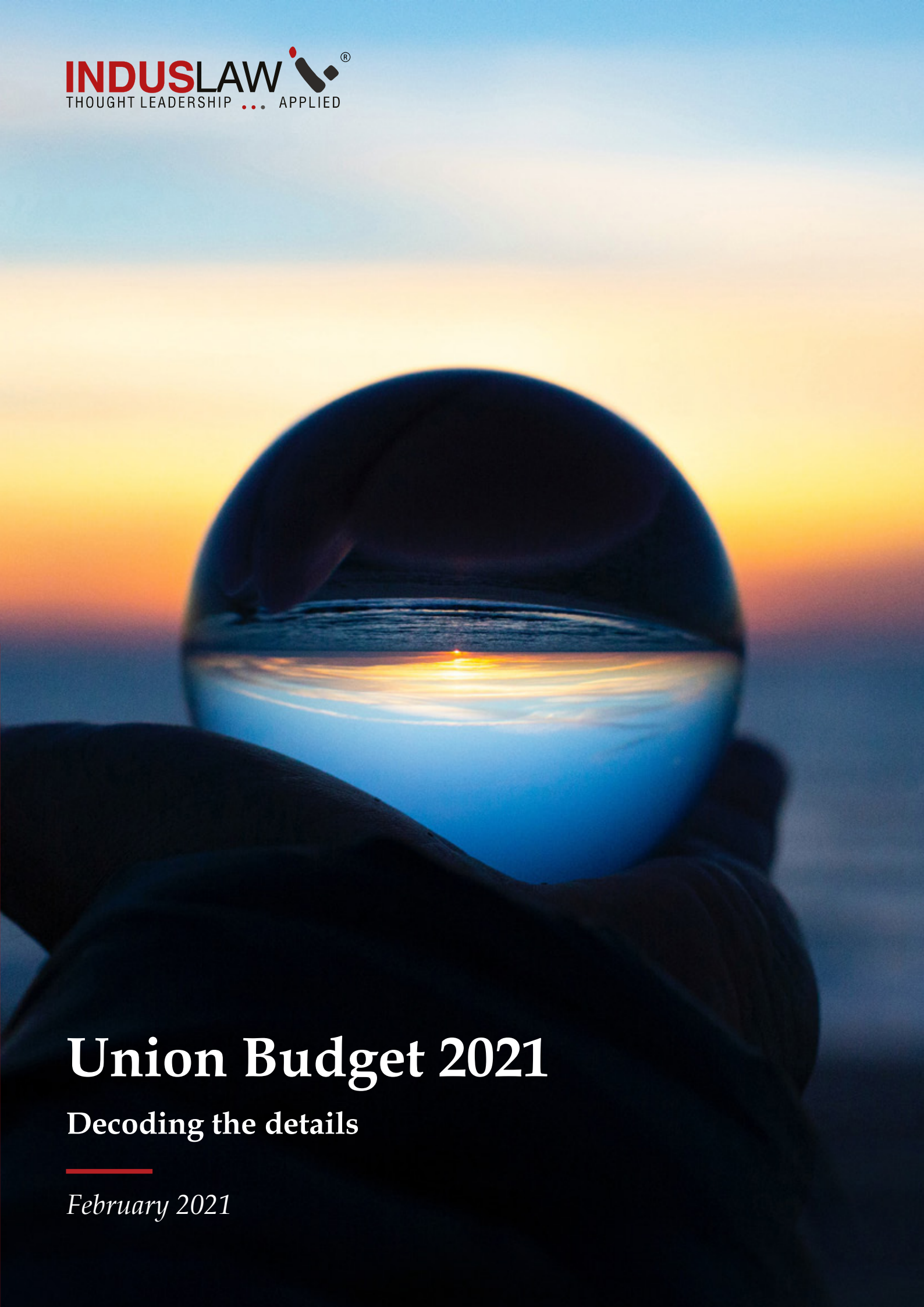
INDUSLAW®
THOUGHT LEADERSHIP ... APPLIED



Union Budget 2021

Decoding the details

February 2021

Contents

About Induslaw 03

Direct Tax 04

- Personal Taxation 05
- Business Tax 07
- Charitable Trust 10
- Assessment & Appellate Proceedings and Dispute Resolution 11
- Compliance 14
- Start-up 16
- Mergers & Acquisitions 17
- Changes to other Legislations 20

Indirect Tax 22

- Customs 23
- GST 25
- Key Changes in IGST 26

Glossary 27

Key Contacts 30

About IndusLaw

INDUSLAW is a top-tier Indian law firm providing legal services to a wide range of international and domestic clients across a variety of sectors. With 47 partners and over 250 team members spread across Bengaluru, Delhi, Hyderabad and Mumbai, we have been fortunate to partner with and contribute significantly to many established businesses and new economy companies.

Professional Services

- We are a full-service law firm offering advice and counsel across a broad spectrum of practice areas.
- Led by a team of experts who work as an integrated unit to provide the best for our clients.
- Clients and our people are at the heart of everything we do.
- As trusted advisors, we pursue the right opportunities building reputation and confidence with our clients.

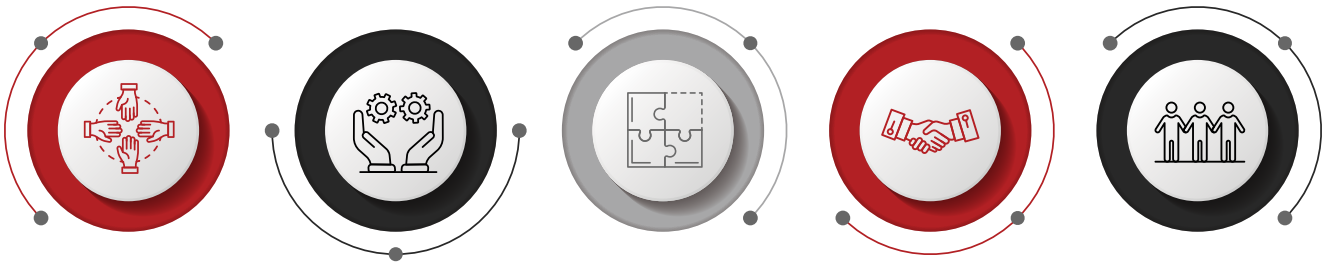
Team

- Our lawyers are multi-skilled, experienced, and recognized for their strong legal, commercial and business acumen.
- Providing practical and solution-oriented advice to best serve the client's needs.
- Committed to staying at the forefront of the subject of law and a strong emphasis on mitigating our clients risks and exposure.
- Maintaining a proactive and future-facing focus.

Mission

- Be a new age law firm generating thought leadership and delivering exceptional advice and services.
- Client care is a cornerstone of our practice and we leave no stone unturned to attend to client requirements.
- Creating empowered and thorough practitioners with the ability to innovate and a passion for the law.
- To be the employer of choice for legal professionals in this country.

Core Values



Our culture

Inventive, adaptable and open-minded

Solution- Synergy oriented approach for efficiency

Committed to excellence

Synergy

01 Direct Tax

Personal Taxation

No changes in personal tax rates, rebate, surcharge and 'health and education cess'.

