

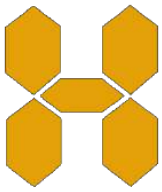


HAPPY
2020
NEW YEAR



State Elections

Active



STORY

Sometimes a story can teach much more than entire philosophical treatise.



Hive Calendar for 2020 is available.

Write to

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to get your copy.

In a lake, there were three fish who were great friends. The first fish was very smart, the second one knew how to find his way out of trouble, and the third was adamant and hated changes. The first fish overheard a fisherman's conversation about coming back the next day and fishing in the lake. Sensing danger, he cautioned his friends to move out of the lake. The second fish said, "I will stay here and find a way out if I'm caught." The third fish said, "I do not want to move out. I will remain here, and if I have to get caught, I will." The first fish moved out. The next day, the fisherman arrived and caught the other two fish. The second one cleverly escaped by pretending to be dead. The third fish did nothing and got caught and died.

One should always be open to change and adapt. Take immediate action when you sense danger.

03 # Delhi State Elections

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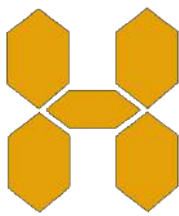


06 # Intellectual Property Rights - III

08 # Case Study Hive

10 # GST Series - 22

11 # By2Coffee



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The Bharatiya Janata Party (BJP) lost power in Delhi in 1998, when the Sushma Swaraj government fell to rising prices of vegetables particularly onions, in the Delhi Assembly election. For more than 21 years, the BJP has been trying to get back to power albeit unsuccessfully.

Though BJP came closest to forming a government in 2013 but falling short of majority mark, it chose to claim high moral ground by not staking claim to form government. Kejriwal with outside support of the Congress lead a minority government later resigned after 49 days. He returned with biggest ever majority for any party in Delhi in 2015 assembly election.

Now, five years later, the BJP still banks on the Modi wave and the AAP on Kejriwal's positive agenda of governance. Thought it was presumed that Modi wave was on the wane, but Narendra Modi returned as the prime minister with the BJP winning an even bigger majority in 2019. And, despite protests, PM Modi continues to be the biggest vote aggregator in Indian politics.

- ❖ The BJP has not won Delhi Assembly election since 1998
- ❖ AAP banks on populist schemes of Kejriwal government for third term in Delhi
- ❖ Delhi will vote for all 70 assembly seats on February 8, results expected on February 11

Who Rules Delhi BJP?

The BJP is facing its own set of problems in Delhi. Factionalism is one big impediment that even the party insiders say may keep the BJP in the also-ran category beside the Congress in Delhi Assembly election. Harsh Vardhan may be a choice for Chief minister of Modi-Shah for BJP to trounce the ruling party.

Anti CAA Protests:

Continued protest against the Modi government over a range of issues emerging primarily from enactment of the Citizenship Amendment Act (CAA) is another challenge for the BJP in Delhi election.

Though there appears to be a silence among community opinion leaders, it is understood that they will resort to tactical voting in the Delhi Assembly election. This may benefit the Kejriwal government in beating anti-incumbency



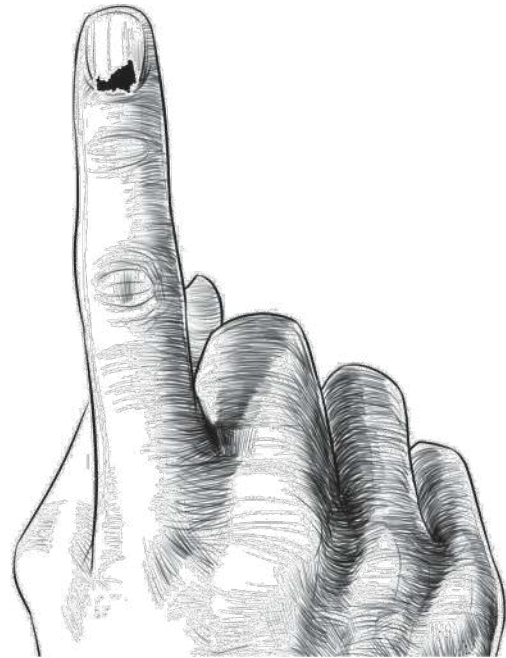


To counter negative perception, the BJP has tweaked its campaign strategy for the Delhi election and adopted the AAP-like electioneering. The BJP leaders are forming small groups and holding corner meetings in each of 70 assembly constituencies.

