



EZYBIZINDIA

EZYBIZ INDIA CONSULTING LLP

Redefining Consultancy



Newsletter

May, 2016

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Important Due Dates



6 th June, 2016	Excise Payment for the month ended 31 th May, 2016
6 th June, 2016	Service Tax Payment for the month ended 31 th May, 2016
7 th June, 2016	TDS/TCS Payment for the month ended 31 st May, 2016.
10 th June, 2016	Excise Return for the month ended 31 st May, 2016.
10 th June, 2016	ROC e-forms due for filing between 25 th march 2016 upto 31 st May 2016.
15 th June, 2016	Provident Fund Payment for the month ended 31 st May, 2016.
15 th June, 2016	Advance Income Tax 1 st installment (Corporate Assesse only)

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Important Due Dates



21 st June, 2016	VAT Payment for the month ended 31 st May, 2016
21 st June, 2016	ESI Payment and Return for the month ended 31 st May, 2016
25 th June, 2016	Provided Fund Return for the month ended 31 st May, 2016
25 th June, 2016	ESIC Consolidated Statement of dues and remittance for the month ended 31 st May, 2016
30 th June 2016	Return in respect of securities transaction tax for the financial year 2015-16

Changes in TDS rates w.e.f. 01.06.2016



Section	Particulars	Old Rate	New Rate
194D	Commission on Insurance	10%	5%
194DA	Life Insurance Policy	2%	1%
194EE	NSS Deposits	20%	10%
194G	Commission on Sale of lottery tickets	10%	5%
194H	Payment of Commission or Brokerage	10%	5%
194LBB	Units of Investment Fund	10%	10%, if payee is resident. Rates in force in case of non-resident (not being a company) or foreign company.

TDS – Change In Threshold Limits w.e.f. 01.06.2016



Section	Particulars	Old Limit	New Limit
192A	Payment of accumulated PF balance due to an employee	30,000	50,000
194BB	Winnings from race horses	5,000	10,000
194C	Payment to Contractors	75,000 p.a	1,00,000 p.a
194D	Commission on Insurance	20,000	15,000
194G	Commission on Sale of lottery Tickets	1,000	15,000
194H	Payment of Commission or Brokerage	5,000	15,000
194LA	Compensation on acquisition of immovable property	2,00,000	2,50,000

Income Tax



General News

- The Direct tax dispute resolution scheme 2016 came into force on 1st June, 2016.
- Now, TDS or TCS return can also be filed via incometaxindiaefiling.gov.in.
- TDS deducted under 194-IA is required to be deposited within a period of 30 days [earlier it was 7 days] from the end of the month in which deduction is made.
- With effect from 01.06.2016, if payment consideration (or any part of it) is received in cash of sale of any goods/ provision of any service (exceeding Rs. 2. lacs), TCS @ 1% should be deducted.
- Discontinuation of physical mode of National savings certificate, KVP and NSC shall stand discontinued with effect from 1-4-2016

CBDT Circulars

- CBDT has issued a circular regarding Verification of tax-returns for Assessment Years 2009-2010, 2010-2011, 2011-2012 2012-2013, 2013-2014 and 2014-2015 through EVC which are pending due to non-filing of ITR-V Form and processing of such returns vide circular No. 13/2016 dated 09.05.2016.
- CBDT extends time limit for E-filing of appeals before CIT (Appeals) from 15.05.2016 to 15/06/2016. CBDT circular no. 20/2016.

The Income declaration scheme, 2016



Income declaration scheme, 2016

The Income declaration scheme, 2016 provides an opportunity to all persons who have not declared income correctly in earlier years to come forward and declare such undisclosed income and Pay 45% Tax and declare undisclosed Income from 01.06.2016 to 30.09.2016.

Forms in Income declaration scheme, 2016

Form 1 :- declaration of undisclosed income (available for e-filing incometaxindiaefiling.gov.in.)

Form 2 :- acknowledgement issued to the declarant by the jurisdictional Principal Commissioner or Commissioner.

Form 3 :- Intimation of payment (tax, surcharge & penalty) after receiving Form-2.

Form 4 :- Certificate Of Declaration granted by the jurisdictional Principal Commissioner or Commissioner after submission of Form 3.

International Taxation



Revised India-Mauritius tax treaty

- The amended India-Mauritius tax treaty has inserted a new clause allowing source-based taxation at 10 per cent on fees paid for technical and consultancy services.
- The government has gained the right to tax capital gains arising in Mauritius from sale of shares acquired on or after April 1, 2017.

OECD: India & 5 other countries sign Multilateral Agreement to facilitate CBCR automatic-exchange :-

6 new countries including India sign agreement enabling automatic sharing of Country-by-country (CBC) Reporting as part of continuing efforts to boost transparency by MNEs, bringing the total number of signatories to 39; The 6 countries - Canada, Iceland, India, Israel, New Zealand and the People's Republic of China today signed the Multilateral Competent Authority Agreement (MCAA) for the automatic exchange of CBC reports in Beijing, China; CBC MCAA allows all signatories to bilaterally and automatically exchange CBC reports with each other

Direct Tax Case Laws



International Taxation

- SC admits Revenue's SLP in Rs.8500 Cr Voda TP case

Supreme Court admits Revenue's SLP against Bombay HC verdict in Vodafone India's call options & call center case involving Voda-Hutch 2007 deal; Bombay HC, while deleting transfer pricing adjustment on assignment of call option and transfer of call center business, had held that Tribunal's attempt to overcome binding SC ruling in Vodafone case was unsustainable; Bombay HC had opined that, "Once the Hon'ble Supreme Court judgment was in the field and in which the observations and findings were made on the very issue, then, no attempt by any party to sidetrack the same can be upheld"; No stay on Bombay HC verdict.

