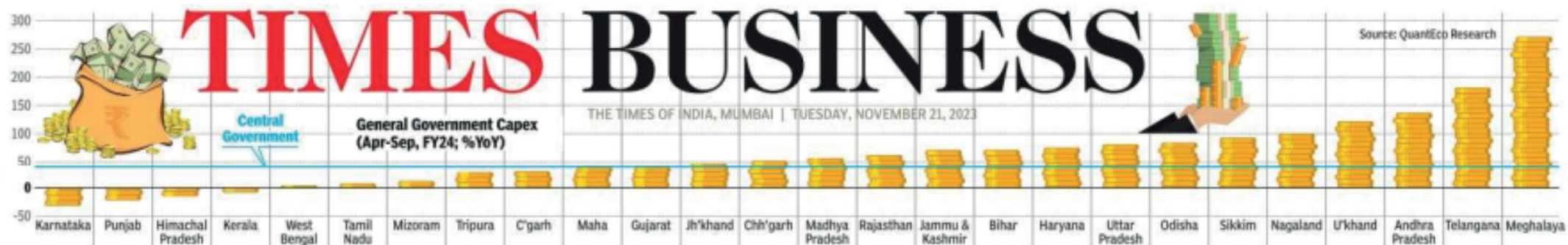


## 16 States/UTs Take Lead On Capex

Tax buoyancy and dedicated transfers from the Centre have helped states to scale up capex. There are 16 states/UTs (including poll-bound ones) that have outperformed the Centre's capex disbursement rate of 43.1% YoY in April-Sept FY24



# HC: 10-yr period for I-T review applies to income over ₹50L

## 3-Year Limit In Cases Of Income Below ₹50L: Delhi High Court

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**Mumbai:** In a judgment that will cheer taxpayers who have been flooded with notices for past dues, the Delhi high court has held that the extended period of 10 years for re-opening of I-T assessments should be applicable only in cases where the alleged escaped income is above Rs 50 lakh. In cases where the alleged escaped income is below Rs 50 lakh, the time limit for re-opening assessment is three years.

The Delhi high court had to decide the validity of the notices issued to petitioners under section 148, keeping in view the 'period of limitation' (time within which notices for re-opening of cases can be issued). The court was responding to a bunch of petitions for FY16 and FY17.

The petitioners submitted that in cases where the al-

### Past Dues: Relief For Taxpayers

► The Delhi HC has held that 10-year limit for re-opening of I-T assessments should be applicable only in cases where the alleged escaped income is above ₹50 lakh

► In cases where the alleged escaped income is below ₹50

lakh, the time limit for re-opening assessment is three years

► I-T authorities submitted the 'travel back in time' theory to justify that notices issued at a later stage were deemed to have been issued 'back in time'

TOLA, which the Delhi high court has now addressed.

Deepak Joshi, advocate practising at the SC, said: "The Delhi high court has held that the 'travel back in time' theory contained in CBDT's instruction is bad in law. This is a welcome decision, which will help taxpayers who are facing belated re-assessment proceedings involving escaped income of less than Rs 50 lakh. As this order operates in rem, it will be beneficial even to those taxpayers who did not file a writ petition."

The Delhi high court observed that according to both the finance minister's speech and the memorandum explaining the provisions of the Finance Bill, 2021, the time limit for re-opening assessments was reduced to three years from six to facilitate ease of doing business.

leged escaped income (income which has been omitted from tax assessment) is below Rs 50 lakh, the period of limitation of three years as stipulated in clause (a) of section 149(1) should apply. The extended limitation period of 10 years would apply only if the escaped income was more than Rs 50 lakh.

On the other hand, the I-T authorities contended that the notices were valid, given the Supreme Court's judgment in the case of one As-

hish Agarwal (May 2022) and a circular that was subsequently issued by the Central Board of Direct Taxes.

I-T authorities relied on the provisions of Taxation and Other Laws (Relaxation and Amendment of Certain Provisions) Act, 2020 (TOLA) and submitted the 'travel back in time' theory to justify that notices issued at a later stage were deemed to have been issued 'back in time'. Experts point out that the apex court had not examined the issue of

## Don't bid out 8,000 km NH projects: Road min told

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**New Delhi:** The fate of developing 8,000 km of National Highway (NH) stretches under the government's flagship programme now hangs in balance, with the finance ministry asking the road ministry not to bid them out without seeking fresh cabinet approval.

The direction from North Block comes at a time when the government has barely awarded 2,595 km of NHs for construction and widening during April-October, as against 5,007 km during the corresponding period last year. Even in its monthly report to the Cabinet, the road ministry has flagged this 50% fall in awards and has said, "If target for award has to be met for this year, decision on the proposal for approval of the revised Bharatmala Phase-1 or alternate programme needs to be taken expeditiously. Shortfall in award this year will reflect in the progress of construction in the FY 2024-25."

