



गुरु ब्रह्मा, गुरु विष्णु  
गुरु देवो महेश्वरह;

गुरु साक्षात् परमं ब्रह्मा  
तस्मै श्री गुरुवे नमः

**Dr. Sarvepalli Radhakrishnan Ji**

**Happy Teachers Day**



**Let's Talk on Impact of COVID 19**



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The members of the firm provide a perfect blend of consistent high quality expertise derived from immense transactional experience and innovative thought in providing solutions in domains covering multidisciplinary fields working closely with Chartered Accountants, Company Secretaries, Lawyers and professionals from other discipline.

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# Let's Talk on "Impact of COVID 19"

## with Past President of ICAI CA Amarjit Chopra Ji



**CA. Amarjit Chopra Ji** with more than four decades of standing was the President of the Institute of Chartered Accountants of India for the year 2010-11. He was elected as the Vice-President of the ICAI for the year 2009-2010. Having a post graduation from Delhi University in 1973, he qualified as a Chartered Accountant in 1975.

He has delivered more than 3000 lectures on various professional topics of Corporate Governance, Accounting Standards including IFRS, Standards on Auditing, Company Law, Banking etc in various programmes organised by ICAI and its Regional Councils, branches and foreign Chapters, C&AG office ,other professional institutes, Chambers and so on.

Currently he is Nominated to Bench 2 of Disciplinary Committee of Institute of Chartered Accountants of India (ICAI) by Government of India ,Board of Governors of IMS, Nominated member to NFRA-Committee constituted by NFRA to suggest measures to improve Audit Quality, Chairman of Committee to revise CARO-Committee for Decriminalising the Companies Act. He is also presently a Resource Person on Panel of IMF



**CA Arjit Agarwal** - First of all I am thankful to you on behalf of AASquare Advisors LLP for sparing your valuable time and sharing your views on "Let's Talk" series on topic "Impact of Covid 19".

**AC** - Pleasure is mine. This pandemic has taught us many lessons and it is better to share the same with others.

**CA Arjit Agarwal** - Corona Pandemic started with Janta Curfew which looks like a one day but afterwards many states Honorable CMs has announced lockdown which was new to all of us which further looks that it may end up soon. But seeing the current scenario it is for sure that we have to live with Corona for long. Do you think we will be moving towards virtual offices to safe guard from Corona slowly?

**AC** - In the beginning it seemed to be a fortnight or at the maximum one month affair. But as the time has gone it appears to be an unending affair 2020 is completely washed out and history will explain the dark side of this year. But at the same time it has shown that people at large have the tenacity to fight it out. Mortality rate being low, people have started taking chances and that is one reason of recent spike in cases after the same had gone down. But my worry is when local trains in Mumbai and Metro in Delhi restart coupled with reopening of Malls, Theatres, Gyms, and Amusement Parks etc. That will be a crucial phase. We have already moved on to virtual offices and this trend would remain in the next year as well. Corona has more of psychological impact rather than physical. Parents of your own articulated students are reluctant to send them for practical training. So we can expect more investment of firms on technology than on anything else.

**CA Arjit Agarwal** - COVID 19 pandemic has impacted worldwide wherein economy slow down drastically and lockdowns at many places all over world. Previously we were talking about 5 trillion economy by end of 2024 as mission but COVID 19 creates a lot of challenge to achieve that. According to me there few sector which may have a significantly impact by Corona i.e. Airlines, Hotels, restaurants & Tourism. Can you please share your views on economy of India due to COVID 19 and way forward to achieve 5 trillion economy target?

**AC** - These targets have no meaning as of now. As in cricket they say it is better to play session to session rather than with a target in mind, similarly we have to live from year to year rather than looking at 2024. An economy with a GDP contraction exceeding 23 percent has to look at immediate measures to build demand, organize supplies, arrest NPA level and above all to take measures to create employment opportunities. To me if the unemployment is not arrested it would result in to



various social disorders. Government may have to resort to deficit financing forgetting the inflation that may happen as a consequence of this. We have to take



measures for growth at the cost of inflation. Certain businesses like airlines, restaurants, hotels, auto (other than two wheelers and small cars), cabs, cinema halls, amusement parks, gyms, real estate etc are going to be hit hard and in a good number may close down. But lives of millions of people are more important than these losses.

**CA Arjit Agarwal** – Technology is most armed weapon for Development of any economy. We were already talking way back about ABCD technology. COVID 19 has done smooth and forced transformation from manual interface to Digital at a very short span of time. Your view point on Technology development world wide ?

