



# ASC

# GST Times

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Compiled by: GST Team, ASC Group

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## Message from Director

Dear Reader,

I would like to express my gratitude for taking out your valuable time to read our monthly newsletter "GST Times". We are particularly grateful to our regular reader for unwavering support to keep the knowledge-sharing initiative alive in the form of monthly newsletter, articles, knowledge videos, etc



GST is now the single largest indirect tax levied within India on the supply of goods and services which impacts every individual or business staying/operating in India. In such situation, it becomes essential to keep ourselves updated with all compliances and government notification related to GST.

Our objective of releasing this newsletter is imparting expert analysis and knowledge on all GST-related clarifications, circular, notifications, periodic updates, news, government policies, etc. We also combine the "Compliance Calendar" in this newsletter giving the due date on GST to make sure you file before the due dates.

We, as ASC, always believe in strengthening the relationship between our clients. We understand and value holistic growth through our expert consultancy services in the field of taxation, assurance, financial and legal dimensions.

I am hopeful that reading this newsletter would be rewarding to the readers. This small initiative shall go a long way in building our healthy relationships and create the platform to work together in near future. I would like to request my readers to kindly share your valuable comments & suggestions on this initiative for its further improvisation.

ASC Group, continues to leader for financial, legal, taxation, secretarial and business consulting firm for 27+ years, operation in 9 location globally with 1000+ functional clients. Our team of 300+ professionals consists of experienced Chartered Accountant, Companies Secretaries, Lawyers, Investment Advisory, and Management Consultant who continuously contribute towards the ease o doing business across the world.

I wish to close my note with the words "Content could be anything, but it should add value to the reader's life".

**Deepak Kumar Das**  
Director  
ASC Group

# Compliance Calender

S.no.	Due Date	Forms	period	Description
1	10.06.2023	GSTR-7	May 2023	Summary of Tax Deducted at Source (TDS) and deposited under GST laws
2	10.06.2023	GSTR-8	May 2023	Summary of Tax Collected at Source (TCS) and deposited by e-commerce operators under GST laws
3	11.06.2023	GSTR-1	May 2023	GST Filing of Outward Supply Statement by a registered person with aggregate turnover exceeding INR 5 Crores during the preceding financial year or any registered person have opted to file monthly return.
4	13.06.2023	GSTR-1 (IFF)	May 2023	Details of B2B Supply of a registered person with turnover up to INR 5 Crores during the preceding year and who has opted for quarterly filing of return under QRMP.
5	13.06.2023	GSTR-6	May 2023	Details of Input Tax Credit (ITC) received and distributed by an Input Service Distributors (ISD).
6	13.06.2023	GSTR-5	May 2023	Summary of outward taxable supplies and tax payable by a non-resident taxable person.
7	20.06.2023	GSTR-5A	May 2023	Summary of outward taxable supplies and tax payable by a person supplying OIDAR services.
8	20.06.2023	GSTR-3B	May 2023	GST Filing of returns by a registered person with aggregate turnover exceeding INR 5 Crores during the preceding financial year.
9	25.06.2023	PMT-06	May 2023	Payment of GST by Registered person opted to file return under QRMP Scheme.
10	28.06.2023	GSTR – 11	May 2023	Statement of inward supplies received by persons shaving Unique Identification Number (UIN)

## Micro & Small Businesses Fear Unfair License Cancellation Amidst GST Drive's Physical Visits

The Goods and Services Tax (GST) drive has been a significant reform in India's taxation system since its implementation in July 2017. It aimed to streamline the indirect tax structure and create a unified market across the country. While GST has simplified the tax process for many businesses, micro and small enterprises are now apprehensive about the potential unfair cancellation of their licenses due to the recently introduced physical visitations.



### Challenges Faced by Micro and Small Businesses

Micro and small businesses, often operating on a smaller scale, have limited resources compared to larger enterprises. They face several challenges while complying with GST regulations, including lack of awareness, limited technical expertise, and financial constraints. In many cases, these businesses depend on accountants or tax consultants to navigate the complexities of the tax system.

