

Indian Legal Updates

The purpose of this document is to highlight the key changes introduced in Indian legal era by way of Notifications and Circular in various tax and regulatory laws.

16th April, 2015

© Ashok Maheshwary & Associates



The paper is a copyright of Ashok Maheshwary & Associates. No reader should act on the basis of any statement contained herein without seeking professional advice. The authors and the firm expressly disclaim all and any liability to any person who has read this paper, or otherwise, in respect of anything, and of consequences of anything done, or omitted to be done by any such person in reliance upon the content of this paper.

In this Issue

1. [Direct Tax Updates](#)
2. [Indirect Tax Updates](#)
3. [Foreign Exchange Regulation Updates](#)
4. [Media](#)
5. [About Us](#)
6. [Disclaimer](#)

Direct Tax Updates

[Provisions regarding the roll back of the provisions with respect of International Transactions](#)

Any applicant shall further furnish their return of income related to international transactions, according to the roll back provisions along with Form No.3CEDA with all the details furnished in it.

[Enabling the Board to notify rules for giving foreign tax credit-Rules will be prescribed to claim foreign tax credit u/s 90, 90A and 91](#)

CBDT may make rules to provide the procedure for granting relief or deduction, as the case may be, of any income-tax paid in any country or specified territory outside India, under section 90, or under section 90A, or under section 91, against the income-tax payable under the Act. This amendment will take effect from 1st day of June, 2015.

[Fund Managers in India not to constitute business connection of offshore funds](#)

It is proposed that mere presence of fund manager in India would not constitute PE of funds. To facilitate the location of fund managers of offshore funds in India, a regime has been proposed in the act in line with international best practices subject to the conditions of fund manager.

Indirect Tax Updates

[Seeks to amend so as to simplify registration process](#)

The following clauses for excise registration shall be substituted namely, Online filling of application, PAN based Registration, Applicant to quote email and mobile phone, Business transaction Number, Registration number &

Certificate along with soft copies of the applicant, de-registration and Cancellation of registration.

[Removal of Goods at Concessional Rate of Duty for Manufacture of Excisable Goods](#)

The rules of concessional duty on the manufacture of excisable goods will be applicable from 1st March 2015. A letter of undertaking by manufacturer against whom no show cause notice has been issued.

[Provisions of Fraud /collusion/Mis-statement under Custom Act 1962](#)

In cases of fraud /collusion/willful mis-statement of any provision of the act with the intent to evade payment, no fees in case there is no fraud and 15% of the amount of penalty either partly or fully has to be paid in 30 days.

Foreign Exchange Regulation Updates

[Filing of 'Nil' CTR / NTR](#)

According to the Know your customer (KYC) norms under prevention of money laundering, banks are required to file "NIL" Cash transactions reports (CTR) / Non-profit Organization transactions Report (NTR) to the Financial Intelligence Unit, India (FIU-IND).

[Foreign Exchange Management \(International Financial Services Centre\) Regulations, 2015](#)

For the purpose of this regulation and without any loss of generality of the above, the expression 'financial institution' shall include banks, non-banking financial companies, insurance companies, brokerage firms, merchant banks, investment banks, pension funds, mutual funds, trusts, exchanges, clearing houses, and any other

entity that may be specified by the Government of India or a Financial Regulatory Authority.

Media

1. Publication: The Financial Express - 17 -March -15

[Quote in The Financial Express on foreign MNCs getting relief from the High Court](#)

[Leading MNC brands get tax relief from High Court](#)

The article talks about the foreign companies getting relief from the High Court, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

2. Publication: The Business Standard - 16 -March -15

[Quote in Business Standard on notification by the Govt. on roll back norm under Transfer Pricing pact](#)

[Govt notifies roll back norm under transfer pricing pact](#)

The article talks about notification by the Government on roll back norm under Transfer Pricing, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

3. Publication: The Indian Express - 12 -March -15

[Quote in The Indian Express on foreign MNCs making a beeline for international arbitrations](#)

[Battling tax disputes, foreign MNCs make a beeline for international arbitrations](#)

The article talks about foreign MNCs making a beeline for international arbitrations, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

4. Publication: The Indian Express - 11 -March -15

[Quote in The Indian Express on on Centre's decision to defer GAAR by two year](#)

[Investors get a boost, GAAR deferred by two years](#)

The article talks about on Centre's decision to defer GAAR by two year, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

5. Publication: The Economic Times - 8 -March -15

[Quote in The Economic Times on Swachh Bharat cess](#)

[All services will not attract Swachh Bharat cess](#)

The article talks about The Swachh Bharat cess that will be levied on select services at the rate of up to 2 per cent, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

6. Publication: The Hindu Business Line - 8 -March -15

[Quote in The Hindu Business Line on Centre's decision to make it mandatory for Govt. hospitals& universities to file ITReturns](#)

[Govt funded Hospitals, Universities required to file I-T returns](#)

The article talks about Centre's decision to make it mandatory for Govt. hospitals& universities to file ITReturns, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

8. Publication: The Hindu Business Line - 8 -March-15

[Quote in in The Hindu BusinessLine on raised bars on CAs in respect to attestation services by Centre](#)

