



TAX EDGE

Monthly Tax & Regulatory Updates

1. Measures to combat COVID-19

2. Goods & Services Tax ('GST')

3. Direct Tax

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5. Company Law

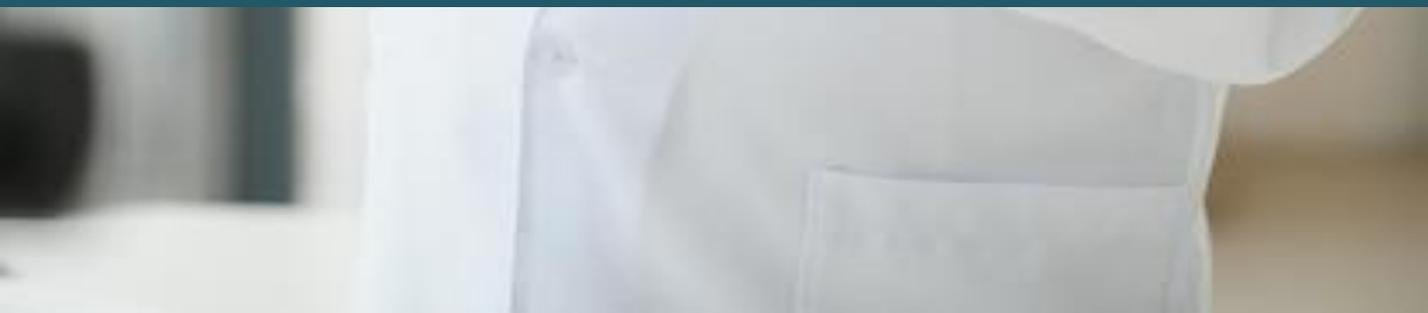
6. Reserve Bank of India ('RBI')

7. Securities Exchange Board of India ('SEBI')

8. Compliance Calendar



Measures to combat COVID-19



Measures to combat COVID-19

India's cumulative COVID-19 vaccination coverage exceeds 2.20 billion doses, over 0.95 billion 2nd dose & 0.23 billion precaution dose vaccines administered

India's COVID-19 vaccination coverage has exceeded 2.20 billion doses. So far, more than 0.95 billion and 0.23 billion vaccines have been administered with the 2nd dose and precaution dose respectively.

India's active caseload currently stands at 1,835. Active cases now constitute 0.01% of the country's total positive cases. India's recovery rate stands at 98.81%. Weekly positivity rate stands at 0.09%, daily positivity rate stands at 0.11%.

Please [Click Here](#) to read the Press Release dated 16 February 2023.

Union Health Minister unveils world's 1st intranasal COVID-19 vaccine iNNCOVACC

Dr. Mansukh Mandaviya, Union Minister of Health & Family Welfare unveiled the iNNCOVACC vaccine, being world's first intranasal COVID-19 vaccine to receive approval for the primary 2-dose schedule & as a heterologous booster dose. It is developed by Bharat Biotech International Limited (BBIL) in collaboration with Biotechnology Industry Research Assistance (BIRAC), a public sector undertaking under the Department of Biotechnology, Ministry of Science and Technology.

Expressing his elation at the event, Dr Mandaviya said that over 65% of vaccines supplied in the world are from India. Congratulating the BBIL team and the Department of Biotechnology for bringing about the world's first nasal vaccine, he stated that 'being the world's first intra-nasal COVID-19 vaccine, this marks a glorious tribute to the call for Atmanirbhar Bharat'. Dr Mandaviya added that India's vaccine manufacturing and innovation capability is appreciated all over the world as it has made a mark in producing quality and affordable medicines. He also highlighted that BBIL in collaboration with Indian Council of Medical Research (ICMR) introduced COVAXIN in India within a month of the launch of first COVID-19 vaccine in the world.

Measures to combat COVID-19



iNCOVACC is a cost effective COVID-19 vaccine which does not require syringes, needles, alcohol wipes, bandage, etc, saving costs related to procurement, distribution, storage, and biomedical waste disposal, that is routinely required for injectable vaccines. It utilizes a vector-based platform, which can be easily updated with emerging variants leading to large scale production, within a few months. These rapid response timelines combined with the ability of cost effective and easy intranasal delivery, makes it an ideal vaccine to address future infectious diseases. A rollout of iNCOVACC is expected to begin in private hospitals that have placed advance orders. Initial manufacturing capacity of several million doses per annum has been established, this can be scaled up to a billion doses as required. iNCOVACC is priced at INR 325 per dose for large volume procurement by State Governments and Government of India.

Please [Click Here](#) to read the Press Release dated 26 January 2023.



Goods & Services Tax (`GST`)