The table summarizing the slab wise rates applicable to individuals is as under –

Income (INR)	Existing Rates			Alternate Regime
	Age less than 60 years	Age 60 years or more but less than 80 years	Age 80 years or more	
Up to 2,50,000	Nil	Nil	Nil	Nil
2,50,001-3,00,000	5%	Nil	Nil	5%
3,00,001-5,00,000	5%	5%	Nil	5%
5,00,001-7,50,000	20%	20%	20%	10%
7,50,001-10,00,000	20%	20%	20%	15%
10,00,001-12,50,000	30%	30%	30%	20%
12,50,001-15,00,000	30%	30%	30%	25%
Above 15,00,000	30%	30%	30%	30%

Exemption for LTC Cash Scheme

- Under the existing provisions of ITA, exemption is available for value of travel concession or assistance received by an employee from his employer/ former employer, for himself and his family, leave travel to any place in India ("Leave Travel Concession" or "LTC").
- Due to the Covid-19 situation, it is proposed to provide tax exemption to cash allowance in lieu of LTC.
- Accordingly, it is proposed to amend the ITA to provide tax exemption to cash allowance in lieu of Leave Travel Concession, subject to fulfilment of certain conditions, incurred during AY 2021-22 only.
- This is a welcome move for salaried taxpayers who may have been unable to utilise the LTC components of their compensation and received cash in lieu of the LTC.

Amendments in connection with Provident Fund

- Presently, payments from recognised provident funds, as well as accumulated balances due and becoming payable to an employee participating in a recognised provident fund (to the extent specified) are exempt from tax. Since various employees are contributing huge amounts to these funds, and entire interest accrued/received on such contributions is exempt from tax, a maximum contribution threshold is proposed.
- It is proposed that the tax exemption shall not apply to the interest income accrued during the FY, in the account of the person to the extent it relates to the amount or the aggregate of amounts of contribution made by the person exceeding INR 2,50,000 in a previous FY in that fund, on or after 01 April 2021.

- In case the threshold is exceeded, the tax on such income would be computed in such manner as may be prescribed.
- The amendments will take effect from 01 April 2022 and shall apply to AY 2022-23 and thereafter.
- The proposed amendment does away with the exempt-exempt-exempt status accorded to provident fund contributions at least for employees making large contributions. This is also clearly to reduce government burden since provident funds typically fetch higher interest.

Taxation of proceeds of Unit Linked Insurance Policy (ULIP)

- Currently, the ITA provides exemption for the sum received under a life insurance policy, including the sum allocated by way of bonus on such policy in respect of which the premium payable for any of the years during the terms of the policy does not exceed ten percent of the actual capital sum assured. Further, there is no cap on the amount of annual premium paid by any person during the term of the policy. High net worth individuals are claiming exemption by investing in ULIP with huge premium, which is contrary to legislative intent.
- It is proposed to amend the relevant provisions to cap the ULIP premium to INR 2,50,000 in a FY. The current exemptions available to ULIPs would not be available in case the cap is breached.
- Further, if premium is payable by a person for more than one ULIPs, issued post 01 February, 2021, exemption will be available only to policies having aggregate premium not exceeding INR 2,50,000 for any of the previous years during the term of any of the policy.
- Additionally, ULIPs to which the specific exemption does not apply would be treated as 'capital assets' and will be treated on par with 'equity-oriented fund', so as to provide same capital gains tax treatment as equity-oriented fund, upon sale/redemption of such ULIPs.
- These amendments will take effect from 01 April, 2021 and will accordingly apply from AY 2021-22 onwards.
- The proposed amendment is likely to make high value investments in ULIPs less attractive.

Extension of date of sanction of loan for affordable residential house property

- Under the current provisions of the ITA, a deduction is provided in respect of interest on loan taken by first time buyers, for a residential house property from any financial institution up to INR 1,50,000, subject to the loan having been sanctioned during the period 01 April, 2019 to 31 March, 2021.
- In order to help such first-time home buyers further, it is proposed to extend the outer date for sanction of loan from 31 March 2021 to 31 March 2022.
- This amendment will take effect from 01 April, 2022 and will accordingly apply to AY 2022-23 and subsequent AYs.

Relief from mismatch in taxation of income from notified overseas retirement funds

- Currently, there is a mismatch in year of taxability of withdrawal from retirement funds by resident Indians who had opened such funds while residing in foreign countries. The withdrawal from such funds is presently taxed on receipt basis in such foreign countries, but on accrual basis in India, causing hardship to taxpayers.
- In order to address mismatch in taxation of income from notified overseas retirement fund, incomes would be taxed according to specified manner which the Government will notify.
- The proposed taxation scheme will be applicable to individuals who are resident in India and have opened specified retirement fund accounts outside India, while being non-resident in India and resident in that country.
- This amendment will take effect from 01 April, 2022 and will apply from AY 2022-23 onwards.

Business Tax

Rationalising the tax regime for units in International Financial Services Centre

- *Enabling provisions introduced to relax compliance with conditions in Section 9A of the ITA*

  Currently, the ITA provides a safe harbour (from establishing a 'business connection') to offshore funds having onshore fund managers on fulfilling certain specified conditions.

  In order to encourage offshore funds to have their fund management activity in India, it has been proposed to further amend the ITA. The proposed amendment provides that the fund managers who are located in IFSC and commence its operations on or before 31 March 2024 may or may not have to fulfil one or more conditions currently provided in the ITA, as to be notified by the Central Government, at a later date.

- *Tax exemption extended to investment division of offshore banking units located in IFSC*

  The ITA provides that capital gains arising on transfer of a capital asset, being bonds, GDRs, rupee denominated bonds or derivatives by Category-III Alternative Investment Fund (AIF) shall be exempt from income-tax to the extent such gains arise in respect of units in the AIF held by a non-resident.

  It has been proposed to extend such exemption to investment divisions of offshore banking units located in IFSC provided such offshore banking unit which has been granted a category III AIF registration and fulfils other conditions to be prescribed including the condition of maintaining separate books for its investment division.

- *Capital gain exemption from transfer of units of an offshore fund to a unit located in IFSC*

  Proposed amendment introduces new clauses to provide exemption from capital gains arising in process of relocation by the original fund into IFSC. An exemption has also been provided to shareholders and unitholders for any gains that may arise on account of exchange of units held in the original fund with units of the resultant funds.

  'Original fund' has been defined to mean such a fund that is not a resident in India (i.e., offshore fund) and is a resident in a country with which India has a tax treaty and is subject to investors protection regulation and fulfils such other conditions as prescribed.

  'Resultant fund' has been defined to mean a fund that is established in India and has received a certificate of registration as a Category I or Category II or Category III Alternative Investment Fund and located in an IFSC.

- *Income received by a non-resident from aircraft leasing from a unit located in IFSC*

  A new provision is proposed to be introduced in the ITA to provide tax exemption to non-residents who earn royalty on account of leasing of aircraft from a unit located in IFSC.

  This amendment is proposed to come into effect from April 1, 2022 and accordingly, would apply in relation to AY 2022-23 and thereafter.

Clarifications to address the consequent impact of taxation of dividend in the hands of recipient

- Dividend, which is now taxable in the hands of the recipient, derived by a foreign company may be taxable in India at beneficial rates as per the tax treaties. Hence, it is proposed that such dividend be treated akin to royalty, fees for technical services and interest chargeable to tax at special rates under the ITA. Accordingly, dividend shall not be included in computation of book profit and any expenses incurred in earning such dividend shall be added back. This is proposed to be brought in effect from AY 2021-22.
- Business trusts are considered as pass-through entities

under the ITA, i.e., income of the trust is taxed in the hands of the unit holders. It is proposed that dividend received by business trusts from special purpose vehicles shall not be subjected to tax deduction (TDS) under section 194 of the ITA. This amendment shall be effective from 01 April 2020.

