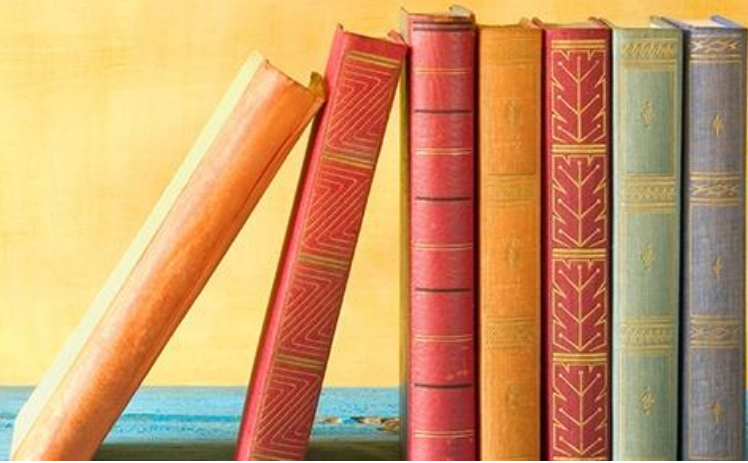


# Tax Assemblage

January – March 2020



Sr. No	Particulars	Citation/Source	Circulated on
1	<a href="#">KPMG Tax Assemblage - 2019</a>	-----	24 December 2019
2	<a href="#">Portfolio Investors - Monthly Update- December 2019</a>	-----	2 January 2020
3	<a href="#">GST Notification and Circular update</a>	CBIC Notification No. 1/2020-Central Tax dated 1 January 2020, Notification No. 29/2019-Central Tax (Rate) dated 31 December 2019 and Circular No. 354/189/2019-TRU]	3 January 2020
4	<a href="#">CBDT notifies electronic modes of accepting payment for a person having business turnover of exceeding INR 50 crores</a>	CBDT Notification No. 105 and Circular No. 32, dated 30 December 2019	6 January 2020
5	<a href="#">Social Welfare Surcharge liability to be paid in cash and not by debiting the MEIS/SEIS scrips – Madras High Court</a>	Gemini Edibles and Fats India Pvt. Ltd. [TS-3-HC-2020(MAD)-Cust.]	7 January 2020
6	<a href="#">Prosecution proceedings can be initiated on a company for failure to deposit tax deducted at source</a>	Dr. Viloo Patell and Avesthagen Limited (Writ Petition No. 47512 of 2017, 6 September 2019)	7 January 2020
7	<a href="#">CBDT notifies Income-tax Return forms (ITR 1 Sahaj and ITR 4 Sugam) for the Assessment Year 2020-21</a>	CBDT Notification No. 01/2020/F. No. 370142/32/2019, dated 3 January 2020	8 January 2020
8	<a href="#">AAR ruling, holding that free supply of medical instrument and reagents to be composite supplies quashed by High Court of Kerala</a>	Abbott Healthcare Pvt. Ltd. [2020-VIL-08-KER]	10 January 2020
9	<a href="#">Appeal can be filed directly to CIT(A) against an intimation issued under Section 143(1) by Centralised Processing Centre (CPC) even if the taxpayer has not approached CPC for the rectification</a>	Dixit Rice Mill v. DCIT (CPC) (ITA No. 373/Agra/2018)	15 January 2020
10	<a href="#">Tax needs to be deducted at source on the year-end provisions since payees are identifiable and the provisions are for ascertained liabilities</a>	Inter Globe Aviation Ltd. v. ACIT [2020] 114 taxmann.com 460 (Del)	15 January 2020
11	<a href="#">Levy of IGST on Ocean Freight unconstitutional – Gujarat High Court</a>	Mohit Minerals Pvt. Ltd. [TS-29-HC2020 (Guj)-NT]	27 January 2020
12	<a href="#">Tax is not required to be deducted on reimbursement of expenditure incurred in foreign countries as well as on participation fees for a conference held outside India</a>	Roche Diagnostics India Pvt Ltd. v. ACIT (ITA No. 1537/Mum/2016)	30 January 2020