### Unfair License Cancellation Concerns

Recently, the tax authorities have initiated physical visits to verify the compliance of GST-registered businesses. While this move is aimed at curbing tax evasion and ensuring proper adherence to GST norms, it has raised concerns among micro and small business owners. The fear of unfair license cancellation has become a pressing issue, leading to increased uncertainty and anxiety in this sector.

One of the main concerns is the subjectivity involved in the physical verification process. Since the visits rely on the judgment of tax officials, there is a possibility of inconsistent evaluations and potential biases. Micro and small businesses worry that their licenses could be cancelled based on arbitrary or unfair assessments, despite their genuine efforts to comply with GST regulations.

### Lack of Clarity and Guidance

Another significant challenge faced by micro and small businesses is the lack of clear guidelines and comprehensive information regarding the physical visitation process. The ambiguity surrounding the criteria for license cancellation further fuels their anxiety. Business owners are uncertain about the specific areas that tax officials will focus on during the visits and how their compliance will be evaluated.

Furthermore, the lack of proper communication channels between the tax authorities and micro and small businesses exacerbates the situation. Without adequate guidance and support, these businesses find themselves struggling to prepare for the visits, leaving them vulnerable to potential license cancellations.

### **Impact on Micro and Small Businesses**

The fear of license cancellation not only affects the morale of micro and small business owners but also hampers their growth and survival. Losing the GST registration can disrupt their operations, lead to financial losses, and result in a loss of credibility in the market. Additionally, the time and resources required to reapply for the license can be burdensome for businesses that are already operating on tight budgets.

### **Call for Fairness and Transparency**

Micro and small businesses play a crucial role in India's economy, providing employment opportunities and contributing to local communities. It is imperative that the GST drive ensures fairness and transparency in the physical visitation process. Tax authorities must provide clear guidelines, establish objective evaluation criteria, and conduct the visits in a consistent and unbiased manner.

### **Collaboration and Support**

To address the concerns of micro and small businesses, it is crucial for the government and tax authorities to collaborate with industry associations and trade bodies. This collaboration can help establish effective communication channels, provide guidance, and conduct awareness campaigns to educate businesses on GST compliance.

### **Conclusion**

While the GST drive has brought positive changes to India's tax system, the fear of unfair license cancellation during physical visits is casting a shadow over micro and small businesses. It is essential for the authorities to address these concerns, provide clarity, and ensure transparency in the evaluation process. By supporting and empowering these businesses, the GST drive can truly become a catalyst for their growth and contribute to the overall development of the Indian economy.

## **Delhi High Court Orders Refund of GST to DNB Candidates: A Victory for Education Equality**

In a significant ruling, the Delhi High Court has recently ordered the refund of Goods and Services Tax (GST) collected from candidates appearing for Diplomat National Board (DNB) examinations. The decision comes as a relief to DNB candidates who had been burdened with GST charges on their examination fees. This landmark judgment highlights the court's recognition of the unique nature of DNB courses and the need to exempt them from the purview of GST.



## **Background**

The Diplomate National Board is a renowned medical education institution in India that offers postgraduate courses and qualifications in various medical specialties. As part of the admission and examination process, candidates are required to pay fees to the National Board of Examinations (NBE), which conducts the DNB examinations. Until now, these candidates were also liable to pay GST on top of their examination fees.

## **The Court's Rationale**

The Delhi High Court, presided over by a division bench of justices, examined the issue of GST levied on DNB candidates and the legality of such collection. The court considered the fact that the DNB courses are recognized by the Medical Council of India (MCI) and are equivalent to postgraduate degrees offered by universities. Moreover, the court acknowledged that the examination fees charged by the NBE were purely for educational purposes and not for the provision of any specific service.

The judgment highlighted that GST is primarily applicable to services provided by an institution or organization in exchange for consideration. However, in the case of DNB examinations, the fees paid by candidates are solely for educational purposes and do not fall within the ambit of GST. The court emphasized that the imposition of GST on DNB candidates was unjustified and amounted to a burden on their right to education.

## **Implications of the Decision**

The Delhi High Court's order for the GST refund collected from DNB candidates has significant implications for both the candidates and the education system as a whole. Candidates who have paid GST on their examination fees will now be entitled to seek a refund from the concerned authorities.