**AC** – Adversity creates opportunity as well and this holds absolutely true today. Look at number of webinars rather than seminars and office work being handled through virtual mode. This is a reality today. To my mind in the times to come significance of physical offices will come down drastically. Virtual offices will become the order of the day. Clients will provide access to their records. Investment in technology will be key. Accounting and Auditing tools will assume great significance. Look at blue sky these days. Lesser commuting has resulted in saving costs on fuel and has led to better environment. Productivity has increased. There are many positive sides of use of technology. But it has its own cost in form of stiff necks and so on.

**CA Arjit Agarwal** – What measures you would like to suggest to professional to take care of Cyber Security and VPN Data Protection for remote areas basically Data Security ?

**AC** – Data security is vital issue while using internet. As we work on internet there is a possibility that some one is keeping a tab on you or snooping on you. Risk is all the more great when we log in to data of the client. It is of utmost importance that we use a VPN and use tools which are branded like Cisco etc. Threat of data being stolen is very high on devices using PPN. Educating the membership at large on issues of cyber security should be on high priority of Institute.

**CA Arjit Agarwal** - Due to economy slow down drastically, recently qualified professionals is expected to struggle much more for their establishment. What advise you would like to give to them so that they will not lose patience for respective establishment?

**AC** - Everything is interdependent these days. Profession can not work in isolation. Economic, socio political conditions are bound to affect profession. With the kind of GDP contraction that the economy is going through profession is bound to take hit. It is an unprecedented slow down in business. New projects are not coming up. Revenues of existing clients barring in rare sectors are substantially down. Not only the new work may not be generated rather existing clients may resort to fees cuts. Employment opportunities would come down not only in India but abroad as well. Goal should be to save the existing employment. With growing unemployment there could be fierce competition with other professionals. No increments and bonus for the year is expected. But there is a hope for professional having expertise in restructuring of loans etc. They could be gainfully employed. Valuation services would be in great demand for purposes of determining impairment. But on the whole situation does not appear to be happy

**CA Arjit Agarwal** - How do you foresee the profession going forward during lockdowns in certain places and COVID 19 pandemic?

**AC** – Profession may face challenges all over with regard to verification of inventories on a date other than 31st March, 20 and reconciling it with balances on the closing of the year. Similar will be the position with regard to Cash Balances. External confirmations would be a big challenge. Ascertaining Going Concern status, impairment of financial and non financial assets are key issues. Testing Management Representations for their correctness needs to be taken up on priority. Companies having large number of subsidiaries, joint ventures and associates particularly in different jurisdictions will face challenge of consolidation in case of delays in finalization of accounts of any entity. Biggest challenge of course would be to change the mindset, adopt technology and the ability to work remotely.

**CA Arjit Agarwal** - At last, thank you so much for giving your precious time and answering all questions very well.

**AC** – Thank you so much



# Let's Talk on "Impact of COVID 19"

## with Corona Warrior Dr Sachin Bansal



Dr Sachin Bansal is a qualified MBBS, MD (General Medicine), PDCC(Hemato-oncology), DM (Clinical Hematology). He has completed DM from AIIMS New Delhi in year 2019. Clinically sound person with a rich practical exposure in Medical profession of more than 10 years.

He worked at SGPGI Lucknow & AIIMS New Delhi learning skills of Clinical Hematology. So far he has participated in 100+ Bone marrow transplant procedures.

A dedicated Doctor by profession who had been quarantined twice due to COVID exposure but he keeps on serving the cancer patients with a intent that both blood disease and corona should be treated on priority basis as both needs immediate attention and urgent care to prevent unnecessary complications.

Currently he is serving as Associate Consultant in Institute of Blood Disorders And Bone Marrow Transplant at Fortis Memorial Research Institute, Gurugram and has served during the entire period of COVID

19 Pandemic.



**CA Arjit Agarwal** - First of all I am thankful to both of you on behalf of AASquare Advisors LLP for sparing your valuable time and sharing your views on "Let's Talk" series on topic "Impact of Covid 19".

**Dr Sachin Bansal** - Thank you for giving me this opportunity to share my views on COVID 19.

**CA Arjit Agarwal** - Before starting the interview please tell us something about this corona virus ?

**Dr Sachin Bansal** - Corona virus is a highly contagious infection which is caused by droplets spread in the environment by the infective persons.

**CA Arjit Agarwal** - As now every professional is working from home and new concept of work from home emerges. What would you like to advice/ suggest precautions while working from home?

**Dr Sachin Bansal** - Drink ample amount of water, have healthy life style, take diet which is rich in vitamin C as lemon, orange, gooseberry, sweetlime. Avoid smoking & alcohol consumption. Take special care of your health if you are diabetic, hypertensive, asthmatic or if you are more than 60 years of age.