- Dividend income is now taxable in the hands of the recipient. Accrual of dividend income cannot be determined unless declared by the company. Realizing this, it is proposed to amend section 234C of the ITA for calculation of interest on delayed payment of advance tax. With effect from AY 2021-22, where the shortfall in advance tax is on account of dividend, other than deemed dividend under section 2(22) of the ITA, no interest shall be calculated under section 234C if the tax on such dividend is paid in the subsequent instalments.

Rationalization of Minimum Alternate Tax ('MAT') provisions

- Section 115JB of ITA provides for payment of MAT at the rate of 15% of book profit, in case tax on the total income of a company computed under the normal provisions of ITA is less than 15% of book profit. Book profit is computed after making certain adjustments to the profits declared by the company as per its books of accounts. Currently, section 115JB does not provide for any adjustment on account of additional income of past year(s) included in books of account of current year on account of secondary adjustment or transfer pricing adjustment or on account of an Advance Pricing Agreement (APA) entered with the taxpayer.
- To address this anomaly, it is proposed that where previous year's income is included in the current year due to an APA or a secondary adjustment under transfer pricing, the taxpayer can make an application to the Assessing Officer (AO) requesting the re-computation of book profit under section 115JB of the past year(s).
- For this purpose, the period for passing a rectification order under section 154 shall be considered from the end of financial year ('FY') in which the said application is received by the AO.

Issuance of zero-coupon bond (ZCB) by infrastructure debt funds

- Currently, ZCB is defined under ITA as a bond issued by any infrastructure capital company, infrastructure capital fund, public sector company or scheduled bank and in respect of which no payment and benefit is received or receivable before maturity or redemption. Further, such ZCB are required to be notified by Central Government in official gazette.
- It is proposed to amend the definition of ZCB, to enable infrastructure debt fund (which are notified by the Central Government in the Official Gazette under Section 10(47)) to issue such bonds. This amendment will take effect from 01 April, 2022 and will accordingly apply from AY 2022-23 onwards.

Incentives for the real estate sector

- Section 80-IBA provides 100% deduction of profits from the business of building and developing affordable housing projects, subject to conditions like the project being approved by 31 March 2021. It is proposed to extend the date of getting approvals by one year, i.e., up to 31 March 2022.
- Further, it is proposed to extend the benefit of this deduction to rental housing project notified by the Central Government in the Official Gazette.
- In the case of sale of immovable property (other than a capital asset), section 43CA provides that the sale consideration shall be replaced by the Stamp Duty Valuation (SDV) if the SDV exceeds 110% of the consideration. Likewise, under section 56(2)(x), where a taxpayer receives an immovable property for a nil or inadequate consideration, SDV shall be considered as his Income from Other Sources, provided SDV exceeds Rs. 50,000 or 110% of the consideration.
- This safe harbour limit is now proposed to be increased to from 10% to 20%, subject to the following conditions:
  - Transfer of residential unit takes place during the period from 12th November, 2020 to 30th June, 2021;
  - Transfer is by way of first-time allotment of the residential unit to any person;
  - Consideration received or accruing on such transfer does not exceed INR 2 crores.

Presumptive income

- Section 44ADA of ITA provides for computation of profits at 50% of the of the gross receipts for a resident taxpayer being an individual, HUF or a firm, where the gross receipts do not exceed INR 50 lakhs during the FY.
- Since the definition of 'firm' under section 2(23) of ITA provides that firm shall include a limited liability partnership (LLP) as defined in the Limited Liability Partnership Act, 2008, a confusion arises whether LLPs covered under section 44ADA need not maintain books of accounts.

- However, since LLPs are required to maintain books under LLP Act, it is clarified by that LLPs are not eligible for benefit under section 44ADA.

Rationalisation of provisions related to Sovereign Wealth Fund (SWF) and Pension Fund (PF)

Income of a foreign SWF and PF from investments in India is exempt under section 10(23FE) on satisfaction of certain conditions. From AY 2021-22, certain relaxations are proposed to encourage investments by such funds in India. They are:

- Allowing the investee being an Alternate Investment Fund (AIF) to invest up to 50% in non-eligible investments.
- Allowing investments in AIF having 50% investment in eligible infrastructure company or in an Infrastructure Investment Trust (InvIT).
- Allowing investment through a holding company, being a domestic company set up after 01 April 2021 and having minimum 75% investments in one or more infrastructure companies.
- Allowing investment in NBFC- IDF/IFC (non-banking finance company-infrastructure debt fund/ Infrastructure finance company)
- Entitlement to this exemption even though the SWF / PF enjoys similar exemption in its home country.

Amendment to Equalisation Levy provisions

- The Finance Act, 2016 introduced Equalisation Levy (EL) with a view to tax digital transactions. EL is levied at 2% of the amount of consideration received or receivable by an e-commerce operator from ecommerce supply or services made or provided or facilitated, by it-(i) to a person resident in India or (ii) to a non-resident in the specified circumstances or (iii) to a person who buys such goods or services or both, using internet protocol address located in India.
- It is proposed to clarify that any income which is subject to levy of EL shall be considered as exempt under ITA from the time of introduction of EL.
- It also clarifies that consideration from e-commerce supply or services shall not include the amount taxable as royalty or fees for technical services in India ITA read with the applicable tax treaties. Thus, royalties and fees for technical services of a foreign resident shall continue to be taxed under ITA or as per tax treaties, whichever is more beneficial.
- It is also proposed to widen the scope of activities covered under EL by defining certain important terms like online sale of goods and online provision of services and consideration received or receivable from e-commerce supply or services.
- It is proposed that for the purposes of defining e-commerce supply or service, online sale of goods and online provision of services shall include one or more of the following activities taking place online:
  - Acceptance of offer for sale;
  - Placing the purchase order;
  - Acceptance of the purchase order;
  - Payment of consideration; or
  - Supply of goods or provision of services, partly or wholly.
- Further, consideration received or receivable from e-commerce supply or services is proposed to include consideration for sale of goods and provision of services irrespective of whether the e-commerce operator owns the goods and irrespective of whether service is provided or facilitated by the e-commerce operator.

Definitions of 'liable to tax'

- Often taxpayers take benefit of tax treaties in a manner which is detrimental to the interest of the Revenue and results in tax loss for the exchequer. One such example is the controversy related to 'liable to tax' and 'subject to tax'. Non-residents often have businesses in countries like UAE where their income is not taxed or not 'subject to tax'. Such businesses are controlled from India, but they escape taxation in India since the term 'liable to tax' is not defined under ITA.
- The Finance Act, 2020 plugged this loophole by introducing section 6(1A) in ITA. This section is a deeming fiction whereby an Indian citizen, who is otherwise a non-resident in India, is deemed to be a resident in India if his total income from Indian sources exceeds INR 15 lakhs and he is not liable to tax in any other country or territory by reason of his domicile or residence or any other criteria of similar nature. However, the term 'liable to tax' was not defined.
- It is now proposed to define the term 'liable to tax', in relation to a person, to mean that there is a liability of tax on that person under the law of any country and will include a case where subsequent to imposition of such tax liability, an exemption has been provided.
- Accordingly, income of Indian citizens would be taxed under section 6(1A) even if they are exempted from tax in the source country.