Sr. No	Particulars	Citation/Source	Circulated on
13	<a href="#">Madras High Court ruling on the applicability of Provident Fund contributions on Special allowance</a>	DTDC Courier and Cargo Ltd. v. The Regional Provident Fund Commissioner, EPFO and Ors. [W.P. No. 15131 of 2011, M.P. Nos. 1 and 2 of 2011]	31 January 2020
14	<a href="#">CPC (TDS) issues instruction for filing application for lower/nil tax deduction certificate</a>	Central Processing Cell (CPC) Instruction No. 01/2020, 30 January 2020	31 January 2020
15	<a href="#">India Economic Survey 2019-20: Key highlights</a>	www.indiabudget.nic.in	31 January 2020
16	<a href="#">Foreign Portfolio Investors- India Tax and Regulatory Updates - Feb 2019 - Jan 2020</a>	-----	1 February 2020
17	<a href="#">Union Budget 2020-21</a>	www.indiabudget.nic.in	2 February 2020
18	<a href="#">CBDT notification specifying additional electronic modes of payment in various provisions of the Income-tax Act</a>	CBDT Notification No. 8, dated 29 January 2020	3 February 2020
19	<a href="#">HS code - Import of goods under 'Others' category</a>	Trade notice no. 46/2019-20, dated 17 January 2020, Trade notice no. 47/2019-20 dated 29 January 2020	4 February 2020
20	<a href="#">The Direct Tax Vivad se Vishwas Bill, 2020 introduced in the Lok Sabha</a>	www.loksabha.nic.in	6 February 2020
21	<a href="#">Non-taxable income under a tax treaty cannot be reduced from book profits for the computation of MAT</a>	IRCON International Ltd v. DCIT [ITA No. 977/Del/2010 (AY 2004-05)]	10 February 2020
22	<a href="#">Based on the Protocol to the India-Switzerland tax treaty, FTS can be taxed on gross basis even though the Swiss company had a Service PE in India</a>	AGT International GmbH v. DCIT [2020] 114 taxmann.com 51 (Mum)	11 February 2020
23	<a href="#">India releases synthesised text for the application tax treaty with Luxembourg as modified by the of MLI</a>	www.oecd.org	13 February 2020
24	<a href="#">Loss on cancellation of shares pursuant to capital reduction can be treated as long-term capital loss and it can be carried forward to subsequent years</a>	Carestream Heath INC v. DCIT (ITA No. 826/Mum/2016)	14 February 2020
25	<a href="#">Interest on delayed payment is to be calculated on net tax liability (cash-component) – Madras High Court</a>	Refex Industries Limited [TS-89-HC-2020(MAD)-NT]	17 February 2020
26	<a href="#">Amnesty Scheme's announced by state (Kerala and West Bengal) to settle pre-GST regime indirect tax dispute</a>	-----	21 February 2020
27	<a href="#">Equipment and service contracts are treated as a composite contract and from off-shore supply 35 per cent of profits are attributed to a PE in India</a>	Voith Paper GmbH v. DDIT (ITA No. 1077/Del/2014)	3 March 2020
28	<a href="#">Lok Sabha passes 'The Direct Tax Vivad se Vishwas Bill, 2020' with certain amendments</a>	www.loksabha.nic.in	5 March 2020
29	<a href="#">CBDT issues FAQs on the Direct Tax Vivad se Vishwas Bill, 2020</a>	CBDT Circular No. 7/2020, dated 4 March 2020	8 March 2020
30	<a href="#">Payments to foreign attorneys for rendering services in the field of IPRs are FTS under Section 9(1)(vii) of the Income-tax Act</a>	ACIT v. Shri Subhatosh Majumder (ITA No. 2006/Kol/2017, AY 2011-12)	11 March 2020
31	<a href="#">A Mauritian company does not constitute an Agency PE in India on account of</a>	CIT v. Taj TV Limited (ITA No. 1984/Bom/2017)	12 March 2020

Sr. No	Particulars	Citation/Source	Circulated on
	<a href="#">distribution of a sports channel by its subsidiary in India</a>		
32	<a href="#">Disallowance of expenditure under Section 14A does not apply to insurance business</a>	PCIT v. Oriental Insurance Co Ltd - [ITA 172/2020/Mad]	13 March 2020
33	<a href="#">GST Council meeting update held on 14 March 2020</a>	Press Note dated 14 March 2020	15 March 2020
34	<a href="#">New India Tax Konnect</a>	-----	16 March 2020
35	<a href="#">Dividend earned from strategic investment is business income and brought forward business loss can be set-off against such income</a>	Tamilnadu Industrial Development Corporation v. ACIT (ITA No. 1181/Chny/2008, AY 2003-04)	18 March 2020
36	<a href="#">Government notifies rules and forms relating to 'Vivad se Vishwas' Scheme</a>	Notification No. 18/2020, dated 18 March 2020	20 March 2020
37	<a href="#">Since the tax credit is not available, taxes paid in a foreign country are allowed as business expenditure</a>	Virmati Software & Telecommunication Ltd v. DCIT [ITA No. 1135/AHD/2017]	23 March 2020
38	<a href="#">The Finance Minister announces several relief measures in view of Covid-19 outbreak</a>	PIB Release dated 24 March 2020	24 March 2020
39	<a href="#">Proposed amendments to the Finance Bill, 2020</a>	www.loksabha.nic.in	24 March 2020
40	<a href="#">Update - GST Notifications and Circulars pursuant to the announcement made by the GST Council on 14 March 2020</a>	CBIC Notification no. 16/2020 - Central Tax 23 March 2020, CBIC Circular no. 133 03/2020-GST dated 23 March 2020 and CBIC circular no. 134/03/2020-GST dated 23 March 2020	27 March 2020
41	<a href="#">Corporate guarantee fees are not taxable as FTS under the India-France tax treaty. Surcharge and cess cannot be levied on the tax charged on gross basis under the tax treaty</a>	JCDecaux S.A v. ACIT (ITA No. 1630/Del/2015, AY 2011-12)	31 March 2020
42	<a href="#">CBDT issues order to provide relief with respect to lower or nil TDS/TCS certificates in view of COVID-19</a>	CBDT Order F. No. 275/25/2020-IT(B)	31 March 2020
43	<a href="#">President promulgates the Taxation and Other Laws (Relaxation of Certain Provisions) Ordinance, 2020</a>	Gazette of India Website	31 March 2020

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