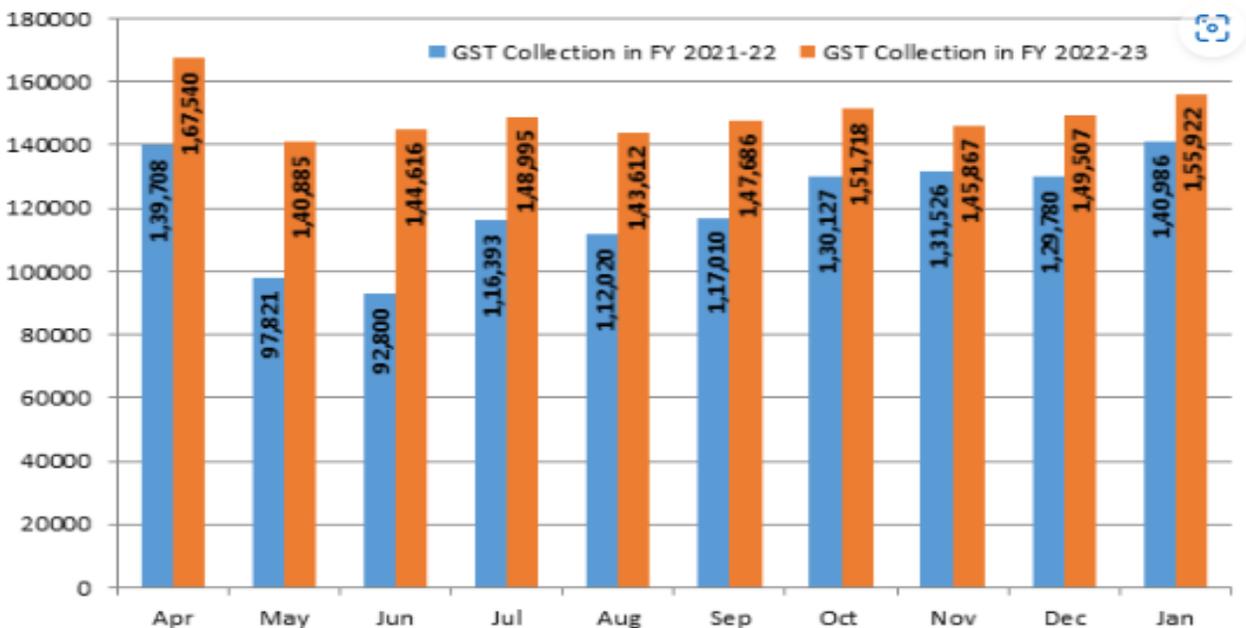


GST revenue collection for January 2023 Rs. 155,922 Crore (24% higher than GST revenue collection in January 2022), improvement in percentage of filing GST Returns

The gross GST collected in the month of January 2023 is Rs. 155,922 Crore as below:

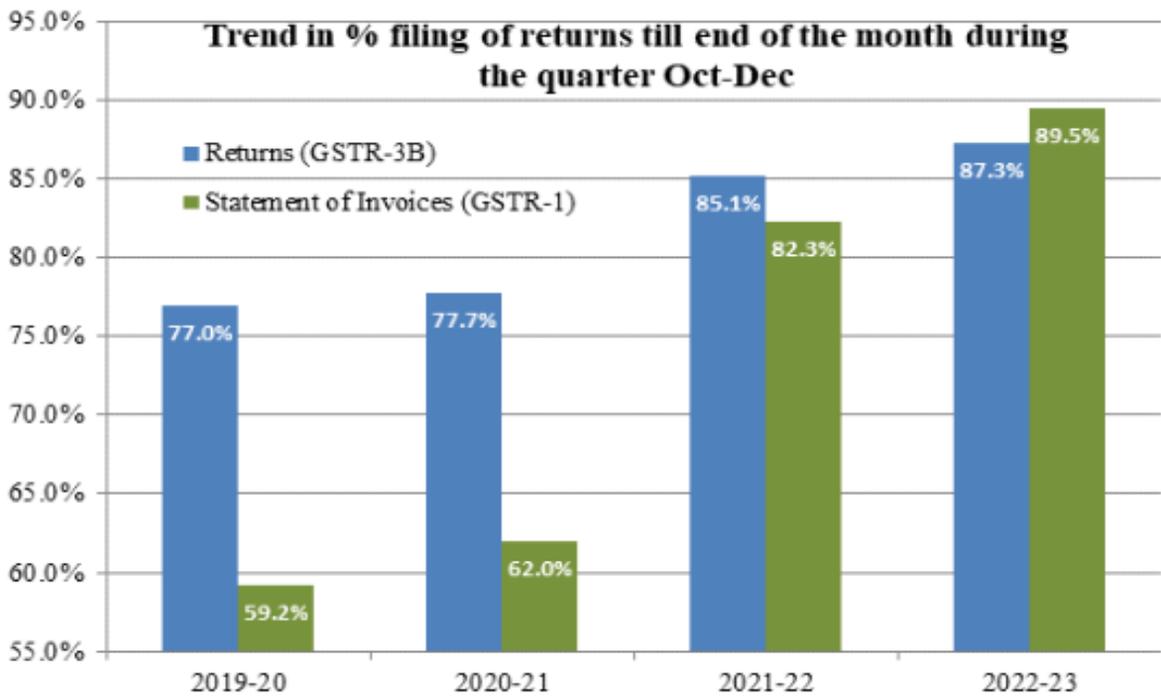
| | |
|--|---------------------------|
| IGST (Integrated Goods and Services Tax) | Rs. 79,599 Crore |
| CGST (Central Goods and Services Tax) | Rs. 28,963 Crore |
| SGST (State Goods and Services Tax) | Rs. 36,730 Crore |
| Compensation cess | Rs. 10,630 Crore |
| Total | Rs. 1,55,922 Crore |

The GST collection for the month of January 2023 is the 2nd highest collection ever, next only to the collection reported in April 2022. The revenues for the month of January 2023 are 24% higher than the GST revenues in January 2022. During the month, revenues from import of goods are 29% higher and the revenues from domestic transactions (including import of services) are 22% higher than the revenues from these sources during the same month last year.



GST

Over the last few years, various efforts have been made to increase the tax base and improve compliance. The percentage of filing of GST Returns [Forms GSTR-1 (statement of outward supplies) & GSTR-3B (summary return)], till the end of the December 2022 has improved significantly over the years. The trend in return filing for the quarter October-December over last few years is shown in the graph below. In the quarter October-December 2022, total 2.42 crore GST returns were filed till end of next month as compared to 2.19 crore in the same quarter in the last year.



Please [Click Here](#) to read Press Release dated 31 January 2023.



Advisory on Geocoding of address of principal place of business

Goods and Service Tax Network (GSTN) has informed the taxpayers about availability of the functionality for geocoding of principal place of business address on GST portal as below:

