

LUNAWAT BULLETIN

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LUNAWAT & CO

MARKET WATCH

Sensex : 31/03/2021 : **49509.15**
28/02/2021 : **49099.99**

Nifty : 31/03/2021 : **14690.70**
28/02/2021 : **14529.51**

AROUND THE GLOBE

EXPORTS JUMP 58.23% TO \$34 BILLION IN MARCH; 7.4% DIP IN 2020-21

The country's exports jumped by 58.23 per cent to \$34 billion, the highest ever reached in a month, in March as key sectors such as engineering, gems and jewellery and pharmaceuticals recorded healthy growth rate during the month, according to the Commerce Ministry's provisional data. Exports during April-March 2020-21, however, dipped by 7.4 per cent to \$290.18 billion compared to \$313.36 billion in 2019-20, the data showed. Imports during 2020-21 contracted by 18 per cent to \$388.92 billion compared to \$474.71 billion during 2019-20. In March 2020, the exports stood at \$21.49 billion, showing a decline of about 34 per cent over March 2019 due to global slowdown induced by the Covid-19 crisis.

CBIC EXTENDS CUSTOMS DUTY AND INTEGRATED GST EXEMPTIONS TILL MARCH 31, 2022

The Central Board of Indirect Taxes and Customs (CBIC) extended the basic customs duty and integrated goods and service tax exemptions for export oriented units, by a year till March 31, 2022. The Board also made it mandatory for a GST taxpayer having turnover of more than Rs 5 crore in the preceding financial year, to furnish 6 digits HSN Code on invoices issued for supplies. The change has been made effective from April 1, 2021.

GST MOP-UP HITS A RECORD IN MARCH

The gross GST collections in March hit a record of ₹1,23,902 crore. This is the sixth month in a row that GST revenues have remained above ₹1 lakh crore. The indirect tax collections in March were 27% higher than that in March 2020, with revenues from import of goods 70% more than a year ago, and the revenues from domestic transaction, including import of services, 17% higher. "GST revenues crossed above ₹1 lakh crore mark at a stretch for the last six months and a steep increasing trend over this period are clear indicators of rapid economic recovery post pandemic.

INDIA'S MARCH GOLD IMPORTS SURGE 471% TO A RECORD 160 TONNES

India's gold imports in March surged 471% from a year earlier to a record 160 tonnes, as a reduction in import taxes and a correction in prices from record highs drew retail buyers and jewellers. Higher imports by the world's second-biggest bullion consumer could support benchmark gold prices, which have corrected nearly 17% from an all-time high of \$2,072 in August 2020.

