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TAX EDGE

Monthly Tax &
Regulatory Updates

August 2018

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Goods & Services Tax (GST)

Goods & Services Tax

Provisionally Migrated person may now apply for Goods and Services Tax Identification Number (GSTIN)

Central Government has notified that the taxpayers who were not able to file complete FORM GST REG-26 but received Provisional Identification Number (PID) till the 31st December, 2017 may now apply for GSTIN. Such taxpayers should furnish specified details as mentioned in the notification to the jurisdictional nodal officer on or before the 31st August, 2018. Such taxpayers shall be deemed to have been registered with effect from the 1st July, 2017.

Procedure to be followed for such registration is as below:

1. Specified details to be furnished by such taxpayers to the jurisdictional nodal officer of the Central Government or State Government on or before the 31st August, 2018.
2. On receipt of an e-mail from the Goods and Services Tax Network (GSTN), such taxpayers should apply for registration by logging onto <https://www.gst.gov.in/> in the “Services” tab and filling up the application in FORM GST REG-01.
3. After due approval of the application by the proper officer, such taxpayers will receive an email from GSTN mentioning the Application Reference Number (ARN), a new GSTIN and a new access token.
4. Upon receipt, such taxpayers are required to furnish specified details to GSTN by email, on or before the 30th September, 2018, to migration@gstn.org.in
5. Upon receipt of the above information from such taxpayers, GSTN shall complete the process of mapping the new GSTIN to the old GSTIN and inform such taxpayers.
6. Such taxpayers are required to log onto the common portal www.gstn.gov.in using the old GSTIN as “First Time Login” for generation of the Registration Certificate.

Please [Click here](#) to read the full notification.

Goods & Services Tax

Central Government has notified the time limits for furnishing the Goods and Services Tax returns (GSTR).

Due dates are tabulated below:

S. No.	Returns	Tax Period	Due Dates
1	Monthly GSTR-1 (by the taxpayers with annual aggregate turnover of more than Rs.1.5 crore)	For each of the months from July, 2018 to March, 2019	11 th day of the month succeeding such month
2	Quarterly GSTR-1 (by the taxpayers with annual aggregate turnover upto Rs.1.5 crore)	July – September, 2018	31 st October, 2018
		October – December, 2018	31 st January, 2019
		January – March, 2019	30th April 2019

Please [Click here](#) to read the full notification for Monthly GSTR-1.

Please [Click here](#) to read the full notification for Quarterly GSTR-1.

The present system of filing GSTR 3B extended upto March, 2019

The Central Government has notified that:

- The present system of filing of GSTR 3B will continue till March, 2019 i.e. every registered person shall file GSTR-3B monthly by 20th of the month succeeding such month and
- Every registered person shall, while furnishing the return in Form GSTR-3B, discharge his liability towards tax, interest, penalty, fees or any other amount payable by debiting the electronic cash ledger or electronic credit ledger on or before 20th of the month succeeding such month.

Please [Click here](#) to read the full notification.

Extension in time limit for furnishing return by an Input Service Distributor (ISD)

The Central Government has extended the time limit for furnishing the return by an Input Service Distributor in Form GSTR-6 for the month of July, 2017 to August, 2018 till 30th September, 2018.

Please [Click Here](#) to read the full notification

Goods & Services Tax

Extension of reverse charge on procurements made from unregistered person U/s 9(4) of CGST Act, 2017 and U/s 5 (4) of IGST Act, 2017

The Central Government has further extended the exemption from tax under reverse charge mechanism U/s 9(4) of CGST Act, 2017 and U/s 5(4) of IGST Act, 2017 on procuring taxable goods/services from unregistered suppliers till September 30, 2019. Earlier this exemption was upto 30th September, 2018 only.

Please [Click here](#) to read the full notification for CGST

Please [Click here](#) to read the full notification for IGST

Services of Direct Selling Agents (DSA) to Banks and Non-Banking Financial Company (NBFC) are liable to tax under reverse charge

The Central Government has notified that tax on the services supplied by individual DSA other than a body corporate, partnership or limited liability partnership firm to Bank or NBFC shall be paid on reverse charge basis by a banking company or a non-banking financial company, located in the taxable territory.