| Particulars | Advisory / Comments | | | | | | | | | | | | |
|-------------------------------|--|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|----------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| What is geocoding? | A process of converting an address / description of a location into geographic coordinates. This process will not change the existing address of the taxpayer | | | | | | | | | | | | |
| Purpose of geocoding | <ul style="list-style-type: none"> To ensure the accuracy of address details in GSTN records To streamline the address location & verification process | | | | | | | | | | | | |
| How to access? | <ul style="list-style-type: none"> Taxpayer is required to visit Service/Registration tab A system-generated geocoded address will be displayed by portal, taxpayer can either accept it or update it Where the system-generated geocoded address is not displayed, a blank window will be displayed and taxpayer can update the geocoding directly <div style="text-align: center;"> <p>Returns Calendar (Last 5 return periods)</p> <table border="1"> <tr> <td>GSTR-1 / IFF</td> <td>Sep - 2022 Filed</td> <td>Oct - 2022 Filed</td> <td>Nov - 2022 Filed</td> <td>Dec - 2022 Filed</td> <td>Jan - 2023 Filed</td> </tr> <tr> <td>GSTR-3B</td> <td>Sep - 2022 Filed</td> <td>Oct - 2022 Filed</td> <td>Nov - 2022 Filed</td> <td>Dec - 2022 Filed</td> <td>Jan - 2023 Filed</td> </tr> </table> </div> <div style="text-align: center; border: 1px solid gray; padding: 5px; margin: 10px 0;"> <p>You can navigate to your chosen page through navigation panel given below</p> </div> <div style="text-align: center; border: 2px solid red; padding: 10px; margin: 10px 0;"> <p>Your address of Principal Place of Business is not Geocoded in our records. Kindly click on continue to update the Geocoded Address Continue ⓘ</p> </div> <ul style="list-style-type: none"> The geocoded address will be saved separately under 'Principal Geocoded' tab and can be viewed under My profile>>Place of Business tab under heading Principal Geocoded Being as one-time activity, the geocoding link will not be visible post submission of geocoding details and accordingly no revision in address will be allowed | GSTR-1 / IFF | Sep - 2022 Filed | Oct - 2022 Filed | Nov - 2022 Filed | Dec - 2022 Filed | Jan - 2023 Filed | GSTR-3B | Sep - 2022 Filed | Oct - 2022 Filed | Nov - 2022 Filed | Dec - 2022 Filed | Jan - 2023 Filed |
| GSTR-1 / IFF | Sep - 2022 Filed | Oct - 2022 Filed | Nov - 2022 Filed | Dec - 2022 Filed | Jan - 2023 Filed | | | | | | | | |
| GSTR-3B | Sep - 2022 Filed | Oct - 2022 Filed | Nov - 2022 Filed | Dec - 2022 Filed | Jan - 2023 Filed | | | | | | | | |
| Availability of functionality | <ul style="list-style-type: none"> The functionality is currently available for following taxpayers who are either active or cancelled / suspended in Delhi and Haryana only: <ul style="list-style-type: none"> ✓ Regular taxpayer ✓ Taxpayer registered under composition scheme ✓ Taxpayer registered as SEZ units / SEZ developers ✓ Taxpayer registered as Input Service Distributor (ISD) ✓ Casual taxpayer This functionality will not be visible to the taxpayers who have already geocoded their address through new registration or by making core amendment in registration | | | | | | | | | | | | |

Please [Click Here](#) to read advisory dated 24 February 2023.

Please [Click Here](#) to read answers to Frequently Asked Questions (FAQs) issued by GSTN.

Highlights of the 49th GST Council Meeting held on 18 February 2023 in New Delhi

The 49th Meeting of the GST Council was held on 18 February 2023 under the chairpersonship of the Union Finance and Corporate Affairs Minister Mrs. Nirmala Sitharaman. Key recommendations made by the GST Council related to below.

- GST compensation to States
- GST Appellate Tribunal constitution
- Capacity Based Taxation and Special Composition Scheme for certain commodities
- GST rate changes on Goods and Services
- Trade facilitation measures
- Best judgement assessment
- Rationalization of fee
- Rationalization of provision of place of supply of services of transportation of goods



Please [Click Here](#) to read the detailed Press Release dated 18 February 2023.

Please [Click Here](#) to read our alert dated 20 February 2023.

Introduction of negative values in Table-4 of Form GSTR-3B (Summary Return)

Background

Central Board of Indirect Taxes & Customs (CBIC) vide Notification No. 14/2022 – Central Tax dated 5 July 2022 has notified certain changes relating to furnishing of information regarding Input Tax Credit (ITC) availed, reversal thereof and ineligible ITC in Table 4 of Form GSTR-3B. Post those changes, the net ITC claimed & ITC reversal is required to be reported in Table 4A and Table 4B of Form GSTR-3B respectively. Currently in Form GSTR-3B, ITC for credit note is being auto-populated in Table 4B (2) as *ITC Reversal* which is not correct.

What is Table 4A and 4B?

Under Table 4A, taxpayer is required to report details of ITC available whereas under Table 4B, taxpayer is required to report details of ITC reversed.

Changes in GST portal

The impact of credit note shall be considered on *net off* basis in Table 4A of Form GSTR-3B only. Accordingly, following changes have been made applicable on the GST Portal from January 2023 onwards.

- The impact of credit note and its amendment shall now be auto-populated in Table 4A. In case where the value of credit note becomes higher than gross ITC available, net ITC would become negative and taxpayer will be allowed to report negative ITC in Table 4A
- Consequent modification in the advisory, messages, instructions and help-text in Form GSTR-2B (statement containing details of ITC), (without any structural changes in Form GSTR-2B summary or tables) have also been done in Form GSTR-2B
- The calculation logic of ITC *Comparison Report* (GSTR-3B vs GSTR-2B) has now been changed accordingly

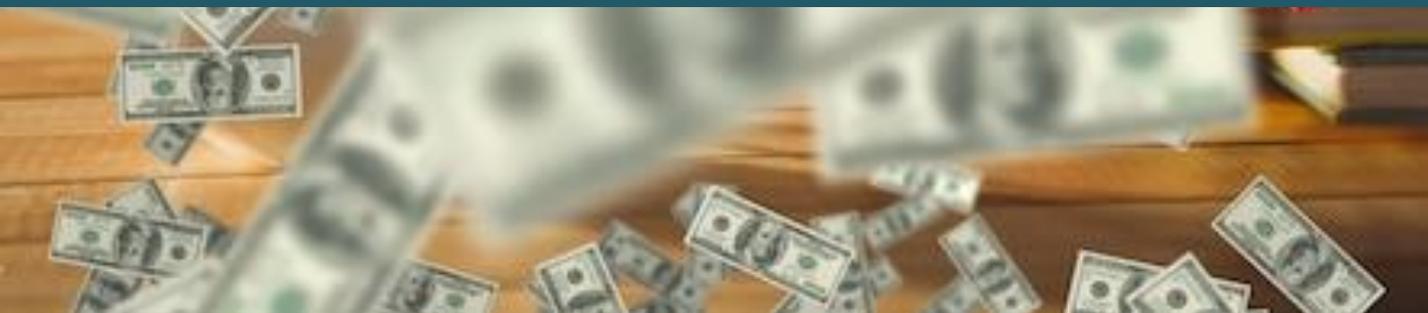
The screenshot shows the GST portal interface for 'Eligible ITC'. A notification states: 'Tables 4(A)(1), (3), (4), (5) and 4(D)(2) are auto-drafted based on the values in GSTR-2B.' The table below shows the following data:

| Details | Integrated Tax (₹) | Central Tax (₹) | State/UT Tax (₹) | CESS (₹) |
|---|--------------------|-----------------|------------------|----------|
| (A) ITC Available (whether in full or part) | | | | |
| (1) Import of goods | 0.00 | | | 0.00 |
| (2) Import of services | 0.00 | | | 0.00 |
| (3) Inward supplies liable to reverse charge (other than 1 & 2 above) | 0.00 | 0.00 | 0.00 | 0.00 |
| (4) Inward supplies from ISD | 0.00 | 0.00 | 0.00 | 0.00 |
| (5) All other ITC | 0.00 | -1,000.00 | -1,000.00 | 0.00 |
| (B) ITC Reversed | | | | |
| (1) As per rules 38,42 & 43 of CGST Rules and section 17(5) | 0.00 | 0.00 | 0.00 | 0.00 |
| (2) Others | 0.00 | 0.00 | 0.00 | 0.00 |
| (C) Net ITC Available (A) - (B) | 0.00 | -1,000.00 | -1,000.00 | 0.00 |
| (D) Other Details | | | | |

Please [Click Here](#) to read the advisory dated 17 February 2023.



Direct Tax



Direct Tax

Direct tax collection for Financial Year (FY) 2022-23 (upto 10th February 2023) Rs. 15.67 Lakh Crore, 24.09% higher than gross collection for corresponding period last year

Central Board of Direct Taxes has released the following statistics till 10 January 2023:

| Description (for the period 1 April 2022 till 10 February 2023) | Amount / Percent | Remarks |
|---|----------------------|--|
| Gross direct tax collection | Rs. 15.67 lakh crore | 24.09% higher than gross collection for corresponding period last year |
| Net direct tax collection (after adjustment of refunds) | Rs. 12.98 lakh crore | <ul style="list-style-type: none">18.40 % higher than net collection for corresponding period last yearThe collection represents 91.39% of the total direct tax budget estimates and 78.65% of the revised estimates for FY 2022-23 |
| Growth rate of corporate income tax <ul style="list-style-type: none">GrossNet (after adjustment of refunds) | 19.33 % 15.84 % | - |
| Growth rate of personal income tax (including securities transaction tax) <ul style="list-style-type: none">GrossNet (after adjustment of refunds) | 29.63 % 21.23 % | - |
| Refunds issued | Rs. 2.69 lakh crore | 61.58% higher than refunds issued during corresponding period last year |

Please [Click Here](#) to read Press Release dated 11th February 2023.

Direct Tax

Charitable trusts / institutions – Central Board of Direct Taxes (CBDT) introduces substantial changes in reporting formats of audit reports in Forms 10B & 10BB to be issued by Chartered Accountant (auditor)

Background

Charitable trusts / institutions are eligible to claim tax exemption under 2 regimes:

- *1st Regime* - Fund / Institution / Trust / University / Educational Institution / Hospital / Medical Institution referred u/s 10(23C)(iv) or (v) or (vi) or (via) of Income-tax Act,
- *2nd Regime* – Trust registered u/s 12AA/ 12AB of Income-tax Act

Notification no. 7 issued by CBDT on 21 February 2023

In the last couple of years, Government of India has made significant changes in income-tax provisions relating to charitable trusts / institutions. Consequently, a need was felt to update the format of audit report in Form 10B / 10BB to be issued by a Chartered Accountant / auditor. Accordingly, CBDT has issued Notification no. 7 on 21 February 2023 amending the rules prescribing Forms 10BB and 10B and issuing new forms in place of the existing ones. The new rules are effective from 1 April 2023 onwards and likely to apply to issue of any audit report on or after 1 April 2023, in respect of FY 2022-23 and prior years.

Requirement to submit audit reports in Forms 10B and 10BB issued by Chartered Accountant (auditor)

Charitable trusts / institutions falling in either regime are required to furnish *Form 10B*, if:

- It's total Income > INR 5 Crore (before applying exemption provisions under Income-tax law), or
- Foreign contribution has been received by it, or
- It has applied any part of its income outside India

Charitable trusts / institutions falling in either regime are required to furnish *Form 10BB*, if:

- None of the above criteria is not fulfilled

Form 10BB has limited disclosures compared to Form 10B. The audit report is required to be furnished with tax authorities 1 month before the due date of filing annual income-tax return by the charitable trust / institution, i.e., by 30 September.

Direct Tax

Key changes in reporting obligations under Forms 10B and 10BB

The annexure to audit reports in Forms 10B and 10BB requires reporting on various aspects. The notification has significantly expanded the scope of details to be furnished in the annexure, such as the below:

- New reporting requirements introduced in terms of registration details, management details, objects of the charitable trusts / institutions, commencement of activities, advancement of general public utility, withholding tax on receipts as per different provisions of the law, voluntary contributions, details of taxable income u/s 115BBI, special computation provisions u/a 13(10), disclosure of violations, etc.
- Scope of existing reporting requirements expanded to include application of voluntary contribution

The revised reporting requirements are manifold both in scope and detail. While some of the reporting requirements are aligned with disclosures in Form ITR-7 (i.e., relevant income-tax return form), many others are to be reported by way of additional details. The revised audit report, particularly Form 10B, is more elaborate and requires exhaustive disclosure. Compiling the information for FY 2022-23 may be a herculean task for charitable trusts / institutions, especially since the revised form has been prescribed towards end of the current FY. The duty and extent of vigilance required by Chartered Accountant (auditor) also stands increased.

Please [Click Here](#) to read Notification no. 7 dated 21st February 2023.



