

VASAI BRANCH OF WIRC NEWSLETTER



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July 2020



CHAIRMAN'S COMMUNICATION

Dear Professional Brothers and Sisters,

“Positive thinking sees the invisible, feels the intangible, and can achieve the impossible.”

With passage of time we have all started learning the innovative ways of doing the things, be it participating in Online meetings, attending to official works, Knowledge enhancement through Online Master Classes/ Webinars, Online Coaching's and facing the Online Interviews. I can say that we have learnt the art of leveraging technology as well as deriving benefits from Social Distancing at the same time.

August meaning the month of Shraavan, Raksha Bandhan, Independence Day and Janmashtami, Ganesh Chaturthi. In the midst of all these festivities let us take a minute to remember the Hiroshima Casualties on 6 August; and all those innocent people who have succumbed to acts of terrorism and religion-based-violence on 21 August.

August marks a lot of other special days also for instance – National Handloom Day to revive domestic products and production processes; Biofuel Day to promote use of renewable, sustainable and eco-friendly fuel options; Sport Day to commemorate legendary hockey player Dhyani Chand and of course Photography Day for all of us whose android phones have made them amateur photographers!

Let me congratulate and thanks to my fellow Managing Committee Members of Vasai Branch and Co-ordinator for the efforts put in by them for growth of the Profession.

This Newsletter of Vasai Branch of WIRC of ICAI has come up with the theme of – “Opportunities for professionals in MSME, Start-up and Environmental Laws”, the sectors which play a vital role in Indian economy and contribute in employment generation at low costs and alleviate poverty.

The sector has grown rapidly with government support and has proven to be the golden opportunity for the bold and inspired youth of the country whose focus and talents can be well drawn towards Start-ups or MSMEs which are blessed with numerous relaxations and privileges like easy sanctions of bank loans, lower rates of interest, tax exemptions, recognitions, etc.

I truly believe that not only the MSMEs, Start-up Sectors have potential in raising persistent entrepreneurs but these sectors have also expanded work profile of professionals like Chartered Accountant who can step up in the vision of the emerging Entrepreneurs and serve them the pre-eminent guidance about the Project.

A Chartered Accountant can nurture the Start-ups /MSMEs by playing a role of One-Stop of Professional Services in the areas of compliance check-ups, taxation, fund raising, advisory services and many more...

Let us come together to cherish the segments this monthly newsletter has come up with this time!

Happy reading!

I look forward to your valuable suggestions and feedback. Feel free to interact with me at vasaibranch@gmail.com.

Wishing all of you a good health! Stay Safe, Stay Healthy, and take care. With warm regards

Ankit

CA. Ankit Rathi

Chairman

Vasai Branch of WIRC of ICAI

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Hearty Congratulations to Winners in “Virtual CA Day Celebration 2020” organized by Vasai Branch of WIRC on 1st July 2020

CA Members



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As per new Notification No SO 2119(E) dated 26.06.2020 issued in relation to sections 7 & 8



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Registration:

- 1) Change over from Udyog to Udyam Registration.
- 2) Existing Registered have to file EM-Part II or UAM shall be register again on Udyam Registration Portal.
- 3) All Enterprises Registered till 30th June 2020 shall be re-classified in accordance with the Notification.
- 4) Existing enterprises registered prior to 30 June 2020 shall continue to be valid only for a period up to the 31st day March 2021.
- 5) All different Units registration will be merged into single registration under - GST Number listed against PAN shall be collectively treated as one Enterprises. (No more benefits as per Unit/(s) setup in various districts/State and enjoying the benefits of MSEMD Act)

Turnover

As per new notification :

Turnover Ceiling	Limits Upto
Micro Enterprises	₹5 Cr
Small Enterprises	₹50 Cr
Medium Enterprises	₹ 250 Cr

- 1) Turnover figures for all such entities shall be seen together and only the aggregate values will be considered for deciding the category
- 2) Turnover will be linked with Income Tax Return and GST Return
- 3) Exports turnover should be excluded.

As per MSMED Act Definition – Weightage is given on Manufacture/ Process/Service Industries

Enterprises defined as per Section 2 (e) - Enterprise means industrial undertaking or business concern or any establishment engaged in the manufacture or production of Goods, in any manner, pertaining to any industry specified in the first schedule

as per 'Section 2(h) "micro enterprise', Section 2(g) "medium enterprises", Section (m) "Small Enterprises" means an enterprise classified as such under section 7 of the act

While Turnover linked to Income Tax Return and GST Return will also include

- a) Linked with GST Return : Turnover also includes Sale of Assets, Reimbursement of Expenses, Interest, Liquidated Demurrage etc.