COMPLIANCE DUE DATES

Due Date	Relates to	Particulars
07.04.2021 (Wednesday)	TDS/TCS (Income Tax)	<ul style="list-style-type: none"> Due date for deposit of Tax deducted by an office of the government for the month of March, 2021.
10.04.2021 (Saturday)	GST	<ul style="list-style-type: none"> Last Date of filing of GSTR-7 For TDS Deductor of Mar, 2021 Last Date of filing of GSTR-8 For TCS Collector of Mar, 2021
11.04.2021 (Sunday)	GST	<ul style="list-style-type: none"> Last Date of filing GSTR-1(Monthly) for Mar, 2021
13.04.2021 (Tuesday)	GST	<ul style="list-style-type: none"> Last Date of filing of GSTR-6 for Input service distributor of Mar,2021. Last date of filing of GSTR-1 for the period Jan- Mar,2021 for the taxpayers opted for QRMP scheme.
14.04.2021 (Wednesday)	TDS/TCS (Income Tax)	<ul style="list-style-type: none"> Due date for issue of TDS Certificate for tax deducted under section 194-IA, section 194-IB and section 194M in the month of Feb, 2021.
15.04.2021 (Thursday)	TDS/TCS /Income Tax	<ul style="list-style-type: none"> Quarterly statement in respect of foreign remittances (to be furnished by authorized dealers) in Form No. 15CC for quarter ending March, 2021. Due date for furnishing statement in Form no. 3BB by a stock exchange in respect of transactions in which client codes been modified after registering in the system for the month of March, 2021 .
15.04.2021 (Thursday)	Provident Fund/ ESI	<ul style="list-style-type: none"> Due date for depositing contribution of PF & ESI for the Month of Mar,2021.
18.04.2021 (Sunday)	GST	<ul style="list-style-type: none"> Last date for filing of CMP -08 for the period Jan- Mar2021 for taxpayers under composition scheme.
20.04.2021 (Tuesday)	GST	<ul style="list-style-type: none"> Last Date of filing GSTR-3B for Mar, 2021 for taxpayers opting for Monthly returns. Last Date of filing of GSTR-5(Non resident Foreign tax payer) of Mar,2021. Last Date of filing of GSTR-5A(Non-resident OIDAR service provider) of Mar, 2021.
22.04.2021 (Thursday)	GST	<ul style="list-style-type: none"> Last Date of filing GSTR-3B for Jan-Mar 2021(Quarterly under QRMP scheme) is notified states whose turnover in prev. FY is less than 5cr (having principal place of business: Chhattisgarh, Madhya Pradesh, Gujarat, Maharashtra, Karnataka, Goa, Kerala, Tamil Nadu, Telangana, Andhra Pradesh, the Union territories of Daman and Diu and Dadra and Nagar Haveli, Puducherry, Andaman and Nicobar Islands or Lakshadweep)
24.04.2021 (Saturday)	GST	<ul style="list-style-type: none"> Last Date of filing GSTR-3B for Jan-Mar 2021(Quarterly under QRMP scheme) is notified states whose turnover in prev. FY is less than 5cr (having principal place of business: Himachal Pradesh, Punjab, Uttarakhand, Haryana, Rajasthan, Uttar Pradesh, Bihar, Sikkim, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya, Assam, West Bengal, Jharkhand or Odisha, the Union territories of Jammu and Kashmir, Ladakh, Chandigarh or Delhi)
30.04.2021 (Friday)	TDS/TCS /Income Tax	<ul style="list-style-type: none"> Due date for furnishing of Form 24G by an office of the Government where TDS/TCS for the month of March, 2021 has been paid without the production of a challan . Due date for issue of TDS Certificate for tax deducted under section 194-IA, section 194-IB and section 194M in the month of Mar, 2021. Due date for deposit of Tax deducted by an assessee other than an office of the Government for the month of March, 2021. Due date for e-filing of a declaration in Form No. 61 containing particulars of Form No. 60 received during the period October 1, 2020 to March 31, 2021. Due date for uploading declarations received from recipients in Form. 15G/15H during the quarter ending March, 2021 Due date for deposit of TDS for the period January 2021 to March 2021 when Assessing Officer has permitted quarterly deposit of TDS under section 192, 194A, 194D or 194H .
30.04.2021 (Friday)	GST	<ul style="list-style-type: none"> Due date for GSTR-4 for FY 20-21 (Annual return for tax payers opting for Composition Scheme.

INCOME TAX

NEW INCOME TAX RULES & FORMS FOR TRUST & NPOS NOTIFIED VIDE NOTIFICATION DATED 26TH MARCH, 2021 :

- Form 3CF -Application for registration or approval.
- Form 10A -Application for registration or provisional registration or intimation or approval or provisional approval.
- Form 10AB -Application for registration or approval
- Form 10AC-Order for registration or provisional registration or approval or provisional approval.
- Form 10AD-Order for registration or approval or rejection or cancellation
- Form 10BD-Statement of particulars to be filed by reporting person under clause (viii) of sub-section (5) of section 80G and clause (i) to sub-section (1A) of section 35 of the Income-tax Act, 1961.
- Form 10BE -Certificate of donation under clause (ix) of sub-section (5) of section 80G and under clause (ii) to sub-section (1A) of section 35 of the Income-tax Act, 1961.

REPORTING OF CAPITAL GAIN, DIVIDEND, INTEREST INCOME IN SFT:

- CBDT has notified that for the purposes of pre-filling the return of income, a statement of financial transaction containing information relating to capital gains on transfer of listed securities or units of Mutual Funds, dividend income, and interest income shall be furnished by specified persons at such frequency, and in such manner, as may be specified by the Principal Director General of Income Tax (Systems) or the Director General of Income Tax (Systems).

CBDT has extended timeline for linking PAN with Aadhar to 30th June, 2021 and also extended the Deadline to issue reassessment notice, passing order pursuant to DRP directions and sending intimation related to Equalization Levy by 1 month.