Also, an explanation has been inserted in the said notification which provides the meaning of renting of immovable property as allowing, permitting or granting access, entry, occupation, use or any such facility, wholly or partly, in an immovable property, with or without the transfer of possession or control of the said immovable property and includes letting, leasing, licensing or other similar arrangements in respect of immovable property.”

Please [Click here](#) to read the full notification for CGST.

Please [Click here](#) to read the full notification for IGST.

GST (Amendment) Bills, 2018 passed by Lok Sabha (lower house of parliament)

The Central Goods and Services Tax (Amendment) Bill, 2018; The Integrated Goods and Services Tax (Amendment) Bill, 2018; The Union Territory Goods and Services Tax (Amendment) Bill, 2018 ; The Goods and Services Tax (Compensation to States) Amendment Bill, 2018 have been passed in Lok Sabha on 9th August, 2018.

Draft GST Return Formats published for feedback

The Government has published draft new GST return design, principles and formats for feedback and suggestions till 31.08.2018

Please [Click here](#) to view Draft GST Return Formats.

Direct Tax

Central Board of Direct Taxes ('CBDT') proposes to ease process of getting 'no tax' deduction certificate

Section 197 of the Income-tax Act, 1961 contains provisions enabling the Assessing Officer to give the assessee a certificate for deduction of income-tax at any lower rates or no deduction of income-tax, if he is satisfied, upon an application made by the assessee in this behalf, that the total income of the recipient justifies no deduction or deduction at lower rates. Similarly, sub-sections section 206C of the Act contain provisions enabling the AO to give a certificate for collection at lower rate. Further, rules 28, 28AA & 28AB, 37G & 37H and Form No. 13 have been inserted in the Income-tax Rules, 1962 to specify the form and manner in which the application for grant of the certificate for lower rate of deduction or collection or no deduction may be made.

Considering the need to rationalize the existing Form No. 13 and relevant rules and make it easier, amendments have been proposed by CBDT in order to facilitate the issuance of the said form online Comments from stakeholders have been invited to be sent electronically by 4th September, 2018.

Please [Click Here](#) to read the notification.

CBDT defers Clause 30C on General Anti-tax Avoidance Rules (GAAR) and Clause 44 on Goods and Services Tax (GST) of Revised Tax Audit Report Form (Form 3CD) upto 31 March 2019

Section 44AB of the Income-tax Act requires prescribed persons to furnish the Tax Audit Report along with the prescribed particulars in Form No. 3CD. The existing Form No. 3CD was amended with effect from 20th August, 2018.

Representations have been received by CBDT that the implementation of reporting requirements under the proposed clause 30C (pertaining to General Anti-Avoidance Rules (GAAR)) and proposed clause 44 (pertaining to Goods and Services Tax (GST) compliance) of the Form No. 3CD may be deferred. The matter has been examined and it has been decided by the CBDT that reporting under the said clauses shall be deferred till 31st March, 2019. Therefore, for Tax Audit Reports to be furnished on or after 20th August, 2018 but before 1st April, 2019, the tax auditors will not be required to furnish details called for under the said clause 30C and clause 44 of the Tax Audit Report.

Please [Click Here](#) to read the circular.

CBDT clarifies the computation of admissible deduction under section 10A of the Income-tax Act (Special provision in respect of newly established undertakings in free trade zone, etc.)

As per 10A(4) of the Income Tax Act, profits eligible for tax holiday being derived from export of articles or things or computer software shall be calculated as below:

$$\text{Profits derived from export} = \text{Total Profits of business} \times \frac{\text{Export Turnover}}{\text{Total Turnover}}$$

As per clause (iv) to Explanation 2 to section 10A of the Act, “export turnover” means the consideration in respect of export by the undertaking of articles or things or computer software received in, or brought into, India by the assessee in convertible foreign exchange, but does not include freight, telecommunication charges or insurance attributable to the delivery of the articles or things or computer software outside India or expenses, if any, incurred in foreign exchange in providing the technical services outside India.