Direct Tax

CBDT notifies Income Tax Return (ITR) forms for FY 2022-23

CBDT vide Notification No. 4 and 5 dated 10th and 14th February 2023 respectively, has notified following ITR forms for FY 2022-23 (corresponding to Assessment Year 2023-24).

| ITR Form | Who can file | Who cannot file |
|-------------|--|--|
| ITR-1 Sahaj | Resident individuals (ordinarily residents – ROR) having: <ul style="list-style-type: none">Total annual income \leq Rs. 50 Lakh;Income from salaries;Income from 1 house property;Income from other sources;Agriculture income $<$ Rs. 5,000 | An individual who is either <ul style="list-style-type: none">Director in a company, orHas invested in unlisted equity shares, orIn cases where tax has been deducted at source u/s 194N (cash payments $>$ Rs. 1 crore by banking company / co-operative society), orIf income-tax is deferred on Employee Stock Ownership Plan (ESOP) |
| ITR 2 | Individuals and Hindu Undivided Families (HUFs) not having income from business or profession | - |
| ITR 3 | Individuals and HUFs having income from business or profession | - |
| ITR 4 Sugam | Resident individuals / HUFs / firms (except limited liability partnerships) having total annual income \leq Rs. 50 Lakh computed u/s 44AD, 44ADA, 44AE of the Act relating to presumptive taxation; | An individual who is either <ul style="list-style-type: none">Director in a company, orHas invested in unlisted equity shares, orIf income-tax is deferred on ESOPHas agricultural income $>$ Rs.5,000 |
| ITR 5 | Persons other than individual, HUF, company or person filing ITR 7 | - |
| ITR 6 | Companies, other than companies claiming exemption u/s 11 | - |
| ITR 7 | Persons (including companies) required to furnish return u/s 139(4A) or 139(4B) or 139(4C) or 139(4D) only | - |

Direct Tax

The changes in new ITR forms are largely consequential to the amendments made in Income-tax law by Finance Act, 2022, such as:

- New regime of taxation for individuals and HUF (subject to different slab rates of tax)
- Introduction of scheme of taxation of income arising from transfer of virtual digital asset (VDA) / cryptocurrency,
- Filing of modified ITR pursuant to scheme of business re-organization

In addition, the provisions or disclosures which are redundant / no longer relevant for FY 2022-23, have been eliminated. Certain amendments in the new ITR forms may require further clarifications from CBDT.

Please [Click Here](#) to read Notification No. 4 dated 10th February 2023.

Please [Click Here](#) to read Notification No. 5 dated 14th February 2023.



Union Budget 2023 presented by Finance Minister in Parliament on 1st February 2023

The Hon'ble Finance Minister Nirmala Sitharaman presented Union Budget for FY 2023-24 on 1st February 2023. This year's Budget hopes to build on the foundation laid in last year's Budget and the blueprint drawn therein for India at 100 years of independence. With Indian economy becoming the 5th largest globally and current year's economic growth estimated @ 7% (1 of the highest among major economies), this year's Union Budget rests on the following priorities:

- Inclusive development for sectors like agriculture, animal husbandry, dairy, fisheries, public health, pharmaceuticals, medical devices, education and skill development
- Reaching the last mile by improving socio-economic conditions of tribal groups, water for drought prone regions, support for poor prisoners
- Infrastructure and investment including development of infrastructure projects, logistics, sustainable cities, urban sanitization, enhanced capital outlay for railways and continued financial assistance to State Governments
- Unleashing the potential by adopting measures such as artificial intelligence based solutions in agriculture and health sectors, data governance policy to enable access to anonymized data, simplification of KYC processes, launch of e-courts, entity digi-locker and innovation in fintech services
- Green growth focused on reducing environmental damage by implementing policies to promote green fuel, organic farming and green mobility for efficient use of energy across various sectors
- Youth power, to empower country's youth realize their dreams by undertaking policies focused on their skill development and facilitate job creation
- Financial sector reforms such as revamped credit guarantee schemes for micro small and medium enterprises, ease of doing business in Gujarat International Finance Tec-City, saving schemes for women and senior citizens and investor protection in banking sector

The Direct Tax proposals have been aimed to maintain continuity and stability of taxation, simplify provisions to reduce compliance burden, promote entrepreneurial spirit and provide tax relief to citizens. Increase in rebate and making new tax regime default for individuals, offering concessional tax rate to domestic manufacturing co-operative societies, tax exemption to members of armed forces, increase in threshold limit for presumptive taxation, plugging avenues for tax avoidance, introduction of new authority at first appellate level, rationalization of time limit for compliances, withholding tax and taxability on winnings from online games, benefits to start-ups are some of the key proposals.

The Indirect Tax proposals have been aimed at promoting exports, boosting domestic manufacture, enhancing domestic value addition, encouraging green energy and mobility. Customs duty exemptions extension by 1-5 years, changes in GST laws to align with return-filing system, relaxation of registration requirement for exempted categories, decriminalization of certain offenses and measures taken to curb fake invoicing are some of the key indirect tax proposals.

Although the tax proposals do not seem to have a significant impact in common man's life, the Government's inclination towards achieving a technology-driven economy does appear to be appealing. This is the last Union Budget of current Government before elections next year.

Pease [Click Here](#) to read our analysis on the India Union Budget 2023.

Income-tax department releases online calculator for computation of tax liability under new regime (section 115BAC of Income-tax Act) for Individuals & allied categories of taxpayers

Vide Union Budget 2020, the Finance Minister had introduced an alternative scheme of taxation (new regime) for individuals and HUF, wherein taxable income would be computed without exemptions / deductions *and* would be subject to different slab rates of tax. The taxpayers (individuals & HUFs) were given an option to be governed by the old regime or new regime of taxation, as per their choice. The intention behind introduction of the new regime of taxation was to gradually phase out exemptions / deductions under the Income-tax law, existence of which as per the Government of India only led to complications.

In the Union Budget 2023, the Finance Minister has proposed to make the new regime of taxation as the *default regime* for individuals / HUFs. In other words, the said category of taxpayers shall need to file form with tax authorities in case they want to choose to be governed by the old regime of taxation.

Given the above background, tax authorities have released an online calculator on the website of income-tax department to enable taxpayers ascertain their approximate tax liability under both old and new regime, compare the same and take a decision accordingly.

Please [click here](#) to access the online calculator.

As proposed by Finance Bill, 2023

For Individual/ HUF/ AOP/ BOI/ Artificial Juridical Person (AJP)
as per section 115BAC proposed by Finance Bill, 2023



TAX CALCULATOR – OLD REGIME VIS-À-VIS NEW REGIME

[Click here to view relevant Act & Rule.](#)

Assessment Year

2024-25

Tax Payer

Select

Male / Female / Senior Citizen

Select

Residential Status

Select

Direct Tax

Income other than Salary and Special Rate Income

Interest on Self Occupied House Property

Deductions allowed under both regimes i.e. 80CCH(2), 80CCD(2), 80JJAA, family pension deduction under section 57(iia)

Deductions/exemptions (other than mentioned above) not eligible in new tax regime 

Old Regime

New Regime

Income From Self-Occupied House Property

Income other than Salary and Special Rate Income

Gross Total Income

Less: Eligible Deductions

Total Income

Computation of Tax Liability

Income Tax after relief u/s 87A

Surcharge

Secondary and higher education cess

Total Tax Liability

Tax Savings in New Regime



International Tax



Equalization Levy (EL) - CBDT notifies scheme for processing of EL statement / return submitted by taxpayer

Background

EL provisions were inserted vide Chapter VIII of the Finance Act, 2016 (Act) (amended by Finance Act, 2021). Commonly also known as 'google tax', it is a tax levied @ 6% on consideration received by a non-resident for any specified service (such as online advertising, provision of digital advertising space or any other facility / service for online advertising) provided to a resident in India or a non-resident having Permanent Establishment (PE) in India.