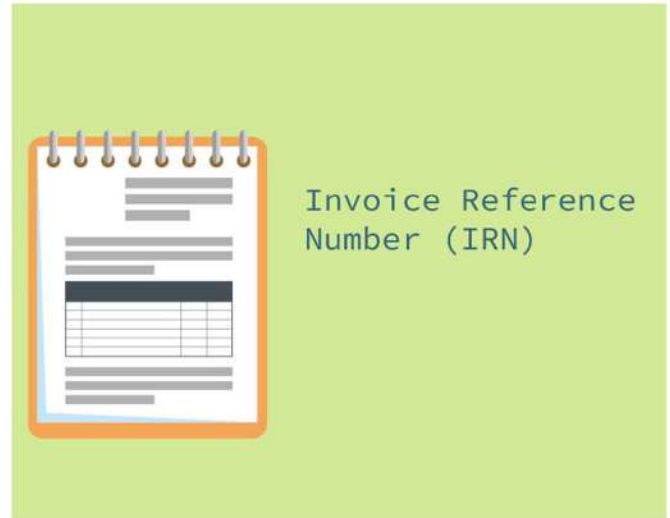
This ruling sets an important precedent for other similar professional examinations and courses, highlighting the need to reassess the applicability of GST on educational fees. It raises questions about the taxation of educational services and underscores the importance of ensuring affordable education for students pursuing specialized courses.

## **Conclusion**

The Delhi High Court's directive to refund the GST collected from DNB candidates is a welcome relief for these aspiring medical professionals. The court's decision recognizes the unique nature of DNB courses and the need to exempt them from GST charges. This ruling serves as a significant step toward fostering a more accessible and affordable education system, ensuring that financial burdens do not hinder the pursuit of specialized qualifications. It is expected that this landmark judgment will encourage further deliberation on the taxation of educational services and lead to reforms that prioritize the interests of students.

## GSTN Enables Retrieval of IRN through Document Numbers

The Goods and Services Tax Network (GSTN), the backbone of India's Goods and Services Tax (GST) system, has recently implemented a significant upgrade to its functionality. This latest enhancement allows taxpayers to easily retrieve the Invoice Reference Number (IRN) by utilizing the Document Number associated with their invoices. The introduction of this feature streamlines the process of managing and tracking invoices, improving efficiency and reducing complexities for businesses.



### Streamlining Invoice Reference Number Retrieval

Previously, taxpayers were required to maintain separate records and reference numbers for each invoice generated. This process occasionally led to confusion and inefficiencies, as businesses had to manually correlate invoice details with their corresponding IRNs. However, the new functionality implemented by the GSTN now enables taxpayers to quickly access the IRN directly using the Document Number associated with each invoice.

### Benefits for Taxpayers

**Enhanced Efficiency:** With the new functionality, taxpayers can eliminate the need for manual cross-referencing between invoices and IRNs. This significantly reduces administrative burdens and enhances operational efficiency.

**Simplified Tracking:** The ability to find IRNs through Document Numbers simplifies the process of tracking invoices and related tax compliance activities. Taxpayers can now easily retrieve the required IRN for any specific invoice, streamlining record-keeping and auditing processes.

**Error Reduction:** By automating the retrieval of IRNs, the chances of errors and discrepancies in the invoice reconciliation process are minimized. This feature ensures accurate reporting and prevents potential mismatches in the GST filing process.

### Implementation and User Experience

To avail themselves of this functionality, taxpayers need to access the GSTN portal or utilize compatible GST software. Users can input the Document Number associated with a particular invoice, and the system will retrieve the corresponding IRN. This seamless integration allows for a user-friendly experience and quick access to vital information.



## **GSTN's Commitment to Improvements**

The implementation of the feature to find IRNs using Document Numbers reflects GSTN's commitment to constantly enhancing the GST system's functionality. By addressing user feedback and streamlining processes, the GSTN aims to provide taxpayers with an efficient and user-friendly platform for their tax compliance obligations.

## **Conclusion**

The recent introduction of the functionality by the GSTN, enabling taxpayers to retrieve IRNs through Document Numbers, marks a significant step towards simplifying invoice management and tracking. This enhancement streamlines operations for businesses, increases efficiency, and reduces potential errors in the GST filing process. As GSTN continues to improve its services, taxpayers can look forward to further advancements that facilitate their compliance with GST regulations.