Kejriwal's Politics of Populism

BJP is finding hard to counter the freebies offered by the Kejriwal government, which implemented schemes for free water, free electricity for power consumption of up to 200 units, free treatment up to Rs 5 lakh even in private hospitals if the government hospitals cannot provide treatment within 30 days and to improve school education administration.

The BJP has adopted the strategy of alleging scam in health and education departments under the Kejriwal government. But the cries of scams seem to have been losing their electoral value in India's politics.



Incidentally, anti-corruption drive that was the main election plank of the AAP in 2015 is not a talking point in 2020 Delhi Assembly election. The possible reason for the diminished role corruption-free government in Delhi election could be that both PM Modi and CM Kejriwal have built their reputation of non-corruptible politicians. Recently, Kejriwal invoked PM Modi's anti-corruption drive at a public event.

AAP's shift from Left to Right

Kejriwal has been seen portraying his Hindu identity through posting of photographs showing him in performing yajnas and maintaining silence on issues that have been perceived to be issues of Muslims. His stand on the CAA and protests against it shows that he might be wary of antagonizing Hindu sentiments by seemingly siding with Muslims. Earlier, he supported the Modi government's Article 370 move in Jammu and Kashmir, and his government prominently advertised the Teerth Yatra programme last year.

This explains why posters were seen in Delhi recently with slogan -- Modi for Centre, Kejriwal for Delhi. Some of these posters had been undersigned by BJP workers.



IN DELHI'S 2020 MATCH,

**IT'S ARVIND KEJRIWAL'S DILEMMA VERSUS
NARENDRA MODI'S DOLE**



What are Registrable Trademark???



Image/ Quality of Product



Government

The Trademarks Act, 1999

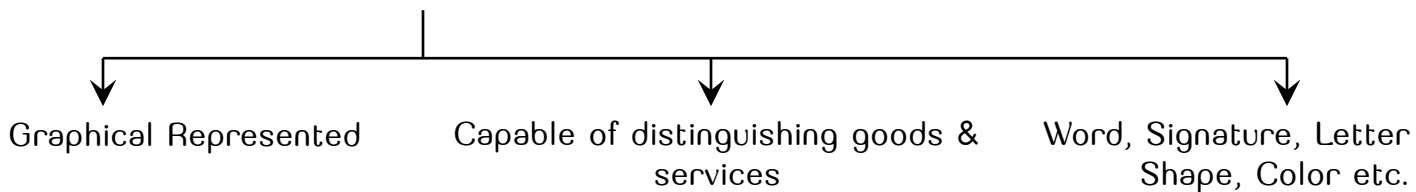
- Exclusive Rights
- Graphical Image
- For Fixed Period

Conveyor of Image, Quality, Value of Products - Distinct Personality & Identification

Rights Conferred on Registration

- Right to Use/ Exploit
- Right to Transfer
- Right to Surrender
- Right to sue on infringement

What are Trademark Subject Matter??



How to Register for Trademark??