Whether Traded Goods, Sale of Assets, Reimbursement, Interest, LD bills eligible to claim Interest on outstanding bills from Buyer/(s) ?

Other Issues before notification and later on will cover :

b) Enterprises also deal in Trading activities

Supplier also purchase the material from Third party and resale the same directly / stock and sale to Customer/Buyers. - whether trading sales will be eligible for other benefits under MSEMD Act ?

c) Enterprises deal in Works contract activities –

Enterprises partial manufacture material in Factory/Unit and Bought out items from other suppliers and use in Works Contract in such cases Billing done as per main Equipment but price breakup will be separate display on Invoices. Whether in such case Works Contract Sales will fall under definition Enterprises and eligible for other benefits under MSMED Act ?

- d) Supplier Bill the Buyers by involving and get work done from other Manufacturing by supplying the raw material and without Investment in Plant and machinery. Whether such suppliers are covered and eligible for other benefits under MSEMD Act ?

Plant and Machinery

As per new notification :

Turnover Ceiling	Limits Upto
Micro Enterprises	₹1 Cr
Small Enterprises	₹10 Cr
Medium Enterprises	₹ 50 Cr

- 1) Merger of Manufacturing and Service categories
- 2) Newly started Enterprises will give self-declaration
- 3) Plant and Machinery defined as per Income Tax Act previous year Return filed.
- 4) Cost of certain items specified in Explanation 1 to sub Section (1) of Section 7 of MSEMD Act shall be excluded while calculating of amount in Plant and Machinery

Other Issues:

Old notification no SO 1722(E) dt 5.10.2006 which excludes (Dies and Tools), Research and development, Installation of Plant and Machinery, Power Generator, Transformer, transportation, Electrical cables, bus bar, electrical control panel or safety measures. - Whether old notification is Valid ?

Plant and Machinery as per Income Tax Block which also include office equipment, Electrical Installation, Solar/Windmill unit, Factory Equipments, Dies and Tools, Moveable Hydra etc –

As per Income Tax Return Fixed Assets Block Plant and Machinery whether WDV Value will be considered or Addition during the year will be considered?



Example: As per Income tax Plant and Machinery WDV Value 01/04/2019 ₹ 11580847/- (Example 2012 Cost of Asset ₹ 5,00,00,000/-)

Addition during the year 2019-20 ₹ 5,50,00,000/-

Total Block Value will be ₹ (11580847+55000000) = ₹ 6,65,80,847/-

As per new notification Enterprises will be convert from lower to upper level (Mirco to small) while as per old notification original Cost of Plant and Machinery ₹ 5 Cr and additional purchase 5.5 Cr, Enterprises total investment ₹ 10.5 Cr will be cross from Micro to Medium

CASE-2 - if Assets sold by the enterprises as per Income Tax only sales proceeds to be reduced in Income Tax Fixed Assets Block Plant and machinery.

Actual assets in Hand will be Worth ₹ 2.5 Cr while as per Income Tax Return WDV it will be ₹ (11580847+5000000-5000000)= 1.61 Cr.

In said case only Assets worth ₹ 0.5 Cr. in hand instead of ₹ 1.61 Cr. Therefore Enterprise will be Small instead of Micro?

Other Issue:

No mandatory/penalties applicable for non-compliance to Supplier to print their Registration all Documents or Invoices.

RBI Bank rate to be published or update on MSME portal for user

All Suppliers' should compulsory upload their Outstanding Invoices exceeding 45 days along with Buyer name, Address, GSTNO, PAN, Invoice, Date, due date, Gross Sales, Outstanding Value, Buyer-email and contact number. Therefore, it gives more sense for fastening the procedure and cross check facilities for Facilitation Councils, ROC, and Income Tax.



Blessings in Disguise



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We now know (subconsciously) the meaning of HAPPINESS

“Those were the best days” “we were so much happier when we were younger”; “why did we grow old?” - How often do we hear these statements? - Almost all the time when we are catching up with our

folks and reminiscing our happy times.

I vividly remember every single evening of my junior college years, putting my jersey on, walking to the ground with a spring in my step and looking forward to the hour of ecstasy. Rains, exams or injury – nothing could stop us from playing Football. Play time was devoid of the daily clutter and distractions, it was pure satisfaction & happiness. I don't even remember how life caught on and this pleasure was lost somewhere between studies, internships & jobs. Not to mention the never ending competition and the pursuit of maximizing our time. Life became a sprint race, though on a marathon track; chasing the destinations, which actually were just checkpoints. From undergrad degree to a professional, from one best job to the next best, from bike to a hatchback, from Leh to Mt. Titlis, from credit cards to housing loans.