Charitable Trust

Clarifications in connection with a Charitable Trust

- The extant provisions in the ITA for charitable trusts lead to a situation where the corpus income of the trust has been exempted and its application has been claimed as application against the mandatory 85% application of non-corpus income. Further, utilization of loans taken by the trusts are considered as application of income and repayment of such loans is also considered as application in the year of repayment. This leads to double-counting in application of funds. To plug this loophole, it is proposed that from AY 2022-23:
  - Voluntary contributions made with a specific direction that they shall form part of the corpus shall be invested or deposited in the specified modes.
  - Application out of corpus shall not be considered as application for charitable or religious purposes, unless the same is invested in the specified modes of investment. It shall be allowed as application in the year in which it is added to the corpus.
  - Application from loans and borrowings shall be considered as application of income at the time of re-payment of loan.
- In computing income required to be applied or accumulated during the previous year, no set off or deduction or allowance of any excess application, pertaining to any previous year shall be allowed.

Assessment & Appellate Proceedings and Dispute Resolution

Constitution of Dispute Resolution Committee for small and medium taxpayers

- A new provision is proposed to be inserted which will provide for a new scheme to provide early tax certainty to small and medium taxpayers vide. Key features of the scheme are as follows –
  - Central Government shall constitute one or more Dispute Resolution Committee (DRC)
  - Committee shall resolve disputes of such persons or class of person which shall be specified by the Board. The taxpayer would have an option to opt for or not to opt for the dispute resolution through the DRC.
  - Only where the returned income is INR 50 lacs or less (if there is a return) and the aggregate amount of variation proposed in specified order is INR 10 lacs or less shall be eligible to be considered by the DRC.
  - Specified order not eligible to be considered by the DRC where the order is based on search initiated under section 132 or requisition made under section 132A or a survey initiated under 133A or information received under an agreement referred to in section 90 or section 90A of the ITA.
  - Taxpayer would not be eligible for benefit of this provision if there is detention, prosecution or conviction under various laws as specified in the proposed Section.
  - DRC shall have the power to reduce or waive any penalty imposable under the ITA or grant immunity from prosecution for any offence under the ITA in case of a person whose dispute is resolved under this provision.
  - Central Government to provide directions in the Official Gazette before 31 March 2023.

Establishment of the Board for Advance Ruling

- The current Authority for Advance Rulings to cease to operate from the date notified by the Central Government in the Official Gazette.
- Central Government to constitute one or more Board for Advance Rulings which shall consist of two members, being not below the rank of Chief Commissioner.
- Advance rulings to be not binding on the applicant or the Department and if aggrieved, option to appeal against the ruling or order passed by the Board before the High Court.
- Central Government to notify such scheme for the purpose of giving advance ruling by Board of Advance Ruling in the Official Gazette before 31 March 2023 by giving appropriate directions.
- Existing corresponding sections in the ITA to be amended to give effect to the proposed scheme.

Search and seizure assessments

- The provisions of Section 153A and Section 153C, of the ITA are proposed to be made applicable to only search initiated under section 132 of the ITA or books of accounts, other documents or any assets requisitioned under section 132A of the ITA, on or before 31 March 2021.

Revamping of provisions pertaining to re-assessments

- Under the existing provisions, an AO needs to issue a notice under Section 148 of the ITA to initiate reassessment proceedings under Section 147 of the ITA. It has been proposed to introduce a new Section 148A which will provide that before issuing a notice under Section 148 for initiating re-assessments, the Assessing Officer needs to provide an opportunity of being heard to the taxpayer.
- No notice under Section 148 of the ITA can be issued after the expiry of three years from the end of the relevant AY for initiating re-assessments except in cases where the Assessing Officer is in possession of an evidence which reveal that the income escaping assessment, represented in the form of asset, amounts

to or is likely to amount to INR 50 lacs or more. However, in such cases also, no notice can be issued after expiry of 10 years from the end of the relevant assessment.

- The aforementioned amendments to not be used to issue notice for the AY beginning on or before 01 April, 2021, if such notice could not have been issued at that time on account of being beyond the time limit prescribed.
- New time limit for issuing notice as aforementioned to exclude the time or extended time allowed to the taxpayer in providing opportunity of being heard or period during which such proceedings before issuance of notice under section 148 are stayed by an order or injunction of any court.
- Computer-based system to be adopted for considering information which suggests that the income chargeable to tax has escaped assessment. Such computer-based system shall be as per the risk management strategy as formulated by the Board.
- Final objection raised by the Comptroller and Auditor General of India to be considered as information which suggests that the income chargeable to tax has escaped assessment.
- Specified authority for approving enquiries, providing opportunity, passing order under section 148A of the ITA and for issuance of notice under section 148 of the ITA are as follows –

Time period	Authority
If three years or less than three years have elapsed from the end of the relevant AY	Principal Commissioner or Principal Director or Commissioner or Director
If more than three years have elapsed from the end of the relevant AY	Principal Chief Commissioner or Principal Director General or where there is no Principal Chief Commissioner or Principal Director General, Chief Commissioner or Director General

Faceless Proceedings before the Income-tax Appellate Tribunal

- The ITA is proposed to be amended to provide powers to the Central Government to notify a scheme for disposal of appeals by the ITAT so as to impart greater efficiency, transparency and accountability by eliminating interface between the ITAT and parties to the appeal in the course of proceedings to the extent technologically feasible, optimizing utilization of the resources through economies of scale and functional specialization introducing an appellate system with dynamic jurisdiction.
- To give effect to the above scheme, Central Government to notify a faceless scheme for the purposes of disposal of appeal by the ITAT on the same line as faceless appeal / penalty scheme before 31 March 2023.

Discontinuance of Income-tax Settlement Commission

- It is proposed to discontinue Income-tax Settlement Commission from 01 February 2021.
- Central Government to notify to constitute one or more Interim Board(s) for settlement for pending cases before 31 March 2023.
- Consequent changes proposed to the existing governing sections.

Reduction of time limit in processing of return of income

- The time limit to process the return of income under Section 143(1) of the ITA has been reduced

Applicability	Processing return of income and sending Intimation under Section 143(1) of the ITA
Existing due date	One year from the end of the FY in which the return is made
Proposed due date	Nine months from the end of the FY in which the return is made

- These amendments will take effect from April 1, 2021.

Power to make enquiry

- Under the current provisions of Section 142 of the ITA, only the Assessing Officer was empowered to issue notice for the purpose of making any enquiry before the assessment.
- It has been proposed to be amended the existing provisions to allow any prescribed authority to issue notice.
- This amendment will take effect from April 1, 2021.

Provisional attachment in Fake Invoice cases

- Section 281B of the ITA amended to empower Assessing Officer to provisionally attach property of a taxpayer during the pendency of penalty proceedings under Section 271AAD of the ITA for causing to make a fake entry or omit an entry from his books of accounts provided that the penalty imposable is likely to exceed INR 2 crores.