[Tax audits: Centre raises the bar on CAs](#)

The article talks about raised bars on CAs in respect to attestation services by Centre, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

9. Publication: Taxanalysts - 5 -March -15

[Quote in Taxanalyst on Indian Budget's Focus on Business-Friendly Tax Tactics](#)

Indian Budget Focuses on Business-Friendly Tax Tactics

The article talks about Indian Budget's Focus on Business-Friendly Tax Tactics, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

10. Publication: The Hindu Business Line - 3 -March-15

[Quote in The Hindu Business Line on rules for giving foreign tax credit by CBDT](#)

CBDT to frame rules for giving foreign tax credit

The article talks about rules for giving foreign tax credit by CBDT, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

11. Publication: The Financial Express - 1 -March-15

[Quote in The Financial Express on reduction in corporate tax rate to 25% over four years](#)

Sops for India Inc; MAT laid out for FIIIs

The article talks about reduction in corporate tax rate to 25% over four years, with a quote by Mr. Amit Maheshwari, Partner, Ashok Maheshwary & Associates.

[read more](#)

About Us

Ashok Maheshwary & Associates is an international accounting firm with offices in Gurgaon, New Delhi and Mumbai. We specialize in advising our clients on complex transaction from a legal, tax and regulatory perspective integrated with industry expertise. We are a full service accounting firm with the ability to assist our client's right from devising strategies to enter in the Indian market to managing their compliances and supporting them in complex tax litigation.

Our Financial Advisory firm, [Axilus Advisors](#) has inter-alia, been into large and complex Debt Syndication, Trade Finance, Private Equity Advisory, Merger & Acquisitions, Financial Restructuring Deals. We also assist our clients in making a road map for potential fund raising via IPO and Private Placements.

Core practice areas include International Tax, International Tax Litigation, Dispute Resolution, Transaction Advisory, Auditing and Assurance, Entry Strategy for Foreign Investors, Transfer Pricing Documentation, Debt Syndication, Private Equity, Mergers & Acquisitions and Joint Ventures & Restructuring.

Our key clients include Multinationals, Listed Companies and large domestic corporate houses.

To further enhance our global servicing capabilities, we have become an independent member of [Leading Edge Alliance](#), the second largest global association of accounting firms in the world (#11 in worldwide ranking of networks, associations and alliances). LEA Global firms operate from more than 450 offices in 100 countries, giving clients of LEA Global firms access to the knowledge, skills and experience of more than 1,600 partners and 23,518 staff members. LEA Global firms' combined annual revenue totals more than USD 2.6 billion.

Recently, [TPA Global Group](#) has made our firm, Ashok Maheshwary & Associates, an alliance partner. TPA Global is an independent and specialist provider of expert transfer pricing, tax valuation and customs services, headquartered in Amsterdam. TPA Global through its own offices has coverage in over 50 countries around the world. TPA Global has also been recognized as one of the leading transfer pricing firms in Asia and Europe in the prestigious International Tax Review survey. TPA Global's expert services in the Transfer Pricing domain will help us in providing high quality transfer pricing and valuation advice to our clients all across the globe.

We believe in constant knowledge expansion and have developed comprehensive Knowledge Management and Continuing Education programs which are conducted both in-house and outside. These programs cover key events, global and national trends as they unfold and examine case studies', debate and analyze emerging legal, regulatory and tax issues.

Several of our partners contribute stories/articles for the media (electronic/ press) on the tax, regulatory matters and Corporate Finance (including latest developments) providing our views as to their impact on business environment in India.

In case you need any further information/clarifications please contact us:

Ashok Maheshwary & Associates

344, Tower B2, Spaze I-Tech Park,

Sector -49, Sohna Road,

Gurgaon-122018, India

Tel: + 91 124 4637530

Fax: + 91 124 4148180

Email: info@akmglobal.com

Website: www.akmglobal.com

Blog: akmglobal.wordpress.com

To track regular updates follow us on [Facebook](#)  or [Twitter](#)  or [LinkedIn](#) 

Disclaimer

These materials and the information contained herein are provided by Ashok Maheshwary and Associates (firm) and are intended to provide general information on a particular subject or subjects and are not an exhaustive treatment of such subject(s).

Accordingly, the information in these materials is not intended to constitute accounting, tax, legal, investment, consulting, or other professional advice or services. The information is not intended to be relied upon as the sole basis for any decision which may affect you or your business. Before making any decision or taking any action that might affect your personal finances or business, you should consult a qualified professional adviser.

These materials and the information contained therein are provided as is, firm makes no express or implied representations or warranties regarding these materials or the information contained therein. Without limiting the foregoing, Firm does not warrant that the materials or information contained therein will be error-free or will meet any particular criteria of performance or quality.

Firm expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, fitness for a particular purpose, no infringement, compatibility, security, and accuracy.

Your use of these materials and information contained therein is at your own risk, and you assume full responsibility and risk of loss resulting from the use thereof. Firm will not be liable for any special, indirect, incidental, consequential, or punitive damages or any other damages whatsoever, whether in an action of contract, statute, tort (including, without limitation, negligence), or otherwise, relating to the use of these materials or the information contained therein.