Domestic Taxation

- Incorrect claim based on CA report would not attract penalty. [Oxford Softech Pvt Ltd. vs. ITO (ITAT Delhi)].
- CBDT instruction denying refund in scrutiny cases is invalid.[Tata Teleservices Limited vs. CBDT (Delhi HC)].

Indirect Tax Notification



D-VAT

- DVAT Regd dealers to display certificate of registration at principal place and certified copy at other places of business in Delhi. DVAT circular no: 4 of 2016-17.
- Govt. entities in Delhi no more required to file details of purchases below Rs. 1000 in DVAT Form GE-II.[Notification No.F.3(619)/Policy/Vat/2016/183-196, Dated 6-5-2016]
- Withdrawal of Delhi Sugam -1(DS-1) earlier notified on 19.5.2016 . DVAT Notification F.3(671)/Policy/VAT/2016/251-63 dated 27/5/16.
- Changes in VAT rate schedules w.e.f 10.05.2016. VAT rates on sweets and namkeen, marble, footwear, e-rickshaws reduced to 5%. DVAT Notification dated 09.05.2016

Service Tax

- Krishi Kalyan Cess @ 0.5% on gross value of taxable services (from 01.06.2016). Total ST rate @ 15%
- Business entity receiving any service from government to pay service tax.

Indirect Tax Notification



Excise Duty/Custom Duty

- Levy of Central Excise duty/CVD and service tax on IT software made mutually exclusive.
- Customs (fees for rendering services by customs officers) amendment regulations 2016 dated 1-4-2016, notification no. 46/2016: Customs (N.T.)

Supreme court judgments

- Vehicles sales conclude at a place where registration takes place. [Commissioner of Commercial Taxes vs. M/s KTC Automobiles (Supreme Court)].
- No local VAT on goods purchased inter-state or in the course of import in works contracts. [Commissioner, DVAT vs. ABB Ltd. (SC)].
- Reverse CENVAT availed on raw material on transfer to sister unit.[Commissioner Of Central excise, Raigad v/s M/S. Ispat Metallics Industries Ltd. & Ors (SC of India)].
- The additional duty of customs (equivalent to duty of excise) would not be liable to be paid where the goods similar to imported one are exempt from duty when manufactured in India. [Union of India Vs.M/s Engee Industrial Services Co Ltd & Anr (SC)].

Regulatory News



MCA

- File GNL-1 for change in MOA by Sec 8 Co.s instead of form RD-1, since power for approving change in MOA is delegated to the ROC. ICAI clarifies on 17.05.16.
- Companies can now undertake CSR activities via trusts u/s sec.8 Companies / Societies established by company, either singly or jointly along with any other company. Notification no. GSR 540(E) [F.NO..05/12/2016-CSR-CELL], dated 23-5-2016.
- Central Government notifies special courts u/s 435 for trial of offences punishable with imprisonment of 2 years or more under the Companies Act, 2013. MCA notification dated 18.5.2016.

RBI

- RBI relaxes norms on payment of consideration on transfer of shares to a non-resident. In case of transfer of shares between a resident buyer and a non-resident seller or vice-versa.
- Ministry of Commerce notifies list of services under Services Exports from India Scheme (SEIS) where payment has been received in INR, which can be treated as receipt in Deemed Foreign Exchange as per guidelines of RBI w.e.f. April 1, 2015
- FEM (exports of goods and services) regulations, 2015. Notification no. RBI/2015-16/395A.P. (DIR series) Circular No.68 [(1)/23(R)] dated may 12, 2016.

About Us



Who We Are

EZYBIZ India is a multi-disciplinary consulting and business outsourcing firm, fully managed by specialized professionals who are expert in their respective fields.



Our Team

We have dedicated team comprises of professionals from multi-disciplinary fields like Ex-Bankers, Tax consultants, corporate Lawyers, Financial advisors, Chartered Accountants, Company secretaries etc.



Our Vision

A vision to provide one window solutions to business, tax, regulatory, legal and allied consulting needs of domestic clients as well as multinational companies operating/wants to operate in India.

OUR SERVICES

Business Start Up Services

- PVT Ltd Co.
- LLP Regn.
- Firm Regn.
- LO/BO/PO/WOS
- VAT/CST Regn.
- Service Tax/Excise Regn.
- IEC license
- NGO/Cooperative Society Regn.
- FRRO Regn.

Tax Return Filing Services

- Income Tax Return
- DVAT/CST Return Return
- Service Tax/Excise Return
- NRI Tax return
- Expatriate tax Return
- ROC return
- Annual Activity Statement in case of LO
- Form FLA in case of BO/LO/Foreign Company
- NGO/Cooperative Society Return

Advisory & Compliance Services

- Direct Tax Advisory & Compliance
- Indirect tax Advisory & Compliance
- International Tax Advisory & Compliance
- Transfer pricing Advisory and Documentation
- Direct Tax Assessment and Litigation
- Indirect Tax Assessment and Litigation
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Advisory & Compliance Services

- ROC advisory & Compliance
- FEMA/RBI Advisory & Compliance
- Secretarial Compliance
- OTHER SERVICES**
- Funding From Banks
- Private Equity Funding
- Financial Planning

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