The scope of EL was extended few years back to cover consideration received by an e-commerce operator from e-commerce supply or services made / provided / facilitated by it to a person resident in India. The rate of EL in such cases is 2% of the consideration.

EL is required to be deposited in India on monthly basis by the concerned taxpayers. An annual statement / return in Form 1 is required to be submitted by 30th June of every year.

Notification no. 3 dated 7 February 2023 issued by CBDT

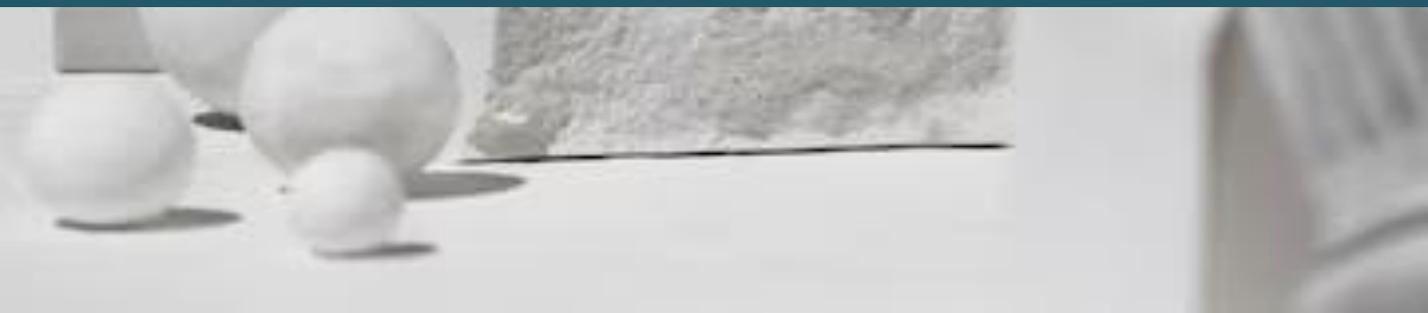
Vide the said notification, CBDT has notified the 'Centralised Processing of Equalisation Levy Statement Scheme, 2023', specifying the below procedure for processing of annual EL statement / return by Centralised Processing Centre (CPC) of Income-tax department.

- EL shall be computed after adjusting for any arithmetical error in the EL statement / return
- Interest (if any) shall be computed based on the sum deductible or payable as computed in the EL statement / return
- Sum payable by, or the amount of refund due to, the assessee shall be determined after adjustment of the amount computed under sections 166(2)(b), 166A, 170, and any amount paid otherwise by way of tax or interest;
- Time limit for sending intimation shall be 1 year from the end of the FY in which the EL statement / return or revised EL statement / return is furnished
- Amount of refund computed if any shall be duly granted to the taxpayer
- Taxpayer may apply to tax authority for amendment of intimation (if required), within 1 year from end of FY in which intimation was issued
- Taxpayer will not be required to appear in person before CPC, in connection with any proceedings. Written or electronic communication with CPC shall be sufficient.

Please [Click Here](#) to read Notification No. 3 dated 7th February 2023.



Company Law



Ministry of Corporate Affairs (MCA) allows submission of e-Form(s) GNL-2 (filing of prospectus related documents), MGT-14 (filing of resolutions for prospectus related documents), PAS-3 (return of allotment of shares), SH-8 (letter of offer for buyback of shares), SH-9 (declaration of solvency) & SH-11 (return of buy back of shares) in physical mode during the period 22 February 2023 till 31 March 2023, due to technical glitches on account of migration of MCA portal from Version 2 (V2) to Version 3 (V3)

Due to the migration of MCA's online portal from V2 to V3, industry is facing inconvenience in submission of following e-forms:

- GNL-2 (filing of prospectus related documents)
- MGT-14 (filing of resolutions for prospectus related documents)
- PAS-3 (return of allotment of shares)
- SH-8 (letter of offer for buyback of shares)
- SH-9 (declaration of solvency)
- SH-11 (return of buy back of shares)

Since the above forms are required to be filed frequently, MCA vide circular dated 22 February 2023 has allowed filing of said forms in physical mode during the period 22 February 2023 till 31 March 2023. The procedure for physical filing is given below.

- Company shall take print outs of the above forms, fill all the details manually and obtain physical signatures of the directors / key managerial persons (KMPs) on the hard copy
- Company shall deliver the forms physically to the office of Registrar of Companies (RoC) as well as e-mail it to the official e-mail address of the RoC. The company shall submit a written undertaking to the RoC that once the e-forms are enabled for submission on the online portal, the company shall do so electronically along with applicable filing fee (no late fee shall be levied till 31 March 2023, as clarified vide circular dated 21 February 2023)
- At the time of physical delivery, the company must obtain acknowledgement from RoC in the below format

Company Law

Acknowledgement

No:

Office of the Registrar of Companies, _____

*The Registrar of Companies, _____ acknowledges the receipt of (i) GNL-2 (ii) MGT-14, PAS-3, SH-8, SH-9 and SH-11 as detailed below in respect of (Name of company) alongwith the relevant undertaking referred to in General Circular Number 05/2023 dated 22.02.2023.

| SN | Particulars of Forms | Event date | Filing date (During 22.02.2023 to 31.03.2023 both days are inclusive) | Brief Details of the filing |
|----|--|------------|--|--------------------------------|
| 1. | GNL-2* (filing of prospectus related documents and private placement) | | | |
| 2. | MGT-14* (filing of Resolutions relating to prospectus related documents and private placement) | | | |
| 3. | PAS-3* (Return of Allotment) | | | |
| 4. | SH-8* (Letter of offer for buyback of own shares or other securities) | | | |
| 5. | SH-9* (Declaration of Solvency) | | | |
| 6. | SH-11*(Return in respect of buy-back of securities) | | | |

*Note: Strike off whichever is not applicable.