This pandemic has given life the much needed hibernation to put the paddle off the gas. Pre pandemic, everything we did was done out of obligation, we were slaves of our routines. We hardly took a breather to do things that we loved to do. Happiness is often limited and construed to professional & personal accomplishments, materialistic acquisitions & experiences. More often than not, it is short lived – as someone else will always be up the food chain. It's

rightly said “Comparison is the thief of happiness”. If our idea of happiness has an end result (a destination), we end up finding a new end result, a new destination, a new desire and it is imperative for the meaning of happiness to change with every end result.

The sudden change of routines with ample time & constrained movement – has led people to flirt with long lost hobbies, self-reflections, family time and long overdue chat with friends. Social media is blossoming with feeds ranging from painting, reading, cooking, and gardening to what not. We're experiencing happiness in small little things these days – be it the morning tea with the family, a quick board game, trying a new dish in the kitchen or even watering the plants in our balcony. I picked up a book, my wife a paintbrush and my mom embroidery – all the things which we used to do in the past. Not that suddenly we have all the time in the world – we are still juggling between household chores and the boundary less work hours. But come to think of it, was it just the paucity of time that did not let us do these things earlier? It is sad that we have stopped pursuing our hobbies and even more disheartening that the newer generations are not even cultivating one.

“To be really happy and really safe, one ought to have at least two or three hobbies, and they must all be real” - Winston Churchill

The whole world is going through a difficult time. There is stress, anxiety & gloom all over, however amidst all of this, people have found a treasure in minimalism. There is a happiness being found within this new normal. Happiness is in doing what we like, in enjoying the act of doing rather than the end result. Before COVID goes away and world starts running on its own pace again – I wish each one of us hinge on to this idea of Happiness and not let “what-we-have-to-do” conquer “what-we-like-to-do”.

While driving to work today, my eyes lit up seeing some kids playing football in the rain and I foolishly blurted - “Those were the best days”





RBI and Central Government vaccine (measures) to immune Banking, Financial and Economic Ecosystem



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Introduction

As we enter into fifth month since break out of COVID 19 in India, the pandemic has derailed the economy of the country. In order to contain the spread of the pandemic, Central, State and Local Body Governments have from time to time imposed lockdown of

different magnitude.

Needless to say, that banking system is the backbone of any country and its failure or slowdown could lead to multiple issues for India. Hence, GOI and RBI quickly came into action with a number of measures and reliefs post nationwide lockdown. We would be discussing the regulatory measures in length in this article.

Rescheduling of Payments - Term Loans and Working Capital Facilities

The RBI unveiled a measure by permitting all commercial banks, co-operative banks, AIFs and NBFCs to grant a moratorium of six months upto August 31, 2020 on all term loans as well as on working capital facilities on payment of all installments outstanding as on March 1, 2020. However, interest would continue to accrue on the outstanding portion of the loans during the moratorium period. This measure will be extremely helpful in lowering the burden for MSMEs.

Easing of Working Capital Financing

In respect of working capital facilities RBI has extended the deferment period for recovery of interest by six months, to August 31, 2020. It was also decided that lending institutions are permitted to convert the accumulated interest on working capital facilities over the deferment period into a funded interest term loan and they may also recalculate the 'drawing power' by reducing the margins till the extended period, i.e., August 31, 2020 and/or by reassessing the working capital cycle up to an extended period till March 31, 2021. The RBI also specified that such a move would not result in asset classification downgrade. This will provide banks a lot of leverage to make an informed assessment and in giving differentiated treatment to each and every industry depending upon the impact of COVID-19 on them.

Classification as Special Mention Account (SMA) and Non-Performing Asset (NPA)

In terms of the RBI Guidelines, if an installment is overdue by a period of 30 days, the borrower's account is classified as Special Mention Account - 1 (SMA-1) and if the installment is overdue by 60 days, the account is classified as Special Mention Account - 2 (SMA-2) and if the installment is overdue by a period of 90 days, the account is classified as Non-performing Asset (NPA).

RBI stated that for accounts, which were classified as standard (including SMA-2 accounts) as on February 29, 2020, there would be an asset classification standstill which means there will be no

movement, deterioration or upgradation, in the asset classification and until the end of the moratorium period, such accounts are not required to be classified as NPA.

Deferment of Implementation of Net Stable Funding Ratio (NSFR)

This move shall aid banks' ability to support credit requirements in the short term as they will have more time to raise new capital given the change in the environment due to COVID-19.