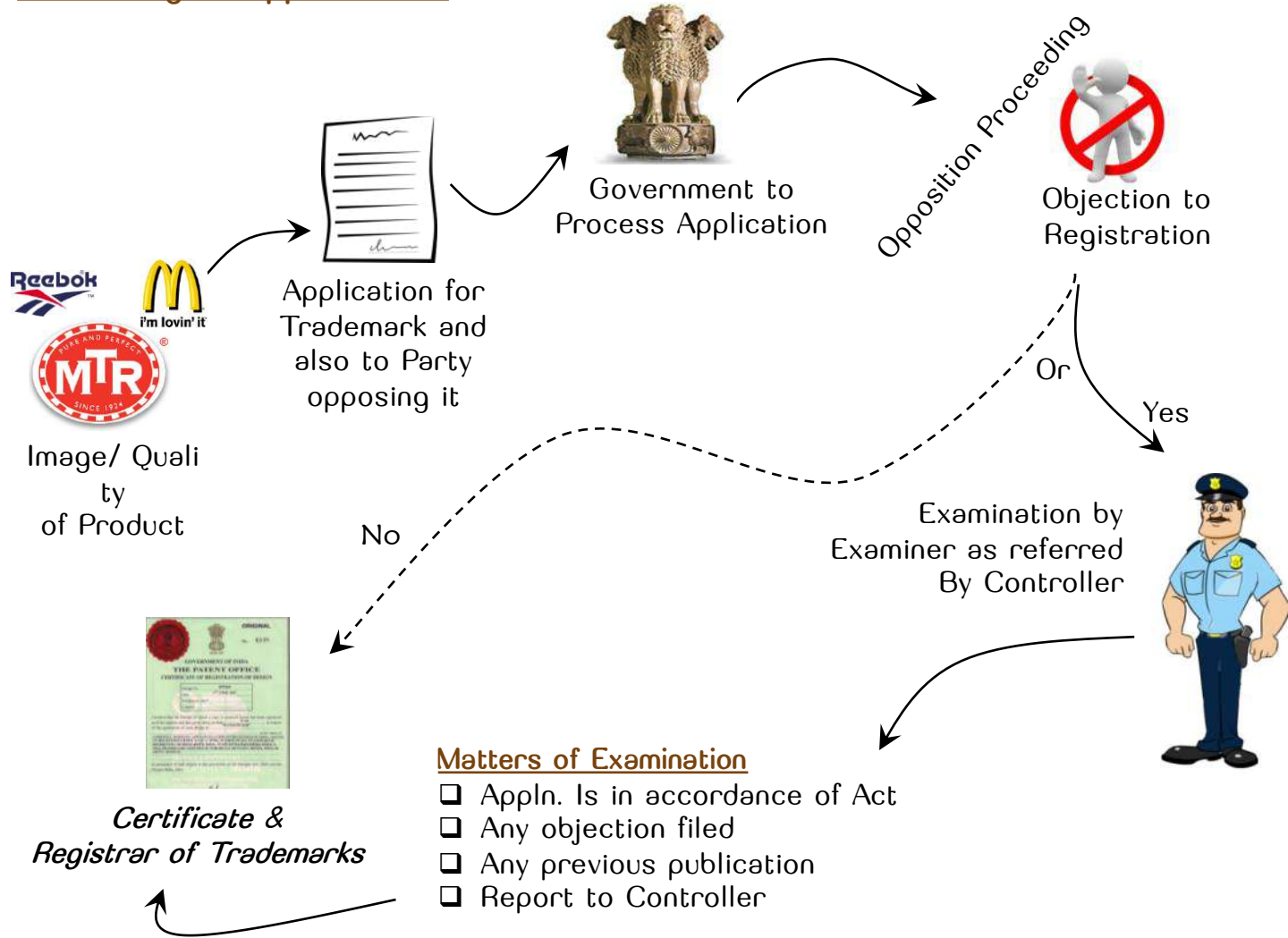
- Form TM-1 - Application to be filed along with prescribed fee
- Also give the application to every person who claims or has any interest in the Subject matter of the copyright.

Register of Copyrights:

- Shall be maintained by the Registrar. Every registration made shall be entered.
- Any person is entitled to take copies/ extracts of the register
- Shall be the prima facie evidence of particulars entered therein
- The registrar is under obligation to publish every entry made in the Register in the Official Gazette.