The issue whether freight, telecommunication charges and insurance expenses are to be excluded from both “export turnover” and “total turnover” while working out deduction admissible under section 10A of the Act on the ground that they are attributable to delivery of articles or things or computer software outside India has been highly contentious. Similarly, the issue whether charges for providing technical services outside India are to be excluded both from “export turnover” and “total turnover” while computing deduction admissible under section 10A of the Act on the ground that such charges are relatable towards expenses incurred in convertible foreign exchange in providing technical services outside India has also been highly contentious.

The issue has been examined by CBDT and it is clarified that freight, telecommunication charges and insurance expenses are to be excluded both from ‘export turnover’ and “total turnover”, while working out deduction admissible under section 10A of the Act to the extent they are attributable to the delivery of articles or things or computer software outside India. Similarly, expenses incurred in foreign exchange for providing the technical services outside India are to be excluded from both “export turnover” and “total turnover” while computing deduction admissible under section 10A of the Act.

Thus, all charges / expenses specified in Explanation 2(iv) to section 10A, are liable to be excluded from total turnover also for the purpose of computation of deduction u/s 10A of the Act.

Please [Click Here](#) to read the circular.

Direct Tax

CBDT introduces its Central Action Plan for 1st Quarter of FY 2018-19

The CBDT recently came up with the Central Action Plan for the first quarter of the Financial Year (FY) 2018-19 i.e. for the period April 2018 to June 2018. The various action plans have been broadly categorized under the following heads also prescribing stringent time frames for achieving them.

Please [Click Here](#) to read the detailed Central Action Plan.

Key Result Areas (KRA)	Time frame	
A. Assessment Units (including International Taxation, Central and Exemption Charges)		
1	Disposal of assessments in at least 25 cases (20 in International Taxation cases) per Assessing Officer of limited scrutiny, set- aside assessment, reopened assessment u/s 147 and OCM scrutiny. The assessments should be completed through the 'E- Proceeding' functionality in ITBA/E-filing in accordance with Instruction no 1/2018.dated. 12.02.2018	30.06.2018
2	Verification and certification of demand in CPC Financial Accounting System (FAS) in cases where notices u/s 245 were issued by CPC up to March 31, 2018.	31.05.2018
3	Reconciliation of CAP-I report and the demand uploaded on the CPC Financial Accounting System (FAS) so that there is no difference in reported statistics between both the systems.	
4	Preparation of dossier report for first quarter of FY 2018-19 based on data available in CPC FAS.	30.06.2018
5	a) Issue of 142(1)/ 148 notices in all cases as per Standard Operating Procedure (SOP) in respect of data of cash deposit in banks pushed by Directorate of Systems under "Operation Clean Money".	31.05.2018
	a) Completion of process in all cases where notices u/s 142(1) have been issued up to 31.03.2018.	
6	Audit Objections	30.06.2018
	a) Final replies to be sent in all Major and Minor Revenue and Internal Audit Objections raised up to 31.03 2017. b) Final replies to be sent in at least 30% of Major and 50% of Minor Revenue and Internal Audit Objections (separately) raised up to 31.03. 2018.	

Direct Tax

Key Result Areas (KRA)		Time frame
7	Central Charges: a) Centralization in all eligible cases where search took place in F.Y. 2017-18. b) Decentralization of cases to be completed as per existing instructions.	31.05.2018
8	a) Processing of cases of prosecution u/s 276CC for defaults in filing of return of income, already identified by Systems Directorate, in at least 10 cases per CIT charge. b) Processing of all cases where penalty has been confirmed before ITAT during FY 2017-18 for prosecution under relevant provisions of Income-tax Act 1961.	30.06.2018
9	Drawing of fresh TRCs in all eligible cases involving demand of Rs.10 lakh or more and confirmed by CIT(A) or above.	30.06.2018
10	Disposal of at least 30 Recovery Certificates by Tax Recovery Officers, review of balance TRCs and reporting to Pr.CIT.	
11	Identify potential cases of proclamation and sale of attached properties for recovery of outstanding demand and sale of at least one eligible property per TRO.	30.06.2018
12	Submission of replies to all queries raised by CBDT or ADG (Recovery) or Zonal/ Regional/ Local Committees in respect of pending write-off proposals.	
13	Identification of all potential cases for write-off of arrears and furnishing of a certificate to this effect to the next higher administrative authority.	