Place:

Date:

Registrar of Companies

State

Please [Click Here](#) to read Circular no. 5 dated 22 February 2023.

Company Law

Further waiver of late filing fee till 31 March 2023 for 45 e-Forms (due for filing between 7 February to 28 February 2023) & e-Form PAS-3 (due for filing between 20 January to 28 February 2023) along with extension of name reservation period by additional 20 days for e-Form SPICe+ Part A (form for reservation of name by proposed company under incorporation) rolled by MCA on its V3 online portal

Background (launch of 1st phase of company e-forms in July 2022)

Initially, all e-forms were filed on the V2 online portal of MCA. To provide industry with better online filing experience, MCA had launched a separate V3 online portal in July 2022. The 1st set (phase) of company e-forms on V3 portal were launched from 31 August 2022 onwards, as below.

- DIR3-KYC Web and DIR3-KYC (director KYC related forms)
- DPT-3 and DPT-4 (return of deposits), and
- CHG-1, CHG-4, CHG-6, CHG-8 and CHG-9 (creation of charge, modification and satisfaction related forms)

The screenshot shows the MCA V3 online portal user login page. At the top left, there is the Government of India logo and the text 'MINISTRY OF CORPORATE AFFAIRS' and 'EMPOWERING BUSINESS, PROTECTING INVESTORS'. Below this, it says 'REGULATOR • INTEGRATOR • FACILITATOR • EDUCATOR'. A search bar is located on the right. The main header is 'User Login'. The page is divided into two main sections. On the left, there is a blue graphic with icons representing 'ENHANCED USER-EXPERIENCE', 'QUICK AUTHORIZATION', 'EASY E-FILING', 'SECURED LOGIN', 'EASE OF DOING BUSINESS', and 'SERVICE INTEGRATION'. On the right, there is a 'Welcome to MCA' section with a login form. The form includes fields for 'Enter your User ID (CIN/LLPIN/FCRN for Company/LLP and Email ID for other users)', 'Password', and 'Forgot User ID?' and 'Forgot Password?'. There are buttons for 'Login for V3 Filing', 'Register', and 'Login for V2 Filing'. A note at the bottom states '* For LLP and 9 Company forms (CHG-1, CHG-4, CHG-6, CHG-8, CHG-9, DIR-3 KYC, DIR-3 KYC Web, DPT-3, DPT-4)'. A small orange icon is visible in the bottom right corner.

Company Law

Launch of 2nd set of company e-Forms

MCA vide notice dated 23 December 2022 notified the launch of 2nd set of company e-forms on V3 online portal. The 2nd set rolled out in 2 phases from 9 January 2023 and 23 January 2023 onwards. The list of e-forms, 10 in nos. rolled out from 9 January 2023 and 46 in nos. rolled out from 23 January 2023 onwards, can be viewed by [clicking here](#).

Waiver of late filing fee on 45 company e-Forms till 31 March 2023

Due to technical glitches faced in submission of e-Forms on the revamped V3 online portal, MCA vide circulars dated 9 January 2023 and 7 February 2023 had waived off late filing fee (for upto 15 days) for the said 45 company e-Forms where the due date for filing any of these forms falls between 7 January 2023 till 22 January 2023.

However, considering the ongoing technical issues faced by the stakeholders, MCA vide circular dated 21 February 2023 has once again waived off late filing fee till *31 March 2023* for the said 45 e-Forms where the due date for filing any of these forms falls between 7 February 2023 till 28 February 2023.

Waiver of late filing fee on e-Form PAS-3 till 31 March 2023

E-Form PAS-3 was rolled out from 23 January 2023 onwards on the revamped V3 online portal of MCA. However, many stakeholders faced difficulty in submitting e-Form PAS-3 due to technical issues on the portal.

To address the concern, MCA vide circular dated 21 February 2023 has waived off late filing fee till *31 March 2023* where the due date for filing e-Form PAS-3 falls between 20 January 2023 till 28 February 2023.

Extension of name reservation period by additional 20 days for e-Form SPICe+Part A (form for reservation of name by proposed company under incorporation)

Every proposed company undergoing incorporation has to apply for reservation of its proposed name with MCA in the prescribed e-Form SPICe+ Part A. The said name, if approved by MCA can be reserved only upto 20 days from the date of approval.

However, due to technical issues faced by stakeholders in submitting incorporation related forms, MCA vide circular dated 21 February 2023 has extended the name reservation period by additional 20 days i.e. the approved name can be reserved upto 40 days from the date of approval without any additional fee.

The resubmission period for e-Form SPICe+ Part A falling between 23 January 2023 till 28 February 2023 has also been extended for upto 15 days.

Please [Click Here](#) to read Circular dated 21 February 2023.



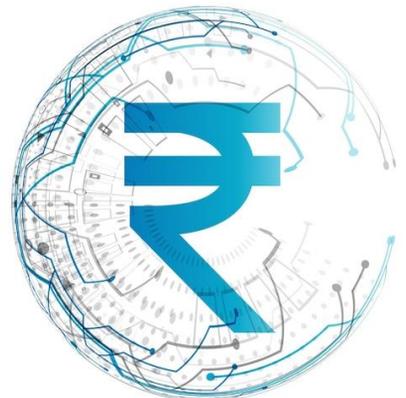
Reserve Bank of India (‘RBI’)



RBI allows access to Unified Payments Interface (UPI) mode of payment for foreign nationals / Non-resident Indians (NRIs) visiting India

UPI has become a prominent mode of payment for digital transactions in India. In order to extend the facility of UPI, RBI vide notification dated 10 February 2023 has permitted foreign nationals / NRIs visiting India to access UPI mode of payment for all their merchant transactions while they are in India. To start with, UPI facility will be extended to travellers arriving from the G-20 countries at selected international airports in India. Going forward, it will be enabled across all other entry points in India.

Please [Click Here](#) to read the Notification dated 10 February 2023.





Securities Exchange Board of India ('SEBI')



SEBI mandates all Stock Brokers & Depository Participants to maintain designated websites to keep investors well informed about their activities

A designated website brings in transparency and keeps the investors well informed about the various activities of the Stock Brokers and Depository Participants. In view of the same, SEBI vide circular dated 15 February 2023 has mandated all Stock Brokers and Depository Participants to maintain a designated website. Basic details to be displayed on the websites of Stock Brokers and Depository Participants are as below.