Retrospective clarification regarding the scope of Vivad se Vishwas Act, 2020

- It has been clarified that the taxes covered by an order issued by the Income Tax Settlement Commission is outside the purview of VsV scheme.
- It has also been clarified that the 'appellant' shall not include a person in whose case a writ petition or special leave petition or any other proceeding has been filed either by him or by the income-tax authority or by both before an appellate forum, arising out of an order of the Settlement Commission under Chapter XIX-A of the ITA, and such petition or appeal is either pending or is disposed of.

Amount refundable pursuant to Income Declaration Scheme

- It has been proposed that any excess amount of tax, surcharge or penalty paid in pursuance of a declaration made under the Scheme shall be refundable to the specified class of persons without payment of any interest from the date of commencement of the Scheme.

Compliance

Filing of returns of income

- With effect from AY 2020-21, following amendments proposed in Section 139 in regard to filing of return of income

Applicability	Existing due date	Proposed due date
Spouse of a partner of a firm whose accounts are required to be audited under the ITA and to whom Section 5A of the ITA (i.e., Portuguese Civil Code)	30 September of the AY	31 October of the AY
Partner of a firm which is required to furnish transfer pricing report under Section 92E of the ITA	31 October of the AY	30 November of the AY
Belated and revised returns of income	One year from the end of the relevant AY	Three months before the end of the relevant AY

- It has also been proposed that the Board will specify, vide notification, which conditions shall not apply for considering a return of income defective.
- With effect from 01 April 2021, certain category of senior citizens have been provided with relaxation from filing of income tax returns, if following conditions are satisfied:
  - Senior citizen is resident in India and of the age of 75 or more during the previous year;
  - He has only pension income and interest income, which interest is received in the same bank as his pension income;
  - The bank is a specified bank (Government to notify a few specified banks)
  - Senior citizen required to furnish a declaration to the specified bank in specified form.

    The specified bank would be required to compute the income of the senior citizen (after giving effect to the applicable deductions and rebates) for the relevant AY and deduct income tax on the basis of rates in force basis the declaration provided by the senior citizen.

Relaxation in the tax audit limit

- Section 44AB of ITA requires a person engaged in business to get his accounts audited if his turnover exceeds INR 1 crore. The limit is increased to INR 5 crores in cases where at least 95% of total receipts and total expenses are made by normal banking channels or digital means.
- It is proposed that any person carrying on business shall not be required to get his accounts audited under section 44AB if his total sales, turnover or gross receipts is up to INR 10 crores for FY 2020-21 and at least 95% of total receipts and total expenses are made by normal banking channels or digital means.
- However, this proposal is only for an entity engaged in business and not for an individual or entity engaged in a profession. Further, a business entity whose cash receipts and cash expenses exceed 5% of the total receipts and total expenses respectively, tax audit limit continues to apply for turnover exceeding INR 1 crore.

Amendments and clarifications in TDS and TCS provisions

- Income of a Foreign Institutional Investor (FII) from specified securities or from the transfer of such securities is subject to TDS at 20% under section 196D of ITA. Considering that such FIIs may be entitled to a lower tax rate under the tax treaties, it is proposed that w.e.f. 01 April 2021, TDS under section 196D may be deducted at lower of 20% or the tax treaty rate, provided the recipient of income furnishes a tax residency certificate.
- Section 206(1H) of the ITA, effective from 01 October 2020, provided for collection of tax at source (TCS) at 0.1% by a seller in respect of payment received from a buyer. Thus, the onus of collection of tax was on the seller. It is proposed to shift the onus from the seller to the buyer by inserting section 194Q in the ITA with effect from 01 July 2021. The proposed section provides that the buyer (whose turnover exceeds INR 10 crores) shall deduct TDS in respect of such payment at 0.1% if the value of transactions with the seller exceeds INR 50 lakhs. The rate shall increase to 5% where PAN is not provided by the seller.
- Section 194Q shall not apply where TDS or TCS applicable under any other section, except section 206(IH). If TCS is levied under section 206C (IH) as well as TDS under this section, then TDS shall take precedence.
- Currently, TDS is deducted at higher rates for non-furnishing of PAN by the recipient of income. It is now proposed to introduce section 206AB for deduction of a higher rate of TDS on 'specified persons'. TDS shall be deducted at higher of the following:
  - twice the rate specified in ITA; or
  - twice the rate or rates in force; or
  - the rate of 5%.

  This is not applicable for TDS to be deducted under specified sections, viz. TDS on salaries, TDS from lotteries and horse races and other prescribed sections.
- Currently, TCS is deducted at higher rates on non-furnishing of PAN by the recipient. It is now proposed to introduce section 206CCA to levy TCS on 'specified persons' defined below at higher of the following:
  - twice the rate specified in ITA; or
  - rate of 5%
- Where a person fails to furnish PAN and has not filed income tax returns, TDS / TCS shall be deducted at higher of the rates provided in the respective sections.
- 'Specified person' means a person who has not filed returns of income for 2 years immediately before the year in which TDS / TCS is applicable and the time limit for filing a return of income under section 139(1) has expired. Further, the aggregate of TDS and TCS in his case exceeds Rs, 50,000 in each of the 2 previous years. Specified person shall not include a non-resident who does not have a permanent establishment in India.

Start-up

Extension of date of incorporation for eligible start up for exemption

- Currently, 100% deduction is available for profits and gains derived from an eligible business by an eligible start-up for three consecutive years out of ten years at the option of the taxpayer.
- This is subject to the condition that the total turnover of its business does not exceed INR 100 Crore. Additionally, the eligible start-up is required to be incorporated on or after 01 April 2016 but before 01 day of April 2021.
- It is proposed to extend the outer date of incorporation to before 01 April 2022. This amendment will take effect from 01 April 2021.
- This is a welcome move and will encourage more start-ups to avail the beneficial deduction.

Extension of date for investment in eligible start-up

- Currently, exemption of capital gain is available in case of long-term capital gain arising from the transfer of residential property (a house or a plot of land), owned by the eligible taxpayer.
- Such taxpayer can utilise the net consideration for subscription in the equity shares of an eligible start-up before the due date of furnishing of return of income.
- The eligible start-up is required to utilise this amount for purchase of new asset within one year from the date of subscription in equity shares by the taxpayer.
- Further, currently, the benefit is available only when the residential property is transferred on or before 31 March 2021.
- Now, it is proposed to amend the provisions of ITA to extend the outer date of transfer of residential property from 31 March 2021 to 31 March 2022. This amendment will take effect from 01 April 2021.

Mergers & Acquisitions

Rationalisation of provisions related to slump-sale

- The Bombay High Court in the case of *CIT v. Bharat Bijlee Ltd.* [2014] 46 taxmann.com 257 (Bom HC) and Madras High Court in the case of *Areva T&D India Ltd. v. CIT, Tax Case Appeal No. 673 of 2018, decision dated 08.09.2020* had held that a 'slump exchange' was not liable to tax. The courts had held that in case of a slump sale, the definition contemplates only 'sale', which presupposes cash consideration, and no other means of 'transfer' in relation to a capital asset, like exchange, relinquishment etc. Accordingly, in a slump exchange where there is exchange of shares for the undertaking, the transaction would not qualify as a slump sale and would not be liable to capital gains tax.
- In order to clarify the intent of the law, it has been proposed to expand the scope of the definition of the term "slump sale" to mean the transfer of one or more undertakings, by any means, for lump sum consideration, without value being assigned to individual assets and liabilities in such cases. The proposed amendment widens its ambit in terms of defining "transfer" to include inter alia "exchange". The proposed amendment will take effect from the 01 April 2021 and shall accordingly apply to AY 2021-22 onwards.