INCOME TAX

FORM NO. 12BA, PART B TO FORM 16 & ANNEXURE II TO FORM NO. 24Q REVISED VIDE NOTIFICATION DATED 11.03.2021

- CBDT has revised Form No. 12BA (Statement showing particulars of perquisites, other fringe benefits or amenities and profits in lieu of salary with value thereof), Part B to Form 16 (Details of Salary Paid and any other income and tax deducted) and Annexure II to Form No. 24Q.
- CBDT vide notification No. 18/2021-Income Tax, Dated: March 16, 2021 inserted new rule 29BA. Application for grant of certificate for determination of appropriate proportion of sum (other than Salary), payable to non-resident, chargeable in case of the recipients and also released new FORM No. 15E.
- CBDT has vide Notification No. 26/2021 In the Faceless Appeal Scheme, 2020 substituted the word 'National e-Assessment Centre' with National Faceless Assessment Centre.

Finance Bill 2021 was introduced in Lok Sabha on 01st February 2021 and the same is passed by Lok Sabha with around 127 Amendments on 23rd March 2021

LIST OF HOLIDAYS

Date	Day	Holiday
02-03-2021	Friday	Good Friday
21-04-2021	Wednesday	Ram Navmi
25-04-2021	Sunday	Mahavir Jayanti

CORPORATE LAWS

MCA AMENDS COMPANIES (AUDIT AND AUDITORS) RULES, 2014; REQUIRES ADDITIONAL DISCLOSURE FROM COMPANIES:

The Ministry of Corporate Affairs (MCA) has amended the Companies (Audit and Auditors) Amendment Rules, 2014 in reference to section 139, 143, 147 and 148 of the Companies Act, 2013 wherein some new additional reporting requirements have been inserted which are to be disclosed in the Auditor's report and the Scope of reporting by Auditors in Audit report is broadened.

For the financial year commencing on or after the 1st day of April, 2021, every Company which uses accounting software for maintaining its books of account, shall use only such accounting software which has a feature of recording audit trail of each and every transaction, creating an edit log of each change made in books of account along with the date when such changes were made and ensuring that the audit trail cannot be disabled.

The second amendment to the Companies Accounts Rules, 2014, made the previous changes effective from April 1, 2022 Companies have another year to install accounting softwares with audit trail features, according to a notification from the MCA.

The MCA deferred by a year(i.e. from 1/4/2021 to 1/4/2022) amendments to the Companies (Accounts) Rules, 2014 requiring company to use accounting softwares that include features that can record the audit trail of each transaction. Companies Directors Identification Number (Amendment) Rules, 2013.

Every company shall file its annual return in Form No.MGT-7 except One Person Company (OPC) and Small Company. One Person Company and Small Company shall file annual return from the financial year 2020-2021 onwards in Form No.MGT-7A"

Form INC 35 AGILE-PRO, which specifies the application for Registration of the Goods and Services Tax Identification Number, has been amended

CORPORATE LAWS

MCA NOTIFIES CERTAIN SECTIONS:

- **Section 32** of the Companies (Amendment) Act, 2020 seeks to amend Section 149 of Companies Act, 2013 wherein a proviso was added which says, "Provided that if a company has no profits or its profits are inadequate, an independent director may receive remuneration, exclusive of any fees payable under sub-section (5) of section 197, in accordance with the provisions of Schedule V." This new proviso aims to provide that an independent director may receive remuneration, if a company has no profits or inadequate profits in accordance with Schedule V of the Act.
- **Section 40** of the Companies (Amendment) Act, 2020 seeks to amend Section 197 of Companies Act, 2013 in sub-section (3), after the words "whole-time director or manager,", the words "or any other non-executive director, including an independent director" shall be inserted. In other words, if a company fails to make profits or makes inadequate profits in a financial year, any non-executive director of such company, including an independent director, shall be paid remuneration in accordance with Schedule V of the Act

MCA AMENDS SCHEDULE III

- By these amendments MCA increasing stringency in compliances and adding numerous additional disclosures in Financial Statement. The main purpose behind these amendments is more transparency.