Processing of Application :-



Good Trade Mark:

- Distinctiveness or capable of distinguishing a good/ service
- Can be a word, letter, device, logo, symbol or number
- Easy to speak/ spell/ remember
- Single word/ to be short & Appeal to the eye
- Should not belong to class of marks prohibited for registration
- Should not adopt, imitate other person's trademark
- Should not contain geographical names connected with reputation
- Better to conduct a preliminary survey

Contact: <http://www.ipindia.nic.in/>

Head Office: Mumbai



Baby Memorial Hospital Ltd. v ACIT [Coch Trib]

Foreign exchange loss arising out of foreign currency fluctuations in respect of loan in foreign currency used for acquiring fixed assets should be allowed as revenue expenditure by charging same into Profit and Loss account and not as capital expenditure by deducting same from cost of respective fixed assets.



Butterfly Marketing P. Ltd. v. DCIT [Chen Trib]

Where property already given on 99 years lease was sold to lessee itself and apart from consideration which was higher than stamp duty value, compensation was received towards termination of lease, compensation so received was for loss of source of income which was to be considered as capital receipt, and as not revenue receipt.

Shankala Realtors P. Ltd. v. ITO [Mum Trib]

In case of transfer of immovable property, it is date of execution of registered document, and not date of delivery of possession or date of registration of document which is relevant; therefore, once executed documents are registered, transfer will take place on date of execution of documents and not on date of registration of documents

PCIT v. Dishman Pharmaceuticals & Chemicals Ltd. [Guj HC]

Once prior period income was held to be taxable, prior period expenditure should also be allowed to be set off and assessee was not obliged in law to indicate any direct or indirect nexus between prior period income and prior period expenditure

Bata India Ltd. v. DCIT [Kol Trib]

Where in consonance with AS-19, lease rent expenditure was recognized on straight-lining basis, which led to creation of additional lease rental liability in relevant assessment year, it would be deductible while computing profits of business.

Ambuja Cements Ltd.. v. DCIT [Mum Trib]

Amalgamated company is entitled to claim set off of carried forward MAT credit of its amalgamating company





Kamal Kumar Kalia v. Union of India [Del HC]

Retirees of PSUs & nationalised banks cannot be treated as Govt. employees, hence no exemption on leave encashment received at the time of retirement

PCIT v. Concentrix Services (I) (P.) Ltd. [Bom HC]

Interest incurred on loans taken for acquiring controlling interest in company of same line, would be allowable expenditure under section 36(1)(iii)

Fertilizers & Chemicals Travancore Ltd. v. CIT [Kel HC]

Provision for bad and doubtful debts was an ascertained liability and, thus, Assessing Officer could not make any addition in respect of same insofar as computation of income under section 115J was concerned

Vodafone Idea Ltd. v. DCIT [Bom HC]

Refund couldn't be withheld on ground that assessee declared income in prior AY and claimed loss in current AY

Dr. Rajeev Choudhary v. ACIT [MP HC]

Profit arising from sale of shares to assessee was to be regarded as business income where more than 200 transactions of sale and purchase of shares took place throughout year through various share brokers