Availability of depreciation on goodwill

- In *Smifs Securities Ltd [2012] ITR 302 SC*, the Supreme Court had held that the goodwill of a business is an intangible asset, eligible for depreciation under the ITA.
- Accordingly, in cases of business reorganisation, various taxpayers were taking the view that goodwill is an intangible asset, on which depreciation was available. This was despite the fact that ITA already has specific provisions for 'written down value of block of assets', 'actual cost', calculation of depreciation etc., in case of business reorganisations like amalgamations and therefore, no depreciation on account of actual cost being zero and the written down value of that assets in the hand of predecessor/amalgamating company being zero.
- Some taxpayers were also taking a view that in case of an amalgamation that did not fall within the definition of "amalgamation" under the ITA, then the specific provisions for WDV, actual cost etc. set out in the ITA would not be applicable and hence, goodwill ought to be available.
- Further, in some other cases (like acquisition of goodwill by purchase) there may be valid claim of depreciation on goodwill in accordance with the decision of the SC.
- It is proposed to amend the definition of 'block of assets' and assets for which depreciation is available, to exclude goodwill of a business or profession.
- Additionally, amendment is proposed to provide that where goodwill of a business or profession formed part of a block of asset for the AY beginning on the 01 April 2020 and depreciation has been claimed, the WDV of that block of asset and short-term capital gain, if any, shall be determined in the manner to be prescribed.
- Further, it is proposed to provide that in case of goodwill of business or profession acquired by the taxpayer by way of purchase from a previous owner (either directly or through specified modes, and any depreciation has been claimed in any previous years, commencing on or after the 01 April, 2021, then the cost of acquisition will be the purchase price, as reduced by the depreciation so obtained by the taxpayer in the previous years.

  These amendments will take effect from 01 April, 2021 and will accordingly apply to the AY2021-22 onwards.

Rationalisation of provision of transfer of capital asset to partner on dissolution or Reconstitution

- Under the current provisions, the profits or gains from the transfer of a capital asset by way of distribution of capital assets on the dissolution of a firm, association of persons or body of individuals (not being a company or a co-operative society) is chargeable to capital gains tax such firm/AOP/BOI of the previous year in which the transfer takes place. Further, the FMV of the asset on the date of such transfer shall be deemed to be the full value of the consideration. Given the uncertainty regarding the applicability of the above provisions in a situation where assets are revalued or self-generated assets are recorded in the books of accounts and payment is made to partner or member which exceeds his capital contribution, certain amendments are being proposed.
- It is proposed to substitute current provisions to provide that where a 'specified person' receives any capital asset at the time of its dissolution or reconstitution of a 'specified entity', which represents the balance in his capital account in the books of accounts of such 'specified entity' at the time of dissolution or reconstitution, then any profits or gains arising from receipt of such capital asset by the 'specified person' shall be chargeable to income-tax as capital gains income of the 'specified entity' in the year in which such capital asset was received by the 'specified person'.
- The FMV of the capital asset on the date of such receipt shall be deemed to be the full value of the consideration received or accruing on the transfer of such capital asset.
- The cost of acquisition of the capital asset shall be determined in accordance with the relevant provisions in this regard. Further, the balance in the capital account of the specified person in the books of account of the specified entity is to be calculated without regard to increase in the capital account of the specified person due to revaluation of any asset or due to self-generated goodwill or any other self-generated asset.
- Another proposed insertion with respect to capital gains of partnerships is with respect to where a specified person receives any money or other asset at the time of dissolution/ reconstitution of the specified entity, and such money is in excess of the balance in his capital account in the books of accounts of such specified entity at the time of its dissolution/ reconstitution. In such cases, the proposed amendment provides that any profits or gains arising from receipt of such money or other asset by the specified person shall be chargeable to capital gains tax of such specified

entity and deemed to be the income of such specified entity in the year in which such money or other asset was received by the specified person.

- It is also proposed to amend the section to provide that value of any money or the fair market value of other asset on the date of such receipt shall be deemed to be the full value of the consideration received or accruing due the transfer of such capital asset.
- The balance in the capital account of the specified person in the books of accounts of the specified entity at the time of its dissolution or reconstitution shall be deemed to be the cost of acquisition. Such balance in capital account is to be calculated without considering increase in the capital account of the specified person due to revaluation of any asset or due to self-generated goodwill or any other self-generated asset.
- Specific definitions are proposed to be included like "self-generated goodwill", "self-generated assets", "specified entity" and "specified person".
- These amendments will take effect from 01 April, 2021 and will, accordingly, apply in relation to the AY 2021-2022 onwards.

Facilitating strategic disinvestment of public sector company

- The extant provisions of the ITA define a 'demerger', which is also considered tax neutral, upon fulfilment of the applicable conditions.
- An amendment has been proposed to the definition of demerger to clarify that reconstruction or splitting up of a public sector company into separate companies shall be deemed to be a demerger, if –
  - reconstruction or splitting up has been made to transfer any asset of the demerged company to the resultant company;
  - the resultant company is a public sector company on the appointed date indicated in the scheme; and
  - fulfils such other conditions as may be notified by the Central Government in the official gazette.
- Amendments also proposed to the ITA to facilitate strategic divestment by the Government by allowing public sector companies to carry forward and set off accumulated loss and unabsorbed depreciation in following cases –
  - In amalgamation of one or more public sector company or companies with one or more public sector company or companies.
  - In amalgamation of one or more public sector company or companies with one or more company or companies, if
    - the share purchase agreement entered into under strategic disinvestment restricted immediate amalgamation of the said public sector company; and
    - the amalgamation is carried out within five year from the end of the previous year in which the restriction on amalgamation in the share purchase agreement ends.

Changes to other Legislations

Amendment to the Indian Stamp Act, 1899

Stamp Duty exempted on transfer of business or immovable properties by Government Companies in case of disinvestment

- Proviso to Section 3(1) of Indian Stamp Act, 1899 exempted Government from payment of stamp duty in respect of any instrument executed by or on behalf of Government.
- New Section 8G proposed to be inserted to Indian Stamp Act, 1899 to exempt payment of stamp duty on transfer of a business or asset or right in any immovable property from a government company to another government company or Central Government or state government by way of strategic sale or disinvestment or demerger or any other scheme of arrangement.
- Exemption only after the approval of Central Government.
- Government company to have the same meaning as defined in Section 2(45) of the Companies Act, 2013.

Amendment to the Contingency Fund of India Act, 1950

Enhance the limit from INR 500 crores to INR 30,000 crores

- Contingency Fund established under Article 267of the Constitution of India to meet the contingencies was entitled to be paid from and out of the Consolidated Fund of India a sum of INR 500 crores.
- The Bill proposed to raise the limit of funds from the existing INR 500 crores to INR 30,000 crores.