The MCA has notified certain amendments in provisions pertaining to Appointment and Remuneration of Managerial Persons under the Schedule V to the Companies Act, 2013

MCA notifies date of applicability of amendment in Section 92 of Companies Act, 2013 w.e.f. 05th March, 2021 which deals with Annual Return of the company. Amendment was made by Companies (Amendment) Act, 2017 but applicability was not been notified.

CORPORATE LAWS

MCA NOTIFIES THE DATE OF COMMENCEMENT OF SECTION 23 FOR UNPAID DIVIDEND ACCOUNT AND SECTION 45 FOR VALUATION BY REGISTERED VALUERS OF COMPANIES (AMENDMENT) ACT, 2020

MCA notifies that w.e.f. 24.03.2021, penalty has been reduced for failure in complying with the provisions for Unpaid Dividend Account and contravention of the provisions for Valuation by Registered Valuers of Companies or the rules made thereunder respectively.

Explanation of terms: "Wrongful manner" means if the DIN obtained without legally established documents and the term "fraudulent" means if the DIN obtained unlawfully to deceive any other person or any authority including the central Government.

"I say always follow your passion, no matter what, because even if it's not the same financial success, it'll lead you to the money that'll make you the happiest."

– Ellen DeGeneres

GOODS & SERVICE TAX

AMENDMENTS IN THE TURNOVER LIMIT FOR THE PURPOSE OF E-INVOICING:

- CBIC has reduced the turnover limit for the companies who needs to comply with the E-Invoicing requirements from 100 crores to 50 crores, that is applicable w.e.f. 01.04.2021 i.e. for the Financial Year 2021-2022 vide Notification 05/2021.

WAIVER OF PENALTY:

- Government waives the amount of penalty payable by any registered person under section 125 of the Act for non-compliance of the provisions of dynamic QR code and the date for Implementation of QR Code, between the period from the 01st April 2021 to 30th June, 2021 subject to the condition that the said person complies with the provisions of The said notification from the 01st July, 2021. Vide Notification 06/2021

COMPLIANCES FOR FY 2020-21:

- **New Invoice series** : Ensure creation of a new/unique invoice series of invoices to be raised from 01 April 2021. The series should be serially numbered. You may create multiple series as per your convenience.
- **HSN code requirements**(With effect from 01st April 2021):
 - Up to 5 crores turnover - Min 4 digits on all B2B supplies. (Optional for B2C supplies)
 - Above 5 crores turnover 6 digits
 - For Exporters and few notified goods - 8 digits
- **Letter Of Undertaking**: The LUT need to be in place for the coming financial year 2021-22 before 01st April 2021 so that the exports don't get stuck at the last moment.
- **Refund for FY 2018-19**: The last date to apply for a refund of GST related to FY 2018-19 is 31.03.2021. Ensure to timely make the compliances, if applicable.
- **E- Invoicing**: Businesses having turnover above Rs.50 crores are required to generate e-invoicing. The businesses should be prepared beforehand to avoid problems once the e-invoicing is implemented.
- **QR Coding**: QR code on B2C supplies by businesses having turnover above 500 crores is required to be printed from 01st July 2021.
- **Opting for Quarterly / Monthly return option**: Taxpayers with turnover less than 5 cr (during FY 2020-21) are required to opt for either monthly/quarterly return filing option for every quarter till last date of First month of every quarter.

LUNAWAT UPDATE

Presentations:

During March 2021 , CA Pramod Jain gave following presentations:

- PPT on Latest updates On Company Law & Income Tax made during webinar organised by Greater Noida CPE Study Circle of Honda Group Companies.
- PPT on Practical Aspects of Union Budget 2021 made during Webinar organised by Pusa Road CPE Study Circle of NIRC of ICAI.
- PPT on Driving Financial Performance made during Web Training organised by Institute of Directors.
- PPT on Financial Literacy for Directors made during Web Training organised by Institute of Directors.
- PPT on Practical aspects of Union Budget 2021 organised by Faridabad Branch of NIRC of ICAI.
- PPT on Practical aspects of Union Budget 2021 made at Green Lounge, Rohini organised by Mangalam Group, Delhi.

During March 2021 , CA Rajesh Saluja gave following presentation:

- Webinar On e - Invoicing for Escorts Ltd. Faridabad

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