

Dear Readers,

Man's adaptability was challenged this year and we have quickly adapted to our new environments and realities in living with the virus. The gradual opening of the lockdowns is in progress in India. In some parts of the country, lifting lockdowns did lead to spikes in cases which lead to a further lockdown, however the most important thing about staying protected and safe is that we now understand the disease far better now. The medical fraternity is tired due to its long fight to save the rest of us; however they are also more learned now and mortality risks are likely to be lower going forward.

It is this adaptability that has made human's the most influential species on the planet, and it is something that should inspire us when we approach our businesses too. As Dr. Spencer Johnson wrote in the best selling book, 'Who Moved My Cheese', we need to move to find new 'cheese'. One of the characters wrote the following message for his friend "If You Do Not Change, You Can Become Extinct."

Business models will be in constant flux as competitors, both old and new, continually try to get a larger share of the pie and build in efficiencies all the time. There is no space for complacency or for grumbling.

India finds itself dealing with its own Cheese moving. The status quo of relationships with other countries is getting challenged and we have new realities to deal with as geopolitical equations across the world change. We addressed this partly by welcoming the Rafale Jets from France for our near-term objectives, while at the same time long term objectives are getting addressed by introducing a New Education Policy to overhaul the education system. Long term sustainable growth of the economy and prosperity will depend mainly on the quality of our most critical resource: Our People.

The present is challenging, but the future can be bright, but it is not an entitlement, it is something we all need to collectively work towards.

Regards,

Dinesh D. Ghalla

INDIRECT TAX (GST)

E-WAY BILL & ITS CHALLENGES AND ISSUES

During the pre GST period the goods consigned could have either invoice or delivery challan or the prescribed challan under the respective VAT or Sales Tax Act of the particular State. The goods which were consigned were normally instructed to be verified by the outgoing and incoming check post of that region. Because of this there used to be a huge delay in the movement of goods and more time was wasted in the check post or with the roving squad detentions, in case of improper documentation or for other purposes.

When the Goods and Services Tax was introduced by the Government, one of its purposes was to make movement of goods easier and enable the business to be carried on in a better way. Hence, in the GST regime check posts were abolished all over the country.

However, to have a check on the documentation of the movement of goods, the Government introduced a way bill on the e-portal, which is nothing but a delivery challan created in the e-portal. The portal provides an identification number to the e-way bill (“EWB”).

To know more, [click here](#).

DIRECT TAX

EDUCATION CESS NOT DISALLOWABLE UNDER SECTION 40

Recently, in the case of Sesa Goa Limited, Bombay High Court has held that education cess paid by the taxpayer is not disallowable u/s 40(a)(ii) of the Income Tax Act, 1961. We have analysed the provisions of the Act and examined whether the education cess paid on income tax should be claimed as a deduction while computing Business Income or not.

To view the note, please [click here](#).

INCOME TAX DUE DATES

Amidst the global pandemic, the Government has extended various due dates under the Income-tax Act, 1961 several times. The most recent one being the extension of filing belated and revised return of income for the A.Y 2019-20.

To know more about the upcoming due dates and the extended due dates please [click here](#).

FEMA

BANK ACCOUNTS BY NR IN INDIA

India provides a host of investment opportunities which attracts Non-residents globally. Investing in the various avenues is permitted through normal banking channels and therefore, a valid bank account becomes absolutely essential. Each bank account type has different characteristics, purposes for which it can be used, different operational guidelines, repatriability facilities etc. Therefore, based on objectives and needs, Non-Residents should be aware of the type of account they wish to hold in India.

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Our mailing address is:

GBCA & Associates LLP, Chartered Accountants

Benefice Business House, 3rd Level, 126,

Mathuradas Mill Compound, N.M.Joshi Marg, Lower Parel (West)

Mumbai 400013

India.