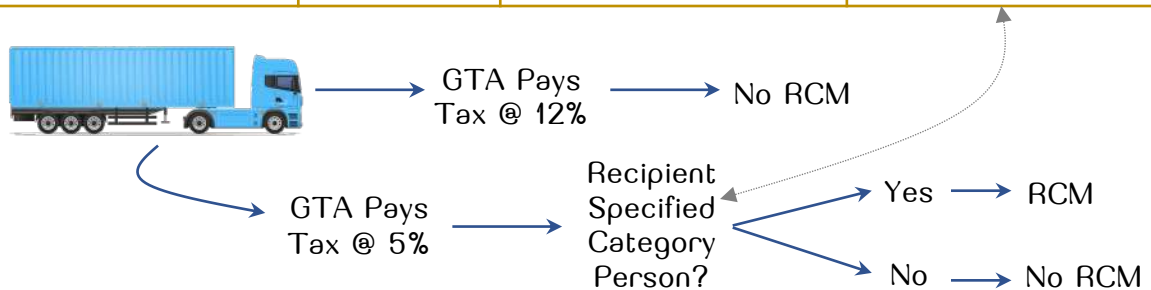
Circulars/ Notification

- ❑ **Notification No. 29/2019 (CT-R)**
RCM on renting of motor vehicle given to body corporate
- ❑ **Notification No. 01/ 2020, dated 03-01-2020**
Govt. notifies Form ITR 1 and ITR 4 for Assessment Year 2020-21
- ❑ **Notification No. 05/ 2020 (CT), dated 13-1-2020**
CBIC appoints Revisional Authority under GST
- ❑ **Filing of GSTR-3B to be introduced in a staggered manner**
Turnover >5Crores - Due Date 20th of subsequent month
Turnover <5Crores
 - 15 specified states - 22nd of subsequent month
 - 22 specified states - 24th of subsequent month



REVERSE CHARGE MECHANISM - 1

Category of Service	Effective Date	Supplier	Recipient
GTA Services <i>(Supply of Services by a GTA who has not paid tax @ 12% in respect of transportation by road)</i>	01/07/2017	<ul style="list-style-type: none"> Goods Transport Agency (GTA) 	<ul style="list-style-type: none"> Factory Society Co-operative Society Registered person under GST Partnership Firm CTP located in Taxable Territory



Category of Service	Effective Date	Supplier	Recipient
Legal Service/ Arbitral Service	01/07/2017	<ul style="list-style-type: none"> Individual Advocate Senior Advocate Firm of Advocates Arbitral Tribunal 	<ul style="list-style-type: none"> Any business entity located in the taxable territory



Category of Service	Effective Date	Supplier	Recipient
Sponsorship Service	01/07/2017	<ul style="list-style-type: none"> Any Person 	<ul style="list-style-type: none"> Any business entity located in the taxable territory



App of the Month -

My Gov



It is an Indian citizen engagement platform which allows a citizen to participate in the governance of India. Launched by the Government of India.

This app provides an avenue for channelizing the ideas, comments and creative suggestions by connecting people with central ministries and related government organizations.

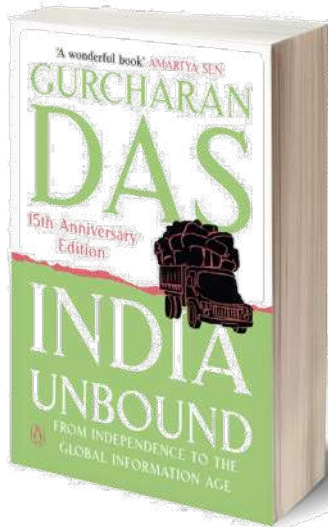
Click of the Month



Book of the Month -

India Unbound

The only true wisdom is knowing that you know nothing.



- o 432 pages
- o Published in 2015
- o Penguin Books

India Unbound is the riveting story of a nation's rise from poverty to prosperity and the clash of ideas that occurred along the way. Gurcharan Das examines the highs and of independent

India through the prism of history, his own experiences and those of numerous others he has met—from young people in sleepy UP villages to chiefs of software companies in Bangalore. Defining and exploring the new mindset of the nation, India Unbound is the perfect introduction to contemporary India.

Natural Remedies

Eyesight



Fruites on foods like greens, whole grains, dals, citrus fruits and other orange-yellow fruits. These will lend in key nutrients like vitamin C which will help protect the lens of the eye. Others like protein and vitamin A take part in visual cycle on day-to-day basis. Avoid tea, coffee, burgers, chips, ice-creams,

Trivia



India has won all 5 men's Kabaddi World Cups held till now and have been undefeated throughout these tournaments. The Indian women's team has also won all Kabaddi World Cups held till date.