Direct Tax

Key Result Areas (KRA)		Time frame
B. TDS Units		
1	a) Collection/ reduction of total TDS demand as on 01.04.2018 by 10%. b) Collection of 100% demand as on 01.04.2018 in cases where TDS has been made but not deposited in the Govt. account.	30.06.2018
2	Examination of top 30 cases of short payment (per Assessing Officer) as per MIS report "SP with unconsumed challans".	
3	Reconciliation of brought forward cases (as on 01.04.2018) of TDS reported by AINs with payment through OLTAS by State AGs based on report available on TRACES portal.	
4	Processing of the TDS/TCS defaults for prosecution u/s 276B/276BB in 10 cases already identified during FY 2017-18 & 2016-17 by CPC-TDS or manually by respective CIT(TDS) and taking such cases to logical end including uploading/updating of the status of disposal on TRACES portal	
5	Passing of order under section 201(1)/(1A) in all cases where TDS survey has been conducted up to 31.03.2018.	

Key Result Areas (KRA)		Time frame
C. Investigation Units		
1	Uploading pending TEPs on ITBA as on 31.03.2018.	30.04.2018
2	Uploading pending STRs on ITBA as on 31.03.2018.	30.06.2018
3	Preparation and updating of Strong Room Register on ITBA for all deposits up to 31.03.2018.	

Direct Tax

Key Result Areas (KRA)		Time frame
D. International Taxation, Transfer Pricing Units and Large Taxpayer Units (LTUs) (Also see KRA relating to passing of assessment orders under Heading 'A')		
1	TPOs of all ranks to pass Transfer Pricing Orders through ITBA system in at least 30% of the pending TP references.	30.06.2018
2	Each Dispute Resolution Panel (DRP) to dispose of at least 15 cases under section 144C through ITBA system.	
3	Passing of order under section 201(1)/(1A) in all cases where TDS survey has been conducted up to 31.03.2018.	
4	Verification of all 15CA/CB certificates filed in F.Y. 2015-16 and initiation of action u/s 201(1)/(1A) in appropriate cases.	
5	Processing of the TDS/TCS defaults for prosecution u/s 276B/276BB in 10 cases already identified during FY 2017-18 & 2016-17 by CPC-TDS or manually by respective CIT(Intl. Tax./LTU) and taking such cases to logical end including uploading/updating of the status of disposal on TRACES portal.	30.06.2018

Key Result Areas (KRA)		Time frame
E. CIT (Appeals)		
1	a) Disposal of pending appeals through ITBA- starting from the oldest year to the year following and so on, so as to attain a total disposal of 150 appeals of less than Rs.10 lakh per CIT (A). b) Removal of all duplicate entries of pendency appearing on ITBA and to certify that no such duplicate entry is appearing on ITBA portal.	30.06.2018

Direct Tax

Key Result Areas (KRA)		Time frame
F. Exemptions Units (Also see KRA relating to passing of assessment orders under Heading 'A')		
1	Cases falling under the jurisdiction of CCIT (Exemptions) which are still lying at incorrect jurisdictions to be identified and transferred to respective CsIT (Exemptions)	30.06.2018
2	Uploading and updating database of registered / exempted / approved entities under sections 12A/12AA, 10(23C), 80G etc, including cases received from other jurisdictions as mentioned in (i) above on website incometax.gov.in and on ITBA system. Each CIT (Exemption) to certify that database contains correct and complete information.	
3	To verify that all cases approved u/s 35(1)(ii)/ (iii) have complied with the requirements of rule 5D(5)/ 5E(4A)	30.06.2018