Deferment of Last Tranche of Capital Conservation Buffer

The capital conservation buffer (CCB) is designed to ensure that banks build up capital buffers during normal times (i.e., outside periods of stress) which can be drawn down in case losses are incurred during a stressed period. RBI had extended the deadline for meeting last tranche of CCB by another six months to September 30, 2020.

Provisioning

RBI mandated that if banks decided to extend the moratorium on any loans except for NPAs, they would have to make an additional provision of 10 percent, to be phased in two quarters ending March 2020 and June 2020.

Extension of Resolution Timeline

In the case of large accounts under default, Scheduled Commercial Banks, AIFs, etc. are required to hold an additional provision of 20 percent if a resolution plan has not been implemented within 210 days from the date of such default.

Due to the challenges faced in the resolution of stressed assets in the current volatile environment, RBI had extended the period for the resolution plan by 90 days. As per the notification dated May 23, 2020, lending institutions are permitted to exclude the entire moratorium/deferment period from March 1, 2020 to August 31, 2020 from the calculation of 30-day Review Period or 180-day Resolution Period, if the Review/Resolution Period had not expired as on March 1, 2020.

Distribution of Dividend

RBI decided that all banks shall not make any further dividend payouts from the profits pertaining to the financial year ended March 31, 2020 until further instructions. This restriction shall be reassessed for the quarter ending September 30, 2020.

Liquidity Coverage Ratio (LCR)

LCR is the proportion of high liquid assets set aside to meet short-term obligations. Banks are required to maintain LCR of 100 percent with effect from January 1, 2019. In order to accommodate the burden on banks' cash flows on account of the COVID-19 pandemic, banks were permitted to maintain LCR as under:

From date of circular to September 30, 2020 -	80 per cent
Oct 1, 2020 to March 31, 2021 -	90 per cent
April 1, 2021 onwards -	100 per cent

Limit on Group Exposures under the Large Exposures Framework

In view of the current difficulty in raising resources from capital markets, RBI increased the bank's exposure to a group of connected



counterparties from 25% to 30% of eligible capital base for enabling the corporate to meet their fund requirement from banks, upto June 30, 2021.

Measures to Support Exports and Imports:

Due to COVID-19 the exporters have been facing genuine difficulties such as delay / postponement of orders, delay in realisation of bills, etc..

Relaxation in Realisation and Repatriation of Export Proceeds

RBI had announced that the time period for realization and repatriation of export proceeds for exports made up to or on July 31, 2020, has been extended from nine months to fifteen months from the date of export. This measure is expected to help exporters by providing greater flexibility to negotiate future export contracts with buyers abroad and will realize their receipts, especially from COVID-19 affected countries within the extended period.

Export Credit

The maximum permissible period of pre-shipment and post-shipment export credit sanctioned by banks is increased from the existing one year to fifteen months, for disbursements made up to July 31, 2020.

Liquidity Facility for Exim Bank of India

In order to enable the EXIM Bank to meet its foreign currency resource requirements, RBI has decided to extend a line of credit of Rs 15,000 crore to Exim Bank for a period of 90 days (with rollover up to one year) so as to enable it to avail a US dollar swap facility.

Extension of Time for Payment for Imports

The RBI has decided to extend the time period for completion of outward remittances against normal imports into India from six months

to twelve months from the date of shipment for such imports made on or before July 31, 2020. This is expected to provide importers liquidity support, extra time to manage their dues and greater flexibility in managing their operating cycles.

Conclusion:

Though the measures adopted and implemented by RBI are temporary, so far these have been very effective to stabilize the volatile situation going on in the financial market. As COVID-19 continues to spread, both borrowers and lenders should be watchful of the compliance requirements which have not been relaxed and take appropriate steps to fulfil such obligations in a timely manner.

Sources-

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13th Virtual CPE Meeting on Tax Planning through Will and Nomination held on 2nd July 2020



Speaker- CA Vimal Punmiya, Welcome note - CA. Lalit Bajaj (Chairman - WIRC of ICAI), Session Chairman- CA. Ankit Rath (Chairman- Vasai Branch of WIRC) Coordinators – CA. Abhishek Tiwari (Vice Chairman – Vasai Branch), CA. Vijendra Jain (Secretary – Vasai Branch), CA. Lokesh Kothari (Treasurer – Vasai Branch), CA. Amit Agarwal (Committee Member – Vasai Branch) & CA. Daya Bansal (Coordinator)



14th & 15th Virtual CPE Meeting on Information System Audit held on 3rd & 5th July 2020