**CA Arjit Agarwal** - What are the symptoms for identifying the Corona Patient?

**Dr Sachin Bansal** - Its clinical presentation can vary from completely asymptomatic carrier to fully symptomatic people. It generally presents with loss of smell, loss of taste, mild cold & cough, bodyache and fever. However, once having suspicion and clinical features of Corona, person must go to the hospital for needful.

**CA Arjit Agarwal** - What precautions we need to do to safeguard ourself from Corona ?

**Dr Sachin Bansal** - Don't leave home unless and until it is extremely necessary. Keep wearing mask while going outside. Get your hands cleaned with soap and water regularly. Avoid going to crowded places.







**CA Arjit Agarwal** – According to you till when we can expect Medicine for corona?

**Dr Sachin Bansal** – Many new medicines are now being approved for corona

presently. Remdesivir, Faripiravir are showing good results. Many new medicines are in pipeline. Meanwhile steroids, plasma therapy and use of anticoagulants have shown promising results. About the availability of corona vaccine, many nations are working on it presently. Meanwhile Sputnik V vaccine produced by Russia have shown very good results. Covaxin(Indian) has entered phase 2 trial since September 7, 2020. Good results are expected very soon.



**CA Arjit Agarwal** – How you foresee life with Corona atmosphere now?

**Dr Sachin Bansal** – I think we have learned that its possible to live life with minimum resources. Corona has taught us the importance of a disciplined life. Moreover nature is teaching us the lesson for the damage we did to it. It's the time to wake up and realize that we should be grateful to God and nature for everything we have.



**CA Arjit Agarwal** - At last, thank you so much for giving your precious time and answering all questions very well.

**Dr Sachin Bansal** – Thank you so much



# Aarogya Setu

मैं सुरक्षित | हम सुरक्षित | भारत सुरक्षित

# Non-rejection of the explanation in the Assessment Order would amount to the AO accepting the view of Assessee - An Analysis on Recent Apex Court Judgement u/s 147



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## 1. In Brief :-

Section 147 of the Act, provides for reopening of the cases of the previous years, if any income chargeable to tax has escaped assessment. Explanation to this section provides certain circumstances where it will be deemed that income has escaped assessment.

The term and facet of the term “change of opinion”. The expression “change of opinion” postulates formation of opinion and then a change thereof. In the context of section 147 of the Act it implies that the Assessing Officer should have formed an opinion at the first instance, i.e., in the proceedings

under section 143(3) and now by initiation of the reassessment proceeding, the Assessing Officer proposes or wants to take a different view.



The word “opinion” is derived from the latin word “opinari” which means “to believe”, “to think”. The word “opinion” as per the Black’s Law Dictionary means a statement by a judge or a court of a decision reached by him incorporating cause tried or argued before them, expounding the law as applied to the case and, detailing the reasons upon which the judgment is based. Advanced Law Lexicon by P. Ramanatha Aiyar (third edition) explains the term “opinion” to mean “something more than mere retaining of gossip or hearsay ; it means judgment or belief, that is, a belief or a conviction resulting from what one thinks on a particular question . . . An opinion is a conviction based on testimony . . . they are as a result of reading, experience and reflection”. In the context of assessment proceedings, it means formation of belief by an Assessing Officer resulting from what he thinks on a particular question. It is a result of understanding, experience and reflection to use the words in Law Lexicon by P. Ramanatha Aiyar. The question of change of opinion arise when an Assessing Officer forms an opinion and decides not to make an addition or holds that the assessee is correct and accepts his position or stand.

However ,it may be noted that there is always a dispute between Income Tax officials and Assessee as to what constitute “Change in opinion”

Recently **Honorable Apex Court** in case of

**The Assistant Commissioner of Income Tax**

**Vs**

**Marico Ltd**

**Special Leave Petition (Civil) Diary No. 7367/2020**

Held that

“The non-rejection of the explanation in the Assessment Order would amount to the Assessing Officer accepting the view of the assessee, thus taking a view/ forming an opinion. On a mere change of opinion and therefore would be completely without jurisdiction in the present facts”