Amendments to the Securities Contracts (Regulation) Act, 1956

New concept of 'pooled investment vehicle' introduced

- Provisions proposed to be inserted to allow pooled investment vehicle constituted as trust or otherwise and registered with SEBI to be eligible to borrow and issue debt securities in manner and extent specified under SEBI regulations.
- Provisions proposed to be inserted to permit pooled investment vehicle to provide security interest to lenders in terms of facility documents entered into by pooled investment vehicles.
- Provisions proposed to be inserted to empower lenders to recover defaulted amount against trust asset by initiating proceeding against trustee acting on behalf of pooled investment vehicle. Trustee shall not be personally liable and his assets shall not be utilised towards recovery of such debt.
- Pooled investment vehicle is proposed to be define as a fund established in India in form of trust or otherwise and registered with SEBI, or such fund which raises or collects monies from investors and invests such funds in accordance with regulations made by SEBI in this behalf.

Amendments to the Securities and Exchange Board of India Act, 1992

Mandatory registration for sponsors carrying out business activity of AIF/Business trust

- SEBI (AIF) Regulations 2021; SEBI (REIT) Regulations 2014 and SEBI (InVIT) Regulations 2014 required person to obtain mandatory certificate of registration by SEBI before acting as an AIF or REIT or InVIT.
- Bill proposes an amendment to SEBI Act for a mandatory requirement of obtaining a certification of registration even by a person who acts as a sponsor or cause to be sponsor or cause to be carried on the activity of an AIF or business trust.

Amendment to the Life Insurance Corporation Act, 1956

Revamping LIC Act, 1956 to ease listing of LIC and disinvestment process

- Government will soon disinvest from LIC through an IPO
- Bill proposes to insert some definitions such as Audit Committee, Board of directors, chairperson, Companies Act, court director, financial statement, fully diluted basis, notification, nomination and remuneration committee, special resolution and independent director, managing director
- Bill proposes to enable listing of LIC on recognised stock exchange and making of an IPO through which the government may sell its shares in LIC
- Bill proposes to insert provisions relating to disclosure of interest by directors, disqualifications and related party transactions adjudication of penalties for contravention or violation liable to penalty under LIC act, 1956.
- Bill seeks to insert provisions for transferability of shares, voting rights, register of members and declaration in respect of a beneficial interest in shares
- Bill proposes to enable issue of shares to the Central Government against the paid-up share capital invested by it in LIC and issue of bonus shares to the Central Government, which shall be offered for sale by way of an IPO, with resultant receipt of money into the Consolidated Fund of India
- Bill proposes to widen the power, functions and duties of various committees of the Board
- Bill proposes to amend existing provisions relating to Managing Director in order to provide entrustment and delegation of powers and duties of the Chairpersons and Managing Director of LIC by its Board
- Bill proposes to insert new provision relating to Annual General Meeting and other general meetings of the registered shareholders of LIC
- Bill proposes to provide for LIC having multiple funds, establishment of reserves and maintenance of separate funds for participating and non-participating policyholders of LIC.
- Bill proposes to insert new provisions relating to books of accounts, financial statements, board reports and penalty for contravention of provisions to widen scope of work
- Bill proposes to provide for appointment, removal, resignation, power and duties of auditor
- Bill amends Section 27 of LIC to omit provisions relating to furnishing in the Annual Report an account of activities likely to be taken by LIC in next FY to bring provisions relating to Annual report in alignment with listing requirements.
- Bill proposes to insert provisions regarding declaration of dividend, and crediting of unclaimed or unpaid dividend amount to an unpaid dividend account
- Bill proposes not to invalidate acts and proceedings of directors and boards if there is defect related to constitution of board or appointment of nomination of directors.
- Bill proposes to amend existing provisions and enhance the power for making rules and regulations under the Act.

Amendment to the SARFAESI Act, 2002

Scope of definition of borrower and creditor proposed to be expanded

- Bill proposes to amend section 2 of SARFAESI Act, 2002 to clarify the definition of borrower under the Act to include a pooled investment vehicle consequent to insertion of the provisions in Securities Contracts (Regulation) Act, 1956
- Definition of secured creditor is also proposed to be expanded to include debenture trustee appointed by pooled investment vehicle also by removing the limitation of appointment of a debenture trustee by a company.

Amendment to the Recovery of Debts Due to Banks and Financial Institution Act, 1993

Definition of debt proposed to include debt incurred by pooled investment vehicles

- Bill proposes to amend the Act to clarify the definition of debt which shall include debt incurred by pooled investment vehicle.

  The amendment is consequential to insertion of new section in Securities Contracts (Regulation) Act, 1956.

02 Indirect Tax

Customs

Key changes

- Power under Section 25 to grant exemption from duty amended to prescribe all conditional exemptions, unless otherwise specified or varied or rescinded, given under the Customs Act shall come to an end on March 31, falling immediately two years after the date of such grant or variation. Existing conditional exemptions to end on March 31, 2023, unless having a prescribed end date.
- Two-year time limit, further extendable by one year by the Commissioner, for completion of any proceedings under this act which would culminate in issuance of a notice under section 28 of the Customs Act, 1962.
- Section 46(3) amended to mandate filing of bill of entry before the end of the day preceding the day (including holidays) of arrival of goods, also, introduces new proviso to enable the Board to notify the time period for presenting bill of entry in certain cases as it may deem fit.
- Common portal akin to GST infrastructure introduced. As per new proposed Section 154C, Common Customs Electronic Portal will be notified, for facilitating registration, filing of bills of entry, shipping bills, other documents and forms prescribed under the Customs Act or under any other law for the time being in force, for payment of duty and for such other purposes, as the Board may, by notification, specify.
- Section 153(1) (ca) inserted so as to enable service of order, summons, notice, etc. by making it available on the common portal.
- Section 149 amended by introducing (i) a second proviso which would allow amendments to be done through the customs automated system on the basis of risk evaluation through appropriate selection criteria and (ii) a third proviso so that certain amendments, as may be specified by the Board, may be done by the importer or exporter on the common portal.
- Amends Section 5(3) of the Act to empower Commissioner (Appeals) to carry out functions specified under Chapter XV, Section 108 and the new sub-section (1D) of Section 110 of the Act. Section 110 of the Customs Act is being amended so as to revise the procedure for pretrial disposal of seized gold, in any form as notified. Commissioner (Appeals) having jurisdiction, to certify the correctness of inventory of the seized goods and carry out other procedures as prescribed, before the disposal of the gold in a manner as may be determined by the Central Government.
- Section 113 (ja) inserted to provide for the confiscation of any goods entered for exportation under claim of remission or refund of any duty or tax or levy, so as to make a wrongful claim in contravention of the provisions of the Customs Act, 1962 or any other law for the time being in force.
- Section 114AC inserted levying FIVE times penalty for fraudulent utilisation of input tax credit for claiming refund to prescribe penalty in specific cases where any person has obtained any invoice by fraud, collusion, willful misstatement or suppression of facts to utilize Input Tax Credit on the basis of such invoice for discharging any duty or tax on goods that are entered for exportation under claim of refund of any duty or tax.

Tariff Changes

- Agriculture Infrastructure and Development Cess (AIDC) has been proposed on import of specified goods. To ensure that imposition of cess does not lead to additional burden in most of these items on the consumer, the BCD rates has been lowered. No AIDC on FTA exempted and Advance Authorization goods
- Customs (Import of Goods at Concessional Rate of Duty) Rules, 2017 are being amended
- to allow job-work of the materials (except gold and jewellery and other precious metals) imported under concessional rate of duty,
  - to allow 100% out-sourcing for manufacture of goods on job-work and

- to allow imported capital goods that have been used for the specified purpose to be cleared on payment of differential duty, along with interest, on the depreciated value. The depreciation norms would be the same as applied to EOUs, as per Foreign Trade Policy.

