for Companies restored on the Registrar of Companies between 01st December 2020 to 31st December 2020, under section 252 of the Companies Act, 2013

The Companies Fresh Start Scheme, 2020 (CFSS-2020) was introduced vide General Circular No.12/2020 dated 30.03.2020, and was extended vide General Circular No.30/2020 dated 28.09.2020 is no longer applicable for various filings done under the provisions of Companies Act, 2013.

Based on representations received by Ministry for relief for appeals preferred under Section 252 of the Act against the striking off Orders before NCLT issued during December 2020, to enable such companies to obtain the benefit of CFSS-2020, to provide benefit of filing overdue forms for restored companies by NCLT and to provide waiver of additional fees for restored companies.

This Scheme will be in operation from 01st February 2021 and will be available for filing of any overdue e-forms by such companies till 31st March 2021.

All e forms other than SH-7 (For any increase in authorized share capital) and Charge forms (CHG-1, CHG-4, CHG-8 and CHG-9)

Every company to which this Scheme is applicable shall be required to pay normal filing fees on the date of filing under Companies (Registration Offices and Fees) Rules, 2014 and no additional fees shall be required to be paid.

Companies (Corporate Social Responsibility Policy) Amendment Rules, 2021

MCA vide its Notification No.G.S.R 40(E) dated 22nd January 2021, notified the Companies (Corporate Social Responsibility Policy) Amendment Rules, 2021 which seeks to amend the Companies (Corporate Social Responsibility Policy) Rules, 2014. The Rules

came into effect immediately on publication of same in official gazette.

Companies who intend to undertake any CSR activity, shall register itself with the Central Government by filing the form CSR-1 electronically with the Registrar, with effect from 1st April 2021. However, this will not affect the CSR projects or programs approved prior to 1 April 2021.

As per the amendment the CSR Committee shall formulate and recommend to the Board, an annual action plan in pursuance of its CSR policy, which shall include the list of CSR projects or programmes that are approved to be undertaken in areas or subjects specified in Schedule VII of the Act, the manner of execution of such projects or programmes as specified in Rule 4(1), the modalities of utilisation of funds and implementation schedules for the projects or programmes, monitoring and reporting mechanism for the projects or programmes and details of need and impact assessment, if any, for the projects undertaken by the company.

W.r.t CSR implementation, the Board shall ensure that the CSR activities are undertaken by the company itself or through -

(a) a company established under section 8 of the Act, or a registered public trust or a registered society, registered under section 12A and 80 G of the Income Tax Act, 1961 (43 of 1961), established by the company, either singly or along with any other company, or

(b) a company established under section 8 of the Act or a registered trust or a registered society, established by the Central Government or State Government; or

(c) any entity established under an Act of Parliament or a State legislature; or

(d) a company established under section 8 of the Act, or a registered public trust or a registered society, registered under section 12A and 80G of the Income Tax Act, 1961, and having an established track record of at least 3 years in undertaking similar activities.

The board shall ensure that the administrative overheads shall not exceed five percent of total CSR expenditure of the company for the financial year. Any surplus arising out of the CSR activities shall not form part of the business profit of a company and shall be ploughed back into the same project or shall be transferred to the Unspent CSR Account and spent in pursuance of CSR policy and annual action plan of the company or transfer such surplus amount to a Fund specified in Schedule VII, within a period of six months of the expiry of the financial year.

The Board of Directors of the Company shall mandatorily disclose the composition of the CSR Committee, and CSR Policy and Projects approved by the Board on their website..

Relaxation on levy of additional fees in filing e-forms AOC-4, AOC-4 (CFS), AOC-4 XBRL and AOC-4 Non-XBRL for FY 2019-20 till 15.02.2021

Based on the requests received from stakeholders, MCA vide its General Circular No.04/2021, dated 28th January 2021, relaxed levy of additional fees in filing e-forms

AOC-4, AOC-4 (CFS), AOC-4 XBRL and AOC-4 Non-XBRL for financial year 2019-20 till 15.02.2021

New 'Extend' functionality shall be introduced as part of SPICe+ Part A in line with Rule 9A 'Extension of reservation of name in certain cases' of the Companies (Incorporation) Third Amendment Rules, 2020 with effect from 26th January 2021.

Scheme for condonation of delay for companies restored between 01 December 2020 and 31 December 2020 u/s 252 vide circular no. 03/2021 would come into effect from 01st February 2021.

Companies which have obtained orders of Hon'ble NCLT under section 252 of CA 2013 dated between 01 December 2020 and 31 December 2020 are supposed to approach the concerned jurisdictional ROCs along with copy of NCLT order, challan copy towards payment of cost as imposed by Hon'ble NCLT to avail the benefit of the scheme and/to mark the company's status from 'Strike off' to 'Active'.

CFSS-2020 Form is available for filing as eForm. The due date for filing the same is 30th June 2021.