# 1. Relevant terms :-



S.No.	Act/Rule	Section No.	Section Particulars	Brief Section
1.	Income Tax Act 1956	147	<p><b>Income escaping assessment :-</b> If the Assessing Officer has reason to believe that any income chargeable to tax has escaped assessment for any assessment year, he may, subject to the provisions of sections 148 to 153, assess or reassess such income and also any other income chargeable to tax which has escaped assessment and which comes to his notice subsequently in the course of the proceedings under this section, or recompute the loss or the depreciation allowance or any other allowance, as the case may be, for the assessment year concerned (hereafter in this section and in sections 148 to 153 referred to as the relevant assessment year)</p> <p>Provided that where an assessment under sub-section (3) of section 143 or this section has been made for the relevant assessment year, no action shall be taken under this section after the expiry of four years from the end of the relevant assessment year, unless any income chargeable to tax has escaped assessment for such assessment year by reason of the failure on the part of the assessee to make a return under section 139 or in response to a notice issued under sub-section (1) of section 142 or section 148 or to disclose fully and truly all material facts necessary for his assessment, for that assessment year</p>	The language of Section 147 makes it clear that the assessing officer certainly has the power to re-assess any income which escaped assessment for any assessment year subject to the provisions of Sections 148 to 153. However, the use of this power is conditional upon the fact that the assessing officer has some reason to believe that the income has escaped assessment.
2.	Income Tax Act 1956	148	<p><b>Issue of notice where income has escaped assessment.</b> - (1) Before making the assessment, reassessment or recomputation under section 147, the Assessing Officer shall serve on the assessee a notice requiring him to furnish within such period, as may be specified in the notice, a return of his income or the income of any other person in respect of which he is assessable under this Act during the previous year corresponding to the relevant assessment year, in the prescribed form and verified in the prescribed manner and setting forth such other particulars as may be prescribed, and the provisions of this Act shall, so far as may be, apply accordingly as if such return were a return required to be furnished under Section 139</p> <p>(2) The Assessing Officer shall, before issuing any notice under this section, record his reasons for doing so.”</p>	For issue of Notice for escaped assessments, reasons for doing so is very well required.

S.No.	Case Law	Court	Decision/Judgment
1.	Commissioner of Income-tax, Delhi v. Kelvinator of India Ltd	Apex Court January 18, 2010	We must also keep in mind the conceptual difference between power to review and power to re-assess. The Assessing Officer has no power to review; he has the power to reassess. Assessing Officer has power to reopen, provided there is "tangible material" to come to the conclusion that there is escapement of income from assessment. Reasons must have a live link with the formation of the belief.
2.	DCIT vs. Zuari Estate Development & Investment Co Ltd (Supreme Court)	Apex Court April 17, 2015	Can it be said that any "assessment" is done by them? The reply is an emphatic "no". The intimation under Section 143(1)(a) was deemed to be a notice of demand under Section 156, for the apparent purpose of making machinery provisions relating to recovery of tax applicable. By such application only recovery indicated to be payable in the intimation became permissible. And nothing more can be inferred from the deeming provision. Therefore, there being no assessment under Section 143(1)(a), the question of change of opinion, as contended, does not arise
3.	PCIT vs. ManzilDineshkumar Shah (Gujarat High Court)	Gujrat High Court May 7, 2018	143(1) assessment cannot be reopened without proper 'reason to believe'. If the reasons state that the information received from the VAT Dept that the assessee entered into bogus purchases "needed deep verification", it means the AO is reopening for doing a 'fishing or roving inquiry' without proper reason to believe, which is not permissible
4.	DIT vs. Rolls Royce Industrial Power India Ltd (Delhi High Court)	Delhi High Court May 18, 2017	S. 147/148 reassessment has to be based on "fresh material". A reopening based on reappraisal of existing material is invalid. The assessee's duty is only to disclose facts and not to make inferences.

### 3. Facts of Case in Marico Ltd :-

- For the Assessment Year 2014-15 the Assessee filed its revised return of income, declaring a total income of Rs.418.04 crores under normal provisions of the Act and Rs.670.82 crores as Book Profits under Section 115JB of the Act.
- In its return the Assessee has also claimed a deduction of Rs.47.04 crores on account of amortization of brand value, while computing Book Profits at Rs.670.82 crores under Section 115JB of the Act.
- The Assessing Officer took up the Assessee's return relating to Assessment Year 2014-15 for scrutiny assessment.
- The Assessing Officer issued a notice dated 25 September 2017 under Section 142(1) of the Act to the Assessee.
- Assessing Officer questioned to Assessee "You have reduced from Book Profits under Section 115JB an amount of Rs.47,04,58,042/- (as per revised return), being "Book depreciation on intangibles (Fiancee & Haircode)". In preceding AY 2013-14 also exactly the same amount of Rs. 47,04,58,042/- was so reduced from book profits, which amount was added back to book profits for detailed reasons given in said assessment order. Please show





-



- i. It is a settled position in law that the power to reopen an assessment within a period of four years from the end of the relevant assessment year, even when the assessment has been made under Section 143(3) of the Act, is not curtailed by the proviso to Section 147 of the Act.
- ii. Where an assessee has disclosed all material facts truly and fully for assessment and assessment is completed under Section 143(3) of the Act, the reopening is permissible within a period of four years from the end of the relevant assessment year.
- iii. Exercising the jurisdiction to reopen an assessment, is the Assessing Officer should have reasonable belief that income chargeable to tax has escaped assessment.
- iv. This reason to believe that income chargeable to tax has escaped assessment should not be on the basis of change of opinion, as otherwise the power of reassessment would become a power of review, which it is not.
- v. Hon'ble Court are not called upon to and therefore not examining the correctness or otherwise of the disallowance of depreciation to arrive at book profits
- vi. Hon'ble Court examination is limited only to jurisdiction of the Assessing Officer to reopen the assessment.
- vii. Once a query has been raised by the Assessing Officer during the assessment proceedings and the assessee has responded to that query, it would necessarily follow, as held by Hon'ble Court that the Assessing Officer has accepted the Assessee's submissions, so as to not deal with that issue in the assessment order.