## **CBIC Introduces Automated Return Scrutiny Module for GST Returns**

The Central Board of Indirect Taxes and Customs (CBIC) has recently implemented an advanced solution aimed at streamlining the scrutiny process for Goods and Services Tax (GST) returns. The new system, known as the Automated Return Scrutiny Module, has been integrated into the ACES-GST backend application, catering specifically to Central Tax Officers. This ground breaking technology is expected to enhance efficiency, accuracy, and transparency in the GST return scrutiny process, thereby strengthening compliance and reducing the scope for tax evasion.



## **Automating Return Scrutiny with ACES-GST Backend Application**

The ACES-GST backend application has been a vital tool for tax authorities to manage GST-related activities. With the introduction of the Automated Return Scrutiny Module, the CBIC has taken a significant step forward in leveraging technology to improve the tax administration process. The module harnesses the power of automation and data analytics to analyze GST returns filed by taxpayers and identify potential discrepancies, anomalies, or non-compliance issues.

## **Key Features and Benefits:**

**Smart Data Analytics:** The Automated Return Scrutiny Module utilizes sophisticated data analytics algorithms to analyze GST returns in real-time. It can swiftly detect irregularities, such as mismatches in invoice details, incorrect input tax credit claims, or suspicious transaction patterns, enabling tax officers to focus their attention on high-risk cases efficiently.

**Risk-Based Selection:** The system employs a risk-based selection methodology, wherein it assigns risk scores to individual taxpayers based on predefined parameters and criteria. Taxpayers with higher risk scores are subjected to more thorough scrutiny, while compliant taxpayers are subjected to minimal intervention, reducing the compliance burden on honest businesses.

**Real-Time Alerts and Notifications:** Central Tax Officers receive real-time alerts and notifications through the ACES-GST backend application whenever the Automated Return Scrutiny Module identifies potential non-compliance. This feature ensures timely intervention and enables officers to take necessary actions promptly, such as initiating further investigation or issuing notices to taxpayers.

**Increased Efficiency and Transparency:** The automated scrutiny module eliminates the need for manual intervention in routine cases of GST return scrutiny, enabling tax officers to focus on complex and high-risk cases. It leads to increased efficiency in the overall scrutiny process and enhances transparency, as all actions taken by the system are logged, providing an audit trail of activities performed by tax officers.

**Enhanced Compliance and Revenue Generation:** By leveraging advanced technology and data analytics, the CBIC aims to strengthen compliance among taxpayers. The automated scrutiny module helps identify and address non-compliance effectively, thereby boosting revenue collection and creating a level playing field for businesses operating under the GST regime.

## Conclusion

The introduction of the Automated Return Scrutiny Module in the ACES-GST backend application marks a significant milestone in the GST administration process. The CBIC's initiative to leverage automation and data analytics for scrutinizing GST returns is expected to enhance the effectiveness, efficiency, and transparency of the tax system. By adopting such advanced technologies, the CBIC aims to foster compliance, reduce tax evasion, and ensure a fair and efficient taxation regime for the benefit of both the government and taxpayers.

## CBIC Reduces E-Invoicing Limit to 5 Crore from August 01, 2023

In a significant move aimed at further streamlining the invoicing process and promoting digitalization, the Central Board of Indirect Taxes and Customs (CBIC) has announced a reduction in the e-invoicing threshold from 10 crore to 5 crores. Effective from August 01, 2023, this decision is expected to impact a large number of businesses in India. The CBIC's decision comes as part of its ongoing efforts to enhance transparency, ease compliance, and facilitate the seamless flow of data across the Goods and Services Tax (GST) network.

**Reduced E-Invoicing Threshold:** The existing e-invoicing threshold of 10 crore, introduced in 2020, has proven to be a beneficial step in improving the invoicing process for businesses. E-invoicing, a digital method of generating and reporting invoices, allows for real-time validation and seamless integration with

the GSTN. It reduces errors, enhances data accuracy, and curbs tax evasion. Recognizing the positive impact, the CBIC has decided to lower the threshold further to include a larger number of businesses within the e-invoicing ambit.

