

Dear reader,

We live in interesting times indeed. Financial market volatility is going up and there is excitement in the newspapers about new things every day, though a lot of people do not feel the same degree of excitement for their businesses.

The symptoms of the liquidity tightness from October seem to have abated, though the availability and willingness of banks and NBFCs to honour their commitments to businesses, especially in the real estate sector continues to be low. Businesses need to be very vigilant with the wild swings in the rupee. All of this needs to be done while the country is preparing for elections.

Elections are important and we need to discharge our duty as a citizen of the largest democracy in the world and cast our vote sensibly. Irrespective of the outcome of the elections, from our discussions with clients what remains clear is that those client's that remain focused on their customers and developing new markets, retain a creative mindset and manage around the uncertainties around them. Those that are focused on external variables that they do not have any control on, lose the opportunities to create their own niches and markets. It is important to keep a clear focus on what is within our control and what is not.

One should pray for the serenity to accept the things one cannot change, the courage to change the things one can, and the wisdom to know the difference. Sailors reach their destination not by changing the direction of the wind but rather by adjusting their sails.

Regards,

**DINESH D. GHALLA**

## NRI FAQs

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In India, funds remitted overseas for investments as well as spending are subject to controls, as the government is wary of excessive outflows of foreign exchange draining its forex reserves and destabilizing the rupee. However, there has been an effort to gradually liberalize these controls. The window that opened up in 2004 for resident individuals to remit money across the border, without seeking specific approvals, is called the “Liberalised Remittance Scheme” (LRS). **Under the Liberalised Remittance Scheme, resident individuals are allowed to remit up to USD 250,000 per financial year (April-March) for any permitted current or capital account transactions or a combination of both.** The LRS limit has been revised in stages to be consistent with prevailing macro and micro economic conditions. In 2004, the limit was USD 25,000 and currently stands at USD 250,000.

To view FAQs, [Click here.](#)

## INDIRECT TAX

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### UPDATES ON RECENT ADVANCE RULINGS UNDER GST

Recently, the Authority of Advance Ruling has come up with many advance rulings. Below is the gist of some of the important advance rulings. Though, Advance Ruling decisions are not binding to the assessee other than to whom they are issued, it has persuasive value while interpreting law. Hence, while taking any position in law one needs to keep in mind such ruling also.

To view the full note, [Click here.](#)

# COMPANY LAW

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## SIGNIFICANT BENEFICIAL OWNER (SBO)

Today, the complex sandwich structures are used to hide the real owners behind the transactions. In order to identify the natural persons controlling such entities, government is coming up with various amendments in Corporate Law. One such important amendment is Section 90 of the Companies Act, 2013 ("Act") which relates to Significant Beneficial Owner ("SBO") has gained much relevance since the notification of Companies (Significant Beneficial Ownership) Rules, 2018 ("SBO Rules") on 13th June 2018.

According to the provisions of this section r.w. Rule 2(1)(e) of the SBO Rules, an SBO is an individual who is holding ultimate beneficial interest of not less than 10 percent in a company but whose name is not entered in the register of the members of the company as holder of such shares. Further, Rule 4 requires every company to file Form No. BEN-2 with the Registrar in respect of declaration received from every SBO, the due date of which is 30 days from the date when Form BEN - 2 shall be available on MCA portal.

To view the full note, [Click here](#).

## ACCOUNTING & AUDIT

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### HALF-YEARLY REPORTING OF PAYMENT OUTSTANDING TO MICRO & SMALL ENTERPRISES EXCEEDING 45 DAYS

To monitor the compliance of MSMED Act, 2006, all companies who get supplies of goods or services from micro and small enterprise (MSEs) suppliers and whose dues exceed 45 days are mandated to submit half-yearly return with MCA. The form in which such details have to be submitted is yet to be notified.

To view the full note, [Click here](#).

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Newsletter – November 2018  
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