## 5. Summary of Apex Court Judgment :-

- I. The non-rejection of the explanation in the Assessment Order would amount to the Assessing Officer accepting the view of the assessee, thus taking a view/ forming an opinion. On a mere change of opinion and therefore would be completely without jurisdiction in the present facts



## 6. CONCLUSION

Income Escaping Assessments is always a controversial/disputed topic among tax professionals, Assessee and IT officials. This is the only section after search seizure which gives Income Tax officials extended time lines to issue notices and re start assessment proceedings. According to my opinion, Central Board of Direct Taxes should form guidelines/FAQ in the respect to have a better clarity of subject matter and to reduce litigations. However, I trust and believe that by this Apex Court Judgment on "Change in Opinion", clarity shall be cast on subject matter.

\*Sources

- <http://itatonline.org/archives/main/>
- <http://www.incometaxindia.gov.in/Pages/acts/income-tax-act.aspx>

This Article is just analysis of recent Judgment and is not to be construed as any form of legal opinion whatsoever. Readers are requested to go through the Judgment in detailed for more/better understanding.

## 1. In Brief

This article being Gist of recent important verdicts by Honorable Apex Court, High Court and ITAT on various laws during the month **August 2020**.



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## 2. Verdicts – Apex Court:-

S. No.	Verdict	Relevant Section	In Brief
1.	Ravinder Kaur vs. Manjit Kaur (Supreme Court)	Registration Act	The settled legal position is that when by virtue of a family settlement or arrangement, members of a family descending from a common ancestor or a near relation seek to sink their differences and disputes, settle and resolve their conflicting claims or disputed titles once and for all in order to buy peace of mind and bring about complete harmony and goodwill in the family, such arrangement ought to be governed by a special equity peculiar to them and would be enforced if honestly made. The object of such arrangement is to protect the family from long drawn litigation or perpetual strifes which mar the unity and solidarity of the family and create hatred and bad blood between the various members of the family (All imp judgements referred)
2.	Vineeta Sharma vs. Rakesh Sharma (Supreme Court) (Larger Bench)	Hindu Succession Act 1956	(i) S. 6 of the Hindu Succession Act, 1956 confers status of coparcener on daughters born before or after amendment in the same manner as son with the same rights and liabilities, (ii) The rights can be claimed by the daughter born earlier with effect from 9.9.2005 with savings as provided in Section 6(1) as to the disposition or alienation, partition or testamentary disposition which had taken place before 20th day of December, 2004, (iii) Since the right in coparcenary is by birth, it is not necessary that father coparcener should be living as on 9.9.2005 (Entire law on family settlements under Hindu Law (HUFs) explained)
3.	Raj Pal Singh vs. CIT (Supreme Court)	2(47), 45, 48	S. 45 Capital Gains: In matters relating to compulsory acquisition of land under the Act of 1894, completion of transfer with vesting of land in the Government essentially correlates with taking over of possession of the land under acquisition by the Government. However, where possession is taken over before arriving of the relevant stage for such taking over, capital gains shall be deemed to have accrued upon arrival of the relevant stage and not before. To be more specific, in such cases, capital gains shall be deemed to have accrued: (a) upon making of the award, in the case of ordinary acquisition referable to Section 16;

and (b) after expiration of fifteen days from the publication of the notice mentioned in Section 9 (1), in the case of urgency acquisition under Section 17 (All imp judgements referred)

### 3. Verdicts – High Court:-

S. No.	Verdict	Relevant Section	In Brief
There is no important Verdicts			

### 4. Verdict - ITAT:-

S. No.	Verdict	Relevant Section	In Brief
1.	Karmic Labs Pvt. Ltd vs. ITO (ITAT Mumbai)	56(2)(viib), Rule 11UA	S. 56(2)(viib)/ Rule 11UA: The assessee has the choice to choose a prescribed method for ascertaining the market value of the shares transferred. If the assessee has chosen one method of valuation provided under Rule 11UA (i.e. DCF method), the AO has no power or jurisdiction to change that method to another method (All imp judgements referred)
2.	Dipesh Ramesh Vardhan vs. DCIT (ITAT Mumbai)	10(38), 68	S. 10(38)/68: Bogus Capital Gains from Penny Stocks: The AO has not discharged the onus of controverting the documentary evidences furnished by the assessee and by bringing on record any cogent material to sustain the addition. The allegation of price rigging / manipulation has been levied without establishing the vital link between the assessee and other entities. The whole basis of making additions is third party statement and no opportunity of cross-examination has been provided to the assessee to confront the said party. As against this, the assessee's position that that the transactions were genuine and duly supported by various documentary evidences, could not be disturbed by the revenue