**Benefits of the Reduced Limit:** The reduction of the e-invoicing threshold to 5 crores is expected to bring several advantages for businesses and the government alike:

**Enhanced Compliance:** With a lower threshold, more businesses will be required to generate e-invoices, ensuring better compliance with GST regulations. This move will lead to a broader tax base and a reduction in tax evasion.

**Improved Input Tax Credit (ITC) Claim Process:** E-invoicing facilitates the automatic reconciliation of input tax credit, reducing errors and discrepancies. By expanding the e-invoicing scope, businesses can expect a smoother ITC claim process.

**Seamless Integration:** The e-invoicing system integrates directly with the GSTN, ensuring real-time sharing of data. This integration streamlines the overall taxation process and reduces the burden of manual data entry.

**Curbing Tax Evasion:** E-invoicing provides a digital trail of transactions, making it easier for tax authorities to track and identify instances of tax evasion. By including more businesses within the e-invoicing framework, the CBIC aims to further strengthen its efforts against tax evasion.

**Preparation and Awareness:** With the implementation of the reduced e-invoicing limit just a couple of months away, businesses are advised to start preparing for the change. This includes upgrading their invoicing systems to comply with the new threshold and ensuring their technical infrastructure can support the increased volume of e-invoices.

The CBIC, along with the GST Network, is expected to conduct awareness campaigns and provide guidance to businesses regarding the revised e-invoicing threshold. It is crucial for businesses to stay updated with the latest information and seek professional advice, if necessary, to smoothly transition to the new requirements.

#### **Conclusion:**

The CBIC's decision to reduce the e-invoicing threshold from 10 crore to 5 crore starting from August 01, 2023, marks a significant step towards promoting digitalization and enhancing tax compliance. By expanding the scope of e-invoicing, the government aims to bring more businesses within the ambit of seamless and automated invoicing processes. While the change may require some adjustments from businesses, it is expected to yield long-term benefits such as improved compliance, streamlined processes, and reduced tax evasion.

## ITC can be claimed during revocation of cancelled GST registration

The Hon'ble Rajasthan High Court in *M/s R.K. Jewelers v. Union of India* [D.B. CWP No. 4236 of 2023 dated April 26, 2023] has made an important decision regarding the revocation of cancelled GST registration and Input Tax Credit (ITC) claims. The case involved a petition filed by M/s R.K. Jewelers challenging the cancellation of their GST registration on the grounds of non-filing of GST return.

The Court observed that a notification dated March 31, 2023 had been issued, according to which, the cancellation of registration due to non-filing of GST return could be revoked if certain conditions are met. The Court held that the Petitioner was covered under the notification and can file an application before the competent authority for the restoration of their GST registration subject to fulfilment of the specified conditions.

The Court directed the Petitioner to file an application for the restoration of their GST registration before the competent authority. It further clarified that during the revocation process, the Petitioner is entitled to claim ITC for the period from the cancellation of the registration till the restoration of the registration.

The relevant provision for the case was Section 30 of the Central Goods and Services Tax Act, 2017, which deals with the revocation of cancellation of registration. The section allows a registered person whose registration is cancelled to apply for the revocation of cancellation under certain conditions, subject to restrictions and within a specified period.

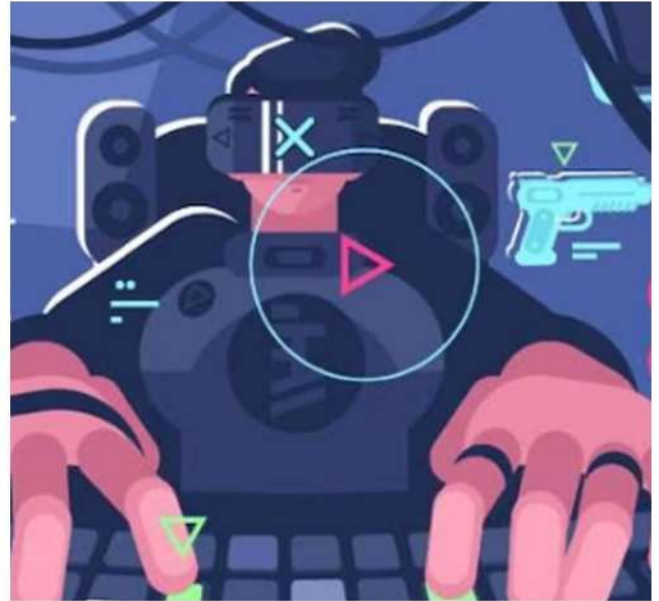
This decision by the Hon'ble Rajasthan High Court provides some relief to taxpayers whose GST registration has been cancelled due to non-filing of returns. They can now apply for the revocation of cancellation and claim ITC during the revocation process. However, it is important to note that the restoration of registration and ITC claims are subject to fulfilment of specified conditions and restrictions as prescribed by the competent authority.