While the Bharatmala-1 comprising 34,800 km NH was approved by the Cabinet in 2017, with an estimated investment of over Rs 5.3 lakh crore, so far, contracts for around 26,500 km has been awarded and the cost has doubled due to several reasons, including change in composition and configuration of projects such as construction of more expressways and economic corridors. In a recent communication, the finance ministry has told the road ministry that since the cost has increased beyond the approved amount, further projects can be bid out only after the Cabinet approves the revised estimate.

Sources said the road ministry had circulated the revised estimated cost of Bharatmala-1 in 2020 and consultations are underway.

# Religare board throws weight behind mgmt

## Backs Exec Chair On Compensation, Largest Shareholders Burmans Raise Governance Issue

Times News Network

**Mumbai:** The Religare Enterprises takeover tussle between its largest shareholders, the Burmans of Dabur, and the company's management took a fresh turn with the board of directors backing Rashmi Saluja, the firm's executive chair.

Shares of the company rose nearly 6% to Rs 230 after the board stated that there are no irregularities in Saluja's compensation structure or the gains she derived from Esops of both the company and its health insurance subsidiary, Care Health. The board attributed the Esop gains to the company's turnaround brought about by the board led by Saluja.

"As a result of the remarkable growth of all businesses, the company's market cap has increased to a billion dollars from a low of \$100 million in March 2018," the board said.

The Burmans of Dabur, who hold over 26%, have made an open offer for an additional 26%, a move which Religare management initially supported but later deemed underpriced. The Burmans accused Saluja of opposing the open offer out of fear of losing control. The Burmans had made an open offer at Rs 235 on September 25, much below the closing price of Rs 256 on that day. Since then, the tussle took its toll on the share price.

Mohit Burman, member of Burman family, accused Saluja of insider trading and said that governance issues were the reasons the management was opposing the

open offer.

Religare, left with no identifiable promoter after the former promoters Malvinder and Shivinder Singh, were accused of fraud. Saluja, a doctor and newcomer to the finance world, was backed by some shareholder. After taking charge, she concluded a one-time settlement with banks for its lending

REL's annual report.

Responding to allegations about the timing of Saluja liquidating her Esops, the company clarified that the sale, occurring on the September 21-22, 2023, was part of a process initiated several days before a meeting with the Burmans on September 20, 2023. The shares were sold at the prevailing market price, and Saluja used

### Co's Shares Jump nearly 6%

► Religare, left with no identifiable promoter after former promoters Malvinder and Shivinder Singh, were accused of fraud

► Co's exec chair Rashmi Saluja, a doctor and newcomer to the world of finance, has been backed by some shareholder

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management initially supported but later deemed underpriced

► The Burmans accused Saluja of opposing the open offer out of fear of losing control

► After taking charge, Saluja concluded a one-time settlement with banks for its lending arm Religare Finvest

► Co's shares jump nearly 6% after the board said there are no irregularities in Saluja's compensation structure or in the gains she derived from Esops

the proceeds to reinvest in Esops of a Religare Group entity. Before the meeting, the company emphasised obtaining requisite approvals for financing, pledge, revocation, and sale. Rashmi Saluja denied being informed of the proposed open offer during the meeting.

Regarding Saluja receiving Esops of a subsidiary, Religare stated that the health insurer's Esop had a portion carved out for employees of its parent, granted to her as an employee/executive director and chairperson of REL, not in her capacity as the non-executive chairperson of Care Health Insurance.

# Pvt banks make largest single-day govt bond purchases in 7 years

**Mumbai:** Indian private sector banks made the largest single-session purchase of government bonds in seven years on Friday, including a big investment on behalf of a corporate, traders said.

These banks bought bonds worth a net of Rs 8,343 crore (\$1 billion) — the biggest such purchase since November 15, 2016, as per data from Clearing Corp of India. This pushed overall buying to above Rs 20,000 crore for November, after net sales of

Rs 10,100 crore in October. A large corporate likely bought around Rs 5,000 crore of the benchmark paper through a private sector bank, traders said.

"Though Friday's purchase consists of buying for a constituent client, private banks have been increasing purchases for their own books as they hold a chunky share of maturing papers, and this money needs to be deployed," a senior treasury official at a private bank said.

Inflows of nearly Rs 1.7 lakh crore are due over the next one month as the 8.83% 2023, 4.56% 2023 and 7.68% 2023 papers mature.

### Worth ₹ 8.3k Cr

Most of the money is re-invested in liquid papers, including the five-year and the benchmark 10-year paper, another treasury official said. Improving macroeconomic conditions are also aiding the pick-up in bond buying.

"US data has started to we-

aken and treasury yields have come down, with indications that the rate cycle has peaked," said Alok Singh, group treasury head at CSB Bank.

This is also leading to an increase in trading activity from private banks, Singh said. The 10-year US yield has dropped over 55 basis points in November to nearly 4.45%.

Traders also said that expectations of debt sales from RBI have diminished as liquidity remains tight, improving buying sentiment. **sextus**

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