### 5. CONCLUSION

To conclude, we should always focus/be in touch with regular Amendments/Case Laws from Apex Court, High Courts and Tribunal. This will help us in understanding the Law better and guide us how to interpret the Law before Judiciary.

Keep Updating!!!

\*Sources

- <http://itatonline.org/archives/main/>



This Article is just brief of recent Judgment and is not to be construed as any form of legal opinion whatsoever. Readers are requested to go through the Judgment in detailed for more/better understanding.



This is Gist of all important updates during **August 2020** relating to circulars, notifications, miscellaneous communications & press releases from Income Tax Department and advisory communications to the best of our Knowledge and sources\* in brief. However readers are advised to read the relevant in details for better understanding.

### 1. ***Income Tax Act 1961 - Notifications:-***

Notification No.	Dated	Heading	In Brief	Link to Read Full
<b>58/2020/F. No. 370133/08/2020-TPL</b>	10 <sup>th</sup> August 2020	Section 206AA read with section 295 of the Income-tax Act	In exercise of the powers conferred by clause (d) of sub-section (8) of section 139A and clause (ii) of sub-section (7) of section 206AA read with section 295 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following rules further to amend the Income-tax Rules, 1962 as specified	<a href="#">Click here to Read</a>
<b>59/2020 dated 10-08-2020/F. No 285/30/2019 -IT (Inv.V) CBDT</b>	10 <sup>th</sup> August 2020	Section 280A of the Income-tax Act, 1961 (43 of 1961) and section 84 of the Black Money (Undisclosed Foreign Income and Assets)	In exercise of the powers conferred by sub-section (1) of section 280A of the Income-tax Act, 1961 (43 of 1961) and section 84 of the Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015 (22 of 2015), the Central Government, in consultation with the Chief Justice of the High Court of Bombay, hereby designates the certain courts of Magistrates of First Class as Special Courts under sub-section (1) of section 280A of the Income-tax Act, 1961 and section 84 of the Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015 in the State of Maharashtra, for trial of offences punishable under the Income tax Act, 1961 and other related matters	<a href="#">Click here to Read</a>
<b>60/2020/F.No.370149/15 4/2019-TPL</b>	13 <sup>th</sup> August 2020	Sub-section (3A) of section 143 of the Income-tax Act, 1961	In exercise of the powers conferred by sub-section (3A) of section 143 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby makes the following amendments in the E-assessment Scheme, 2019 published vide notification of the Government of India, Ministry of Finance (Department of Revenue), Central Board of Direct Taxes, in the Gazette of India, Extraordinary, vide number S.O 3264 (E) dated the 12th September, 2019	<a href="#">Click here to Read</a>
<b>61/2020/F.No.370149/15 4/2019-TPL</b>	13 <sup>th</sup> August 2020	Sub-section (3B) of section 143 of the Income-tax	In exercise of the powers conferred by sub-section (3B) of section 143 of the Income-tax Act, 1961 (43 of	<a href="#">Click here to Read</a>

		Act, 1961 (43 of 1961)	1961), the Central Government hereby makes the following amendments in the notification of the Government of India, Ministry of Finance (Department of Revenue), Central Board of Direct Taxes, published in the Gazette of India, Extraordinary, vide number S.O 3265 (E) dated the 12th September, 2019	
<b>62 /2020/F. No. 187 /3 /2020- ITA-1]</b>	13 <sup>th</sup> August 2020	Section 118 and sub-sections (1) and (2) of section 120 of the Income-tax Act, 1961	In exercise of the powers conferred by section 118 and sub-sections (1) and (2) of section 120 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments in the notification of the Government of India, Ministry of Finance published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide no. S.O. 2753 (E) dated the 22nd October, 2014	<a href="#">Click here to Read</a>
<b>63 /2020/F. No. 187/3/2020- ITA-I</b>	13 <sup>th</sup> August 2020	Sub-sections (1) and (2) of section 120 of the Income-tax Act, 1961 (43 of 1961),	In exercise of the powers conferred by sub-sections (1) and (2) of section 120 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes, hereby makes the following amendments in the notification of the Government of India, Ministry of Finance published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (ii) vide number 50 of 2014, S.O. 2752(E) dated the 22nd October, 2014	<a href="#">Click here to Read</a>
<b>64/2020/F. No. 187/3/2020- ITA-I</b>	13 <sup>th</sup> August 2020	Sub-sections (1) and (2) of section 120 of the Income-tax Act, 1961 (43 of 1961),	In pursuance of the powers conferred by sub-sections (1), (2) and (5) of section 120 of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), the Central Board of Direct Taxes hereby directs that the Income-tax Authorities of the National e-Assessment Centre (hereinafter referred to as the NeAC) specified in Column (2) of the Schedule below, having its headquarters at the place mentioned in column (3) of the said Schedule, shall exercise the powers and functions of Assessing Officer concurrently, to facilitate the conduct of Faceless Assessment proceedings in respect of territorial areas mentioned in the column (4), persons or classes of persons mentioned in the column (5) and cases or classes of cases mentioned in the column (6) of the Schedule-1 of the notification No. 50 of 2014 in	<a href="#">Click here to Read</a>