Speaker- CA. Rajat Agrawal, Session Chairman- CA. Ankit Rathi (Chairman- Vasai Branch of WIRC) Coordinators – CA. Vijendra Jain (Secretary – Vasai Branch) & CA. Amit Agarwal (Committee Member – Vasai Branch)

16th Virtual CPE Meeting on Information System Audit held on 7th July 2020



Speaker- CA. Amish Thakkar, Coordinators – CA. Abhishek Tiwari (Vice Chairman – Vasai Branch) & CA. Lokesh Kothari (Treasurer – Vasai Branch)

17th Virtual CPE Meeting on Insolvency Professional held on 8th July 2020



Speaker- CA. Navin Khandelwal & CA. Rohit Khandelwal, Welcome note - CA Sandip Jain (Past Convenor of Bhayander CPE Study Circle), Session Chairman- CA. Ankit Rathi (Chairman- Vasai Branch of WIRC) Coordinators – CA. Vijendra Jain (Secretary – Vasai Branch), CA. Lokesh Kothari (Treasurer – Vasai Branch) & CA. Amit Agarwal (Committee Member – Vasai Branch)

18th Virtual CPE Meeting on Planning for Finance Act 2020 held on 11th July 2020



Speaker- CA. Vimal Punmiya, Welcome note - CA. Vimal Agarwal (Branch Nominee and Regional Council Member), Session Chairman- CA. Ankit Rathi (Chairman- Vasai Branch of WIRC) Coordinators – CA. Abhishek Tiwari (Vice Chairman – Vasai Branch), CA. Vijendra Jain (Secretary – Vasai Branch), CA. Lokesh Kothari (Treasurer – Vasai Branch), CA. Xavier Rajan (Immediate Past Chairman - Vasai Branch) & CA. Amit Agarwal (Committee Member – Vasai Branch)



19th Virtual CPE Meeting on Future Ready Profession held on 19th July 2020



Speaker- CA. P Ramesh, Welcome note - CA. Prafulla Chhajed (Immediate Past President, ICAI), Coordinators – CA. Abhishek Tiwari (Vice Chairman – Vasai Branch), CA. Vijendra Jain (Secretary – Vasai Branch), CA. Lokesh Kothari (Treasurer – Vasai Branch) & CA. Amit Agarwal (Committee Member – Vasai Branch)

20th Virtual CPE Meeting on Art of Presentation held on 24th July 2020



Speaker- CA. Sagar Talreja, Welcome note - CA. Xavier Rajan (Immediate Past Chairman - Vasai Branch), Coordinators – CA. Abhishek Tiwari (Vice Chairman – Vasai Branch), CA. Vijendra Jain (Secretary – Vasai Branch) & CA. Amit Agarwal (Committee Member – Vasai Branch)

21st Virtual CPE Meeting on Career Approach - A Road Map (Rising to the Challenge) held on 25th July 2020



Speaker- CA. Vivek Shah & CA. Hrudayesh Pankhania, Coordinators – CA. Abhishek Tiwari (Vice Chairman – Vasai Branch), CA. Vijendra Jain (Secretary – Vasai Branch) & CA. Amit Agarwal (Committee Member – Vasai Branch)



Webinar on How to Study in Covid 19 Pandemic (WICASA) held on 9th July 2020



Speaker- CA. Bhanwar Borana, Welcome note - CA. Jay Chhaira (CCM), Session Chairman- CA. Ankit Rathi (Chairman- Vasai Branch of WIRC) Coordinators – CA. Abhishek Tiwari (Vice Chairman – Vasai Branch), CA. Vijendra Jain (Secretary – Vasai Branch), CA. Lokesh Kothari (Treasurer – Vasai Branch), CA. Sorabh Agrawal (Chairman- Vasai Branch of WICASA), CA. Amit Agarwal (Committee Member – Vasai Branch) & WICASA Team – Ms. Priya Parekh & Mr. Arvind Karwa

Webinar on Personality Development (WICASA) held on 17th July 2020



Speaker- CA. Hrudyesh Pankhania, Coordinators – CA. Vijendra Jain (Secretary – Vasai Branch), CA. Amit Agarwal (Committee Member – Vasai Branch), WICASA Team - Ms. Priya Parekh & Ms. Riya Hetampururia

Editor: CA. Ankit Rathi Published by Vasai Branch of Western India Regional Council of The Institute of Chartered Accountants of India at Finesse Graphics and Prints Pvt. Ltd., 309, Parvati Ind. Est., Sun Mill Compound, Lower Parel, Mumbai 400 013. Tel. : 4036 4600

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