Key Result Areas (KRA)		Time frame
G. Intelligence & Criminal Investigation Units		
1	(I) Statement of Financial Transactions(SFT) Compliance Management	30.06.2018
	a) Systems Directorate to share with DIT, I&CI the Preliminary Master List of persons required to file SFT in accordance with Rule 114E.	30.04.2018
	b) DIT, I&CI to share updated Master List with the Systems Directorate after adding new reporting entities and marking inactive reporting entities	31.05.2018
	c) DIT, I&CI to share District wise jurisdiction of ITOs in electronic form with Systems Directorate	31.05.2018
	d) DIT, I&CI to analyze the data, shared by Systems Directorate up-to 15.04.2018, to identify potential defaulters for taking appropriate action u/s 285BA (5)	31.05.2018
	e) DIT, I&CI to issue notices u/s 285BA (5) to all non-filers	31.05.2018
	f) DIT, I&CI to issue penalty notices u/s 271FA in all fit cases of non-filers through I&CI Module of ITBA/Project Insight (Functionality to be provided by Systems Directorate)	30.06.2018
	g) Levy of penalty u/s 271FA in 30% cases of SFT non-filers	30.06.2018

Key Result Areas (KRA)	Time frame
G. Intelligence & Criminal Investigation Units	
<p>(II) SFT Filers Awareness Programme – 3 Programmes</p>	<p>One programme every month</p>
<p>(III). SFT Verification Survey – 3 Surveys</p>	<p>One survey every month</p>
<p>2</p>	<p>Verification of Non-PAN/demonetized data/other high value data: 100% Completion of verification of data pending as on 01.04.2018 (including demonetization data as well as data from earlier verifications of high value transactions).</p> <p>30.06.2018</p>
<p>3</p>	<p>Special Pilot Projects: a) Submission of final report to CBDT in all pending Special Pilot Projects approved during FY 2016-17 b) Completion of verification in 50% cases picked up for verification during FY 2017-18 c) Proposing of Special Pilot Projects for FY 2018-19 to the Member(Inv.) CBDT for approval</p> <p>30.06.2018</p>
<p>4</p>	<p>Information Received under FATCA/AEOI: 50% disposal of cases pending for verification as on 01.04.2018</p> <p>30.06.2018</p>

Direct Tax

Key Result Areas (KRA)		Time frame
H. Pr. Chief Commissioners / Chief Commissioners and Pr. Commissioners / Commissioners		
1	Completion of all the inspection/reviews for financial year 2017-18.	30.06.2018
2	Disposal of at-least 25% compounding applications pending as on 31.03.2018	
3	The annual exercise of updating Asset Register (as on 31.03.2018)	
4	Rationalization and redistribution of workload of scrutiny assessments and appeals.	31.05.2018
5	Identification and withdrawal of non-prosecutable appeals by the collegium of CCsIT/ DGsIT.	30.06.2018
6	Preparation and updating of PD Account in ITBA by Pr. CITs for all transactions up to 31.03.2018 and ongoing	
7	Disposal of all CPGRAMS grievance older than 30 days.	
8	All rent related proposals (revision of rent or new lease agreements) to be submitted after completing all formalities to the Board.	
9	One meeting to be held by Pr. CIT with Director (Audit) in the office of C&AG to resolve outstanding major audit objections.	
10	Holding of all DPCs at all grades (Group-B & C) within the cadre control of the Pr.CCIT and issue of orders.	

Only 0.35% of I-T returns filed last year to be scrutinized: CBDT

The income tax department said it has picked up only high tax evasion cases for scrutiny, which accounts for around 0.35 per cent of the 6.86 crore returns filed for Assessment Year 2017-18.

CBDT Chairman Sushil Chandra said that the department has faith on the income tax payers, but will not allow evaders to scot free. He said out of this 0.35 per cent cases picked up for scrutiny, 0.15 per cent are for 'limited scrutiny' and 0.20 per cent are for 'full scrutiny'.

A scrutiny procedure in the income tax system pertains to a case where a taxpayer is required to provide a number of documents to the assessing officer (AO) after his or her case is picked up for a threadbare examination after study of their tax returns. Scrutiny of I-T returns has been an issue of grievance for many assesseees. Earlier about 1 per cent of the income tax returns filed were picked up for scrutiny. This has now been brought down to 0.35 per cent. The department will further simplify tax filing norms to help India improve its ranking in the Ease of Doing Business Index, the chairman said.