			S.O. 2752 (E) dated the 22nd October, 2014 published in the Gazette of India, Extraordinary Part II, Section 3, sub-section (ii)	
<b>65/2020/F.N o.187/3/2020-ITA-I</b>	13 <sup>th</sup> August 2020	Sub-sections (1) and (2) of section 120 of the Income-tax Act, 1961 (43 of 1961),	In pursuance of the powers conferred by sub-sections (1), (2) and (5) of section 120 of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act, the Central Board of Direct Taxes hereby directs that the Income-tax Authorities of Regional e-Assessment Centres(hereinafter referred to as the ReACs) specified in Column (2) of the Schedule below, having their headquarters at the places mentioned in column (3) of the said Schedule, shall exercise the powers and functions of Assessing Officers concurrently, to facilitate the conduct of Faceless Assessment proceedings in respect of territorial areas mentioned in the column (4), persons or classes of persons mentioned in the column (5) and cases or classes of cases mentioned in the column (6) of the Schedule-1 of the notification No. 50 of 2014 in S.O. 2752 (E), dated the 22nd October, 2014 published in the Gazette of India, Extraordinary Part II, section 3, sub-section (ii):	<a href="#">Click here to Read</a>
<b>66/2020/F. No.187/3/2020-ITA-I</b>	13 <sup>th</sup> August 2020	Sub-sections (1) and (2) and (5) of section 120 and section 133C of the Income-tax Act, 1961	In pursuance of the powers conferred by sub-sections (1) and (2) and (5) of section 120 and section 133C of the Income-tax Act, 1961 (43 of 1961) (hereinafter referred to as the said Act), read with rule 12 D of the Income-tax Rules, 1962, the Central Board of Direct Taxes hereby as mentioned	<a href="#">Click here to Read</a>
<b>67/2020/ F. No.370142/28/2020-TPL</b>	17 <sup>th</sup> August 2020	Amendment of Income-tax Rules, 1962 rules for providing conditions and guidelines for Pension Funds u/s 10(23FE) of the Income-tax Act, 1961- reg  Form No. 10BBA	In exercise of the powers conferred by sub-clause (iii) of clause (c) of Explanation to the clause (23FE) of section 10 read with section 295 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following rules further to amend the Income-tax Rules, 1962 as specified	<a href="#">Click here to Read</a>
<b>68/2020/F. No.187/3/2020 (ITA.-I</b>	27 <sup>th</sup> August 2020	CORRIGENDUM	In the notification of the Government of India, Ministry of Finance, Department of Revenue, Central Board of Direct Taxes, number S.O. 2754(E), dated 13th August, 2020 published in Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), in the	<a href="#">Click here to Read</a>





<b>69/2020/F. No.187/3/20 20 (ITA.-I</b>	27 <sup>th</sup> August 2020	CORRIGENDUM	In the notification of the Government of India, Ministry of Finance, Department of Revenue, Central Board of Direct Taxes, number S.O.2755(E), dated 13th August, 2020 published in Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), in the Schedule – IV	<a href="#">Click here to Read</a>
<b>70/2020/F. No.187/3/20 20 (ITA.-I</b>	27 <sup>th</sup> August 2020	CORRIGENDUM	In the notification of the Government of India, Ministry of Finance, Department of Revenue, Central Board of Direct Taxes, number S.O. 2757(E), dated 13th August, 2020 published in Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), in the Schedule as specified	<a href="#">Click here to Read</a>
<b>F.No.22S/136 /2020-IT A.II Notification No. 71\2020</b>	31 <sup>st</sup> August 2020	Section 138 of the Income-tax Act, 1961	In pursuance of sub-clause (ii) of clause (a) of sub-section (I) of Section 138 of the Income-tax Act, 1961 , the Central Government hereby specifies "Scheduled Commercial Banks" listed in the Second Schedule of the Reserve Bank of India Act, 1934 for the purposes of the said clause	<a href="#">Click here to Read</a>