The last date for filing DIR-3 KYC for Financial year 2019-20 had expired on 31st December 2020. The process of deactivating the non-compliant DINs has been completed. Web service DIR-3 KYC and filing of DIR-3 KYC service is made available on the portal after payment of applicable fees of Rs. 5,000 /-

Due dates for filing RoC forms:

Form	Particulars	Due Date
Form ADT-1	Appointment of Auditor	Within 15 days from the date of AGM.
Form AOC-4 Form AOC-4 (XBRL) Form AOC-4 CFS (consolidated financial statements) Form AOC-4 NBFC (Ind AS) Form AOC-4 CFS NBFC (Ind AS)	Annual Accounts	Within 15.02.2021 In case of OPC within 180 days from the close of the financial year
Form MGT-7	Annual Return	Within 60 days from the conclusion of AGM
Form-11	Annual Return of Limited Liability Partnership (LLP)	within 60 days of end the respective financial year i.e 30th May
Form-8	Statement of Account & Solvency	within 30 days of end 6 months of the closure of the financial year i.e. 30th October
CRA-4	Filing of Cost Audit Report	within 30 days from the date of receipt of the copy of the cost audit report by the company
CFSS-2020 Form	Application of issue of immunity certificate	Within 30.06.2021

Compliance Due Dates

Due Date	Particulars of Compliance	Applicable Act	Forms/ Returns	Applicable To	Reporting Period
2/7/2021	Deposit of Tax Deducted/ Collected (TDS/TCS)	Income Tax	Challan - 281	All Tax Deductors/ Collectors	Jan-21
2/7/2021	Depositing of equalisation levy	Income Tax	Challan - 285	All residents and non residents having permanent establishment in India responsible for paying a non resident on specified services	Jan-21
2/10/2021	Return for TDS under GST	GST	GSTR - 7	Government Authorities	Jan-21
2/10/2021	Return for Details of Supplies and the amount of tax collected	GST	GSTR - 8	E-Commerce Operator	Jan-21
2/11/2021	Return for outward supplies of Goods and/or Services	GST	GSTR - 1	Taxpayers with Annual Turnover more than 1.5 crores	Jan-21
2/13/2021	Return for details of ITC Received and Distribution	GST	GSTR - 6	Input Service Distributors	Jan-21
11/14/2020	Issue of TDS Certificate u/s. 194 IA and IB	Income Tax	Form 16B & 16C	All Deductors related to Immovable Property Sale & Rent	Dec-20
11/14/2020	Issue of TDS Certificate u/s. 194 M	Income Tax	Form 16D	Individuals & HUF not liable to deduct TDS u/s 194C , 194H or 194J	Sep-20
2/15/2021	Deposit of Provident Fund Contributions	Provident Fund	Through EPFO Portal	Entities registered with PF Authorities	Jan-21

2/15/2021	Deposit of E.S.I.C Contributions	ESI	Through ESIC Portal	Entities registered with ESIC Authorities	Jan-21
2/15/2021	Issue of TDS Certificate (TDS on other than salary)	Income Tax	Form 16A	Deductors (Other than Salary)	Q3 of FY 2020-21
2/15/2021	Due Date for filing Return of Income	Income Tax	ITR 1 - ITR 7	Corporate Assessee and Non-Corporate Assessee liable to Audit under the IT Act	F.Y 2019-20
2/20/2021	Due date for filing Summary Return of Outward & Inward Supplies	GST	GSTR - 3B	GST Taxpayers having Turnover exceeding Rs. 5 Crores in Preceeding FY	Jan-21
2/20/2021	Last date for filing of Summary Return of Outward & Inward Supplies and Tax payable	GST	GSTR - 5	Non-Resident Taxable Persons	Jan-21
2/20/2021	Last date for filing of Summary Return of Outward & Inward Supplies and Tax payable	GST	GSTR - 5A	OIDAR Service Providers	Jan-21
2/22/2021	Last date for filing Summary Return of Outward & Inward Supplies	GST	GSTR - 3B	GST Taxpayers having Turnover upto Rs. 5 Crores in Preceeding FY	Jan-21
2/28/2021	Annual Return under GST Law	GST	GSTR 9	All Tax Payers having Turnover exceeding Rs. 2Crores	F.Y 2019-20
2/28/2021	Audit Report under GST Law	GST	GSTR 9C	All Tax Payers having Turnover exceeding Rs. 5Crores	F.Y 2019-20

PHOTO GALLERY

SIRC CHAIRMAN VISIT TO CHENGALPATTU BRANCH on 23-01-2021





PHOTO GALLERY

REPUBLIC DAY CELEBRATION on 26-01-2021



PHOTO GALLERY

Topic: GSTR-9 Annual Return & GSTR-9 Audit Report

Speaker: - CA J Murali

Date: 30.01.2021

CHENGALPATTU BRANCH OF SIRC OF ICAI

GSTR 9 AND 9C
on 30-01-2021

-a presentation by CA J Murali