Clarification on immunity provided u/s 270AA of Income-tax Act

Section 270AA of the Income-tax Act provides that from 1st April, 2017, the Assessing Officer, on an application made by an assessee, may grant immunity from imposition of penalty under section 270A (not being penalty for misreporting) and initiation of proceedings under section 276C or section 276CC, subject to the conditions specified therein.

Apprehensions have been raised that where an assessee makes an application seeking immunity under section 270AA of the Act, and in the earlier year(s) penalty under section 271(1)(c) of the Act has been initiated on the same issue, the Income-tax Authority may contend that the assessee has accepted on the issue in such earlier year (s), by seeking immunity under section 270AA of the Act and therefore, take an adverse view in the proceedings for penalty under section 271(1)(c) of the Act.

Thus, CBDT has clarified that where an assessee makes an application seeking immunity under section 270AA of the Act, it shall not bar such assessee from contesting the same issue in any earlier assessment year. Further, the Income-tax Authority, shall not take an adverse view in the proceedings for penalty under section 271(1)(c) of the Act in earlier assessment years merely on the ground that the assessee has accepted the issue in any later assessment year by preferring an immunity on such issue under section 270AA of the Act.

Please [Click Here](#) to read the Circular.

Transfer Pricing / International Taxation

Transfer Pricing / International Taxation

CBDT notifies 'Central Economic Intelligence Bureau' for furnishing specified information u/s 138

CBDT has specified 'Director General, Central Economic Intelligence Bureau (CEIB)' for the purpose of section 138. The CBDT has also directed that in respect of information received from foreign jurisdiction, confidentiality clause to be adhered and the information couldn't be shared with other agencies till prior permission of sharing foreign jurisdiction is received through CBDT by the CEIB. The Central Board of Direct taxes, hereby directs that income-tax authorities specified in column (3) of the Table below shall furnish the information as mentioned in the corresponding entry in column (2) to the Director General, CEIB, Department of Revenue, Government of India, as notified under section 138(1)(ii)(a).

S.No. (1)	Information to be furnished(2)	Specified Income-tax Authority(3)
1	Preliminary Search Report, Summary of Survey Report, Summary of Appraisal Report	DGIT(Investigation)
2	Summary of assessment order(s) in cases searched/surveyed by DGIT(Investigation)	Pr. CCIT, DGIT(Investigation), Pr. CCIT (International-tax), CCIT (Exemption), CCIT (Central)
3	Summary of appellate order(s) of Commissioner (Appeals) in cases searched/surveyed by DGIT (Investigation)	Pr. CCIT, DGIT(Investigation), Pr. CCIT(International-tax),CCIT (Exemption),CCIT (Central)
4	Details of Prosecutions filed/convictions/acquittals	Pr. CCIT, DGIT(Investigation), Pr. CCIT(International-tax), CCIT(Exemption),CCIT(Central), DGIT(I&CI)

Please [Click Here](#) to read the full Notification.

Company Law

Additional Matters to be Included in Board's Report (except for One person company and Small Company)

The Government, through a notification dated 31st July 2018, issued notification for amendment in Companies (Accounts) Rules, 2014.

Salient features of the notification:

- A disclosure, as to whether maintenance of cost records as specified by the Central Government under section 148(1) of the Companies Act, 2013, is required by the Company and accordingly such accounts and records are made and maintained,
- A statement that the company has complied with provisions relating to the constitution of Internal Complaints Committee under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Matters to be Included in Board's Report for One person company and Small Company

The Board's Report of One Person Company and Small Company shall be prepared based on the stand alone financial statement of the company, which shall be in abridged form and contain the following:-

- The web address, if any, where annual return referred to in section 92(3) has been placed;
- Number of meetings of the Board;
- Directors' Responsibility Statement as referred to in section 134(5);
- Details in respect of frauds reported by auditors under section 143(12) other than those which are reportable to the Central Government;
- Explanations or comments by the Board on every qualification, reservation or adverse remark or disclaimer made by the auditor in his report;
- The state of the company's affairs;
- The financial summary or highlights;
- Material changes from the date of closure of the financial year in the nature of business and their effect on the financial position of the company;
- The details of directors who were appointed or have resigned during the year;
- The details or significant and material orders passed by the regulators or courts or tribunals impacting the going concern status and company's operations in future.