- Duty has been reduced for certain goods such as gold and silver, goods of iron and steel, copper scrap etc.
- Duty has been increased for certain goods such as leather, textile foods, compressors, auto components, tunnel boring machine, parts of mobile phones etc.

Anti-Dumping Amendments

- Anti-Dumping duty has been proposed to be imposed from the date of initiation of anti-circumvention investigation.
- Provisions for absorption of anti-dumping duty is introduced to counter the situation there is a decrease in export price or otherwise that results in absorption of anti-dumping duty.
- The imposition of anti-dumping duty shall cease to have effect on expiry up to five years from the date of such imposition.
- In case anti-dumping duty is revoked temporarily, such temporary revocation shall not exceed one year at a time;

GST

Key changes

- Retrospectively widened the scope of supply to include tax on activities or transactions involving supply of goods or services by any other person, other than an individual, to its members or constituents or vice-versa, for cash, deferred payment or other valuable consideration. It has been clarified that the person or its members or constituents shall be deemed to be two separate persons and the supply of activities or transactions inter se shall be deemed to take place from one person to another.
- Input tax credit will be allowed to be availed only when details of invoice or debit note have been furnished by the supplier in the statement of outward supplies and such details have been communicated to the recipient along with other conditions satisfied under Section 16(2).
- Removal of mandatory requirement of getting annual accounts audited and reconciliation statement submitted by registered person having aggregate turnover exceeding INR 2 crores (INR 5 crores for FY 2018-2019 and 2019-2020). Annual return now on self-certification basis.
- Retrospective amendment to provide for charging interest on net cash liability in case of delayed payment of tax.
- Liability declared in GSTR 1 but not included in GSTR 3B will be considered as "self-assessed tax" thereby permitting initiation of recovery proceedings without following the process of adjudication.
- The ambit of provisional attachment of property is expanded by permitting attachments in proceedings in the nature of assessment (Chapter XII); inspection, search, seizure and arrest (Chapter XIV) and demands & recovery (Chapter XV) which currently are restricted to limited types of assessments (viz. non-filers, unregistered, summary) and demands and recovery proceedings u/s 73 or 74.
- Appeal before the first appellate authority in case of detention and seizure of goods and conveyance during transit is proposed to be allowed provided a sum equal to 25% of the penalty has been paid by the appellant.
- Amendments have been proposed to be made with respect to seizure and confiscation of goods and conveyances in transit.
  - The proceedings with respect to seizure and confiscation of goods and conveyances in transit is proposed to be separate proceedings from recovery of tax.
  - Penalty has increased from 100% to 200% of tax payable on goods detained or seized in case owner of goods comes forward for payment of such penalty.
  - Time limit of seven days has been prescribed for issuance of notice by proper officer detaining or seizing goods or conveyance and further seven days from date of service of notice to pass an order for payment of penalty.
  - Goods/conveyance can be sold/disposed of in case person transporting goods/owner of goods fails to pay the penalty within 15 days from date of receipt of order.
  - In case of confiscation of goods or conveyances, the penalty levied is proposed to be 100% of the tax payable on such goods.

Key Changes in IGST

Key changes in IGST

- Only supply of goods or services to SEZ developer or a SEZ unit which are for authorised operations shall enjoy benefit of being a zero-rated supply.
- Provision amended to take away the option of payment of IGST and claim refund in case of zero-rated supply. Option to pay IGST and claim refund may be granted to a notified class of taxpayers or notified supplies of goods or services.
- It has been proposed to recover the refunds in case of exports of goods if foreign exchange remittance is not received within 30 days after the expiry of the time limit prescribed under the FEMA 1999.

Glossary

Abbreviation	Meaning
AIF	Alternative Investment Fund
AO	Assessing Officer
AOP	Association of Persons
AY	Assessment Year
BOI	Body of Individuals
EL	Equalisation Levy
EOU	Export Oriented Units
FEMA	Foreign Exchange Management Act
FII	Foreign Institutional Investor
FMV	Fair Market Value
FY	Financial Year
GDR	Global Depository Receipts
GST	Goods and Services Tax
IFSC	International Financial Service Centre
IGST	Integrated Goods and Services Tax
INR	Indian Rupee
IPO	Initial Public Offering
ITA	Income-tax Act, 1961
ITAT	Income-tax Appellate Tribunal

Abbreviation	Meaning
LIC	Life Insurance Corporation of India
LLP	Limited Liability Partnership
MAT	Minimum Alternate Tax
PAN	Permanent Account Number
SARFAESI	Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002
SEBI	Securities and Exchange Board of India
SEZ	Special Economic Zone
SWF	Sovereign Wealth Fund
TCS	Tax Collection at Source
TDS	Tax Deduction at Source
VsV	Vivad se Vishwas
WDV	Written down value
ZCB	Zero Coupon Bond

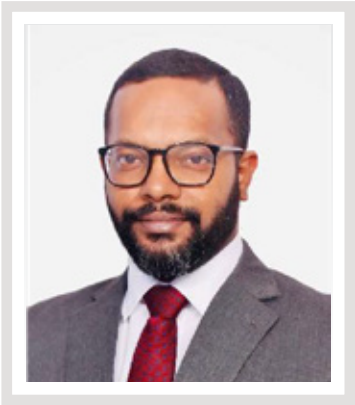
03 Key Contacts

Ritesh is an Executive Director with IndusLaw and leads the Tax practice. Ritesh is a Chartered Accountant and has a Bachelor's in commerce with over 13 years of professional consulting experience in various direct tax laws including advising clients on fund structures, exchange control regulations and non-banking regulations.

RITESH KUMAR S (TALREJA)

Executive Director

ritesh.kumar@induslaw.com



Shashi is a Partner with IndusLaw and leads the Indirect Tax practice for the firm. Shashi has over 12 years of litigation and advisory experience in tax and fiscal laws.

Shashi has been well regarded for his experience in handling complex tax issues, both in Court and as an Advisor to clients.

SHASHI MATHEWS

Partner

shashi.mathews@induslaw.com

INDUSLAW®
THOUGHT LEADERSHIP ... APPLIED

www.induslaw.com

OUR OFFICES

BENGALURU
101, 1st Floor, "Embassy Classic"# 11
Vittal Mallya Road
Bengaluru 560 001
T: +91 80 4072 6600
F: +91 80 4072 6666
E: bangalore@induslaw.com

HYDERABAD
204, Ashoka Capitol, Road No. 2
Banjarahills
Hyderabad 500 034
T: +91 40 4026 4624
F: +91 40 4004 0979
E: hyderabad@induslaw.com

DELHI
2nd Floor, Block D
The MIRA, Mathura Road, Ishwar Nagar
New Delhi 110 065
T: +91 11 4782 1000
F: +91 11 4782 1097
E: delhi@induslaw.com

MUMBAI
1502B, 15th Floor
Tower – 1C, One Indiabulls Centre
Senapati Bapat Marg, Lower Parel
Mumbai – 400013
T: +91 22 4920 7200
F: +91 22 4920 7299
E: mumbai@induslaw.com