- Registration Number, Address of the Registered office and branches, if any of the Stock Brokers and Depository Participants
- Names and contact details such as email ids etc. of all KMPs including compliance officer
- Step-by-step procedures for opening an account, filing a complaint on a designated email id, and finding out the status of the complaint
- Details of Authorized persons

The above provisions shall come into effect from 16 August 2023 onwards. The link to the website of Stock Brokers and Depository Participants shall be reported to the Stock exchanges / Depositories on or before 23 August 2023. Any modification in the URL shall be reported to Stock exchanges / Depositories within 3 days of such change.

Please [Click Here](#) to read the Circular dated 15 February 2023.



Extension upto 1 March 2023 for application to MCA for obtaining certificate of registration by entities operating / desirous of operating as Online Bond Platform Providers (OBPPs)

Background

During the past few years, there has been an increase in the number of OBPPs, offering debt securities to non-institutional investors. Most of such OBPPs are fintech companies or are backed by stockbrokers /SEBI registered intermediaries. While OBPPs provide an avenue for investors to access the bond market, however their operations have been outside SEBI's regulatory purview.

Thus, in order to streamline the operations of these OBPPs and to facilitate the participation of investors in the bond market, a need was felt to provide a regulatory framework for operations of such OBPPs in India. Accordingly, SEBI vide circular dated 14 November 2022 had laid down framework for registration and regulation for OBPPs.

Eligibility criteria for registration as OBPPs

Pursuant to SEBI circular dated 14 November 2022, entities operating / desirous of operating as OBPPs under regulation 51A of the SEBI (Issue and listing of non-convertible securities) Regulations, 2021 shall:

- Submit an application to the MCA for obtaining certificate of registration under the provisions of Companies Act, 2013 on or before 9 February 2023; and
- Register itself as a stock broker in the debt segment of the stock exchange

Extension of time limit for submission of application to MCA for obtaining certificate of registration

Considering that MCA's online portal has been recently revamped due to its upgradation from V2 to V3, many technical glitches are being faced by stakeholders in submission of forms on the portal. Hence, SEBI vide circular dated 7 February 2023 has extended the timeline for submission of application for obtaining certificate of registration by OBPPs by *3 more weeks (i.e. from 9 February 2023 to 1 March 2023)*.

Please [Click Here](#) to read the Circular dated 7 February 2023.

Compliance Calendar

Compliance calendar for the month of March 2023

| Compliance Due Date | Concerned (Reporting) Period | Compliance Detail | Applicable To |
|------------------------|------------------------------|--|---|
| 7 th March | February 2023 | TDC/TCS deposit | Non-Government Deductors |
| | | Equalization Levy deposit | All Deductors |
| 10 th March | | a) GSTR-7 (TDS return under GST) | a) Person required to deduct TDS under GST |
| | | b) GSTR-8 (TCS return under GST) | b) Person required to collect TCS under GST |
| 11 th March | | GSTR-1 (Outward supply return) | a) Taxable persons having annual turnover > Rs. 5 crore in FY 2021-22 b) Taxable persons having annual turnover ≤ Rs. 5 crore in FY 2021-22 and not opted for Quarterly Return Monthly Payment (QRMP) Scheme |
| 13 th March | | GSTR-6 [Return by input service distributor (ISD)] | Person registered as ISD |
| | | Invoice Furnishing Facility – IFF (Details of outward supplies of goods or services) | Taxable persons having annual turnover ≤ Rs. 5 crore in FY 2021-22 and opted for QRMP scheme |
| 15 th March | | Deposit of PF & ESI contribution | All Deductors |
| | Jan-Mar 2023 | Deposit of 100% (4 th Instalment) of Advance Tax for FY 2022-23. | Taxpayers liable to pay advance tax |
| 20 th March | February 2023 | GSTR-3B (Summary return) | a) Taxable persons having annual turnover > Rs. 5 crore in FY 2021-22 b) Taxable persons having annual turnover ≤ Rs. 5 crore in FY 2021-22 and not opted for QRMP scheme |
| | | a) GSTR-5 (Return by Non-resident). b) GSTR-5A [Online Information Database Access and Retrieval (OIDAR) services return] | a) Non-resident taxable person b) OIDAR services provider |
| 25 th March | | Form GST PMT-06 (payment of tax for QRMP filers) | Taxable persons having annual turnover ≤ Rs. 5 crore in FY 2021-22 and opted for QRMP scheme |
| 31 st March | FY 2021-22 | Form 3CEAD (Country-by-Country reporting) | Parent entity or alternate reporting entity, resident in India, in respect of the international group of which it is a constituent |
| | - | Linking of Aadhar with PAN (with penalty of Rs.1,000) | Individuals (except senior citizens > 80 years of age, foreign citizens, non-residents) |

About KrayMan

KrayMan Consultants LLP is an Accounting and multi-disciplinary Advisory Firm founded in 2012 by professionals with Big-4 Consulting and Industry experience. Our forte lies in handholding foreign companies establishing presence in India by demystifying the complex Indian regulatory environment making it easy for them to do business in India. Since inception, we have been delivering value to a mix of multinational Clients from across the globe

The Leadership team comes with rich experience and is supported by a capable & efficient team of professionals including Chartered Accountants, Company Secretaries, Cost Accountants, Advocates and MBAs who are committed in providing timely, professional and quality services to our Clients

We believe that in today's dynamic and ever changing business environment, it is important for accounting, tax & legal professionals to operate with a global approach and mind set. In pursuit of extending global footprints, we have a Japan Desk and an EU Desk to support investments from these countries into India.

In addition, we are members of various associations and forums both at national as well as international levels viz. JCCII, IICCI, IFCCI, CBA, PAN, CII and TiE Delhi

Contact Us



India Head Office

1170 A, 11th Floor, Tower B1
Spaze i-Tech Park
Sector 49, Sohna Road
Gurugram – 122018 (India)
T +91 (124) 4309418; 4003418

Japan Office

501 Auto X Kudo Building,
2-11-2 Nihonbashi-Kaigaracho,
Chuo-ku, Tokyo,
103-0014, Japan

EU Office

Corso Palestro,
50-25122 Brescia,
Italy

For any assistance, please write to us at:
communications@krayman.com

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