## Online Gaming to Attract Investment with Finalized Tax Policy

Finance Minister Nirmala Sitharaman has stated that the online gaming industry in India has the potential to attract significant investment once the tax policies for the sector are finalized. Speaking at a recent event, she highlighted the importance of the sector as a source of revenue for the government, as well as a driver of economic growth and job creation.

The online gaming industry in India has grown rapidly in recent years, driven by the increasing popularity of mobile devices and high-speed internet connectivity. According to a report by KPMG, the sector is expected to reach a value of \$2.8 billion by 2022, up from \$1.1 billion in 2019.



However, the industry has faced challenges in terms of regulation and taxation. Currently, online gaming is not explicitly recognized as a separate category by the government, and it falls under the purview of various laws and regulations. This has resulted in confusion and uncertainty among industry players, and has also hindered investment in the sector.

In order to address these issues, the government has been working to develop a clear policy framework for the online gaming industry. This includes consultations with industry stakeholders and experts, as well as discussions with state governments on how to regulate and tax online gaming.

Once the tax policies for the sector are finalized, Sitharaman believes that the online gaming industry will be able to attract significant investment. She noted that the sector has the potential to generate a significant amount of revenue for the government, which could be used to fund various social and developmental initiatives.

The Finance Minister also emphasized the importance of ensuring that the online gaming industry operates in a responsible and sustainable manner. This includes measures to prevent problem gambling and to protect the interests of consumers.

Overall, the comments by Sitharaman are a positive sign for the online gaming industry in India. With the right policies and regulations in place, the sector has the potential to become a major source of revenue and employment in the country.

## India achieves highest-ever GST Collection in April 2023 - Significant boost for economy

In a significant boost to the Indian economy, Prime Minister Narendra Modi lauded the highest-ever Goods and Services Tax (GST) collection in the month of April 2023. According to reports, the GST collection for April 2023 touched a record high of Rs 1.78 lakh crore, surpassing the previous high of Rs 1.41 lakh crore collected in April 2022.

The Prime Minister, in a tweet, expressed his delight at the record GST collection and said that it is a testament to the resilience of the Indian economy. He further added that the government is committed to strengthening the economy and ensuring its growth in the coming years.



The GST is a comprehensive indirect tax that was introduced in India on July 1, 2017, to replace multiple indirect taxes such as excise duty, service tax, and value-added tax. The GST has been implemented with the aim of simplifying the indirect tax regime in the country and bringing in a uniform tax structure.

The record GST collection in April 2023 is seen as a positive development for the Indian economy, which has been struggling due to the impact of the COVID-19 pandemic. The pandemic has had a severe impact on various sectors of the Indian economy, and the record GST collection is expected to provide some relief.

Experts believe that the record GST collection is due to various factors, including the increase in economic activity, improved compliance, and the government's efforts to clamp down on tax evasion. They also attribute the increase in GST collection to the implementation of the e-invoicing system, which has helped in tracking transactions and identifying tax evaders.

The government has been taking several measures to revive the Indian economy, which has been severely affected by the COVID-19 pandemic. The government has announced various relief measures, including providing financial assistance to businesses and individuals, lowering interest rates, and increasing public spending.

In conclusion, the record GST collection in April 2023 is a significant milestone for the Indian economy, and it is expected to provide a much-needed boost to the economy. The government's efforts to strengthen the economy and ensure its growth in the coming years are likely to yield positive results, and the Indian economy is expected to bounce back strongly from the impact of the COVID-19 pandemic.

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