The Report of the Board shall contain the particulars of contracts or arrangements with related parties referred in the Form AOC-2.

Please [Click Here](#) to read the notification.

Company Law

Amendment in Provisions for Private Placement

The Government, through a notification dated 07th August 2018, issued notification for amendment in Companies (Prospectus and Allotment of Securities) Rules, 2014.

Please refer below for key comparisons between the new regulations and earlier regulations:

SN.	Old Regulations	New Regulations	Implication
1	The old section was silent about the renunciation of the private placement offer of the issuer company.	The revised section specifically restricts any right of renunciation of the private placement offer of the issuer company.	Right of renunciation of the private placement offer is specifically restricted now.
2	Earlier, Form PAS-4 contains the format of offer letter and the payment mode was not prescribed within it.	The PAS-4 has been revised and it will carry a format of application letter that the applicant shall fill and submit along with the subscription money paid either by cheque, demand draft or other banking channel or not by cash.	Now the person willing to subscribe to the private placement issue shall fill and submit along with subscription money paid either by cheque or demand draft or other banking channel and not by cash in Form PAS-4
3	Earlier Return of Allotment needs to be filed within 30 days;	Return of Allotment needs to be filed within 15 days of allotment	Timeline to file return of allotment is reduced.
4	Earlier section prescribed a restriction on usage of money till allotment of securities was completed.	The subscription money can be used after filing of return of allotment with the Registrar of Companies (ROC).	Timeline to utilize the subscription money has been extended till the date of filing of return with ROC.
5	Earlier, the penal provisions was not	If a company defaults in filing the return of allotment within the period prescribed under sub-section (8), the company, its promoters and directors shall be liable to a penalty for each default of one thousand rupees for each day during which such default continues but not exceeding twenty-five lakh rupees.	Separate penal provisions have been prescribed for delay in filing the return of allotment and other contraventions of section 42.
6	The earlier rules prescribed a restriction on the value of offer per person, which was a minimum investment size of Rs. 20,000/- of face value of such securities.	The new rules has removed the restriction on the value of offer per person, which was a minimum investment size of Rs. 20,000/- of face value of such securities	The investment size can be of Rs. 20,000 or less.

Please [Click Here](#) for the notification

Extension for filing Know your customer form (KYC) for Director in Form DIR-3 till 15th September 2018

The Government, through a notification dated 21st August 2018, has amended the Companies (Registration Office and fees) Fourth Amendment Rules, 2014 as below.

For the current financial (2018-2019), no fee shall be chargeable till the 15th September 2018, and fee of Rs.5000 shall be payable on filing the form or after the 16th September, 2018.

Please [Click Here](#) for the notification.



Securities Exchange Board of India (SEBI)

Relaxation of Timeline for listing of Debt Securities

For Streamlining the process of public issue under the SEBI (Issue and Listing of Debt Securities) Regulations, 2008, SEBI (Issue and Listing of Non-Convertible Redeemable Preference Shares) Regulations, 2013 , SEBI (Public Offer and Listing of Securitised Debt Instruments) Regulations, 2008 and SEBI (Issue and Listing of Debt Securities by Municipalities) Regulations, 2015, the SEBI has drastically cut the timeline for listing of Debt Securities to Six (6) days from twelve (12) at present.

Further the Board has made mandatory for all the investors for making payment while applying in a public issue of Debt Securities.

Please [Click Here](#) to read the full circular.



Editorial Team



Editor



Direct Tax



Indirect Tax



Regulatory



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About KrayMan

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- **Prime Advisory Network (PAN), United Kingdom** - a network of Accountants and Lawyers with presence in more than 60 countries
- **Cross Border Associates (CBA), Germany** - specializing in mergers & acquisitions activities having presence in more than 95 countries
- **TiE Delhi** - world's largest entrepreneurial organization with 62 chapters in 18 countries

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