

Important Circulars & Notifications

July'2015

Doing common things, *Uncommonly well.*

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1. Income tax

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Title	Category	Description	Section/ Rule	Date
No Manual Refunds	Instruction	<ul style="list-style-type: none">• CBDT has instructed to AO's that all refund orders must be issued through online system only (except in certain exceptional time barring cases). [Read More]	Sec 143, Sec 154	10 th July, 2015
Orders of the ITAT are binding on lower authorities.	Case Law	DCIT vs. Shyam Sunder Sharma (ITAT Chandigarh) <ul style="list-style-type: none">• The orders passed by the Tribunal are binding on all the revenue authorities [i.e. AO's, CIT, CIT(A)] functioning under the jurisdiction of Tribunal. [Read More]	Sec 250 , Sec 254(1)	16 th June, 2015
Action of the ITAT in disregarding its own order without reason is arbitrary (discretionary) in nature	Case Law	Hinduja Global Solutions Ltd vs UOI (Bombay High Court) Facts: <ul style="list-style-type: none">• Earlier, in AY 2005-06, Tribunal decided the issue in favor of assessee.• However, while deciding the issue in another assessment year, Tribunal sent back the issue to AO for fresh examination. Held: <ul style="list-style-type: none">• Tribunal should not completely disregard its earlier order without some reason. [Read More]	Sec 253	16 th July, 2015

....Contd. [Income tax]



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Title	Category	Description	Section/ Rule	Date
Penalty for failure to pay TDS in time can be levied even if the assessee pays the TDS before issue of any notice by Department	Case Law	Reliance Industries Ltd vs. CIT (Bombay High Court) Facts: <ul style="list-style-type: none">Assessee deducted the tax on Salary, Dividend, Interest & payments to Contractors but delayed the deposit.However, it deposited the TDS with interest before issuance of any notice from the department.AO levied penalty u/s 221 for failure to pay TDS within prescribed time. Held: <ul style="list-style-type: none">The penalty would be imposed upon assessee u/s 221 for not paying TDS <i>within time</i>. <p style="text-align: right;">[Read More]</p>	Sec 201, 221(1)	20 th July,2015
Cost Inflation Index for F.Y. 2015-16	Notification	<ul style="list-style-type: none">The cost inflation index for F.Y.2015-16 has been fixed at 1081. <p style="text-align: right;">[Read More]</p>	Sec 48(5)	24 th July,2015

2. Service Tax



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Title	Category	Description	Section/ Rule	Date
CBEC notifies conditions, safeguard and procedures for issuance of digitally signed invoices	Notification	<p>Notification no. 18/2015</p> <ul style="list-style-type: none">• An assessee who wish to use digital signature (DSC) for issuance of invoice, need to intimate the DC/AC 15 days in advance, about following:<ul style="list-style-type: none">• Name, email-id, office address and designation of person authorized to use DSC• Name of certifying authority• Date of issue of digital certificate and validity of digital signature• An assessee who is already using digital signature shall intimate to the jurisdictional DC/AC of central excise the above details within 15 days of issue of this notification.• Every assessee who opts to maintain records in electronic form shall ensure that appropriate back up of records in electronic form is maintained and preserved for 5 years after the FY to which it pertains. <p>[Read More]</p>		6 th July 2015

...Contd.[Service Tax]



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Title	Category	Description	Section/ Rule	Date
Service tax recovered but not paid to Government is Tax evasion	Case Law	<p>IWI Crogenic Vaporization Systems India vs CCE (CESTAT, AHM)</p> <p>Facts:</p> <ul style="list-style-type: none">• Appellant was recovering the service tax from its customers but it was not depositing it to the Government.• It paid the service tax along with interest before issuance of show cause notice.• As per appellant, penalty should not be levied as there was no willful evasion. <p>Held:</p> <ul style="list-style-type: none">• No financial hardship was contested by Appellant in this case.• Hence, not depositing the service tax recovered from customers will be treated as tax evasion and penalty should be levied and recovered under Sec 78. <p style="text-align: right;">[Read More]</p>	Sec 78	

3. Others



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Title	Category	Description	Section/ Rule	Date
Additional fee for late filing of Annual Forms relaxed up to 31 st Oct'2015	Circular	<p>Circular No. 10/2015</p> <ul style="list-style-type: none"> MCA is in the process of finalizing forms related to annual filings i.e. MGT-7 (Annual return), AOC-4/AOC-4 XBRL (Financial Statements) and expected to release them by 30th Sep'15. Accordingly, additional fee payable for late filing of above forms has been relaxed up to 31st Oct'2015. <p>[Read More]</p>		13 th July,2015
Filing of unaudited financial statements of Foreign subsidiary	Circular	<p>Circular No. 11/2015</p> <ul style="list-style-type: none"> A company having a foreign subsidiary in a country where auditing of Financial Statement is not mandatory can file the unaudited financial statements in a format which is similar to Schedule III, to the extent possible. <p>[Read More]</p>	Section 136 and 137 of The Companies Act, 2013	21 st July

....Contd. [Others]



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Title	Category	Description	Section/ Rule	Date
Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Rules, 2015	Notification	Notification No. G.S.R. 529 (E) <ul style="list-style-type: none">Method of calculating fair market value of certain assets has been laid out in detail with examples.Form for declaration of assets, Procedure for appeal and related forms has been issued. <p style="text-align: right;">[Read More]</p>		2 nd July,2015
Clarification on certain provisions of The Black Money (Undisclosed Foreign Income and Assets) and Imposition of Tax Act, 2015	Circular	Circular No. 142/18/2015-TPL: <ul style="list-style-type: none">A person will pay 60% tax (30% plus 100% penalty) on the undisclosed assets .Last date to make declaration regarding undisclosed assets has been notified as 30th September'2015.Entire amount of tax with penalty has to be paid by 31st December'2015. <p style="text-align: right;">[Read More]</p>		2 nd July,2015



4. Interesting facts

- Morarji Desai has presented the maximum number of budgets (ten) so far.
- India recycles its 60% of plastic waste. Figures for Japan and China are 12% and 10% respectively.
- India's road network is long enough to loop around earth over 117 times.
- The rupee is the common name for the monetary unit of account in India, Srilanka, Nepal, Pakistan, Mauritius, Seychelles, Indonesia, Maldives and formerly in Burma and Afghanistan.
- Currency notes are made from the material created out of special blend of cotton and linen and not from paper as may be ordinarily perceived.
- Cost of minting a 10 rupees coin is 6.10 rupees.
- By 2020, the median age in India will be 29 and India will become world's youngest county.
- 2011 Kumbh Mela was the largest ever gathering of people with over 75 million pilgrims. The gathering was so huge that the crowd was visible from space.
- India has won all the 5 Men's Kabbadi World Cups held till now and has been undefeated throughout these tournaments.

5. About us



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- Blue Consulting or 'BC' provides value added and high quality **Finance & Accounts Outsourcing Services to Companies in India.**
- Our services include **Taxation Compliances** on pan India level, **across 29 States and 7 Union territories.**
- We work as an extension of CFO's team and our services result in **increase of managerial bandwidth of CFO's.**
- We invest great deal of time and efforts in understanding our client's business which ensures that we **provide customized solutions** to their specific needs and requirements.
- We are a strong and stable of team of more than **90 people.**
- We are comfortable working on any ERP platforms i.e. SAP, Oracle, Navision, Baan, PeopleSoft, Xero, Tally.



6. Contact us

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*"A dream is not that
which you see in sleep
A dream is that
which does not let you sleep"*

Disclaimer

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