## **2. Income Tax Act 1961 - Circulars:-**

<b>Circular No.</b>	<b>Dated</b>	<b>Heading</b>	<b>In Brief</b>	
<b>F.No.370142 /35/2019- TPL-Pt</b>  <b>Circular 16/2020</b>	30 <sup>th</sup> August 2020	Imposition of charge on the prescribed electronic modes under section 269SU of the Income-tax Act, 1961 - reg.	Sanks are, therefore, advised to immediately refund the charges collected, if any, on or after 1" January, 2020 on transactions carried out using the electronic modes prescribed under section 269SU of the IT Act and not to impose charges on any future transactions carried through the said prescribed modes	<a href="#">Click here to Read</a>

## **3. CBDT Press Releases:-**

<b>Dated</b>	<b>Heading</b>	<b>In Brief</b>	
<b>21<sup>st</sup> August 2020</b>	Income Tax Department conducts searches in Bhopal	The key person of one of the groups covered used to run a bangles shop. Another person covered is a property builder/developer and is also running a cricket academy. During the course of the search operation, documents pertaining to about 100 properties in the nature of plots, flats and agricultural lands having market value of about Rs.105 crore have been found. Documents indicate that a huge amount of undisclosed cash was invested in these properties in the last 6 years. Most of the properties have been found in the names of persons of no means, indicating that these are	<a href="#">Click here to Read</a>



benami properties. During the search, cash and jewellery worth Rs. 1.8 crore have been seized. Further, documentary evidence gathered during the search operation indicates partnership/association with some retired government servants and holding of their benami properties

#### **4. CBDT Relevant Miscellaneous Communications:-**

<b>Dated</b>	<b>Heading</b>	<b>In Brief</b>	
<b>31<sup>st</sup> August 2020</b>	IT Return filing Status	The Central Board of Direct Taxes('CBDT'), in exercise of powers conferred under section 138( 1 )(a)(i) of Income-tax Act, 1961 ('Act'), hereby directs that Principal Director General of Income-tax (Systems), New Delhi shall be the specified income-tax authority for furnishing information to the ' Scheduled Commercial Banks', notified vide Notification No.71 12020 dated 31.08.2020 under sub-clause(ii) of clause (a) of sub-section (I) of section 138 of the Act	<a href="#"><u>Click here to Read</u></a>

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Sources \* <http://www.incometaxindia.gov.in/Pages/default.aspx>



# Updates in Relation to GST – Brief Note



This is Gist of all important updates during **August 2020** relating to circulars, notifications, from GST Department to the best of our Knowledge and sources\* in brief. However readers are advised to read the relevant in details for better understanding.

## 1. Central Tax - Notifications:-

Notification No.	Dated	Heading	In Brief	Link to Read Full
<b>62/2020</b>	20 <sup>th</sup> August 2020	Seeks to make Tenth amendment (2020) to CGST Rules	In exercise of the powers conferred by section 164 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Central Government, on the recommendations of the Council, hereby makes the following rules further to amend the Central Goods and Services Tax Rules, 2017  These rules may be called the Central Goods and Services Tax (Tenth Amendment) Rules, 2020	<a href="#">Click here to Read</a>
<b>63/2020</b>	25 <sup>th</sup> August 2020	Seeks to notify the provisions of section 100 of the Finance (No. 2) Act, 2019 to amend section 50 of the CGST Act, 2017 w.e.f. 01.09.2020	In exercise of the powers conferred by sub-section (2) of section 1 of the Finance (No. 2) Act, 2019 (23 of 2019), the Central Government hereby appoints the 1st day of September, 2020, as the date on which the provisions of section 100 of the Finance (No. 2) Act, 2019 (23 of 2019), shall come into force	<a href="#">Click here to Read</a>
<b>64/2020</b>	31 <sup>st</sup> August 2020	Seeks to extend the due date for filing FORM GSTR-4 for financial year 2019-2020 to 31.10.2020	In exercise of the powers conferred by section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Government, on the recommendations of the Council, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 21/2019- Central Tax, dated the 23 <sup>rd</sup> April, 2019, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 322(E), dated the 23 <sup>rd</sup> April, 2019	<a href="#">Click here to Read</a>

## 2. Circulars:-

Circular No.	Dated	Heading	In Brief
There is no important circular during August			

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Sources \* <https://www.cbic.gov.in>





*Independence Day*



*Tree Plantation and utilization of waste on occasion of Raksha Bandhan & Krishna Janmasthanmi*

