



# S I R C

Southern India Regional Council

The Institute of Chartered Accountants of India  
(Set up by an Act of Parliament)

At the Helm of ICAI for the Year 2023-24



CA. Aniket Sunil Talati  
President, ICAI



CA. Ranjeet Kumar Agarwal  
Vice-President, ICAI

Torch Bearers of SIRC of ICAI for the Year 2023- 24



CA. Panna Raj S  
Chairman, SIRC



CA. Geetha A B  
Vice Chairperson,  
SIRC.



CA. Arun  
Ayyampalayam  
Venkatesan  
Secretary, SIRC



CA. Mandava  
Sunil Kumar  
Treasurer, SIRC



CA. Chengal  
Reddy  
Ramireddygari  
Chairman, SICASA



Group photograph of the newly elected office bearers of SIRC for the year 2023-24 along with Regional Council Members and Central Council members and Past President of ICAI - CA. R. Bupathy.

## NEWSLETTER

MARCH 2023

VOLUME - 48

PART - 09



## Panel Discussion on Union Budget Direct Tax & Indirect Tax Proposals 2023 - 1<sup>st</sup> February 2023



Resource Persons. Adv. K. Vaitheeswaran, CA.B.Ramakrishnan & CA. V. Pattabhi ram along with CA. K. Sripriya, Central Council Member, ICAI, CA. China Masthan Talakayala, then Chairman, SIRC of ICAI, CA. S. Pannaraj, then Vice Chairman, SIRC of ICAI, CA. R. Sundararajan, then Treasurer, SIRC of ICAI & CA. Revathi S Raghunathan, Regional Council Member, SIRC of ICAI.

## Faculty Development Programme - 3<sup>rd</sup> & 4<sup>th</sup> February 2023



Inaugurated by CA. M. Devaraja Reddy, Past President, ICAI.



## CPE Programme on Accounting of Employee Benefits -AS15/Ind AS19 - 9<sup>th</sup> February 2023



Resource Persons: CA. Kartikey Kandoi and CA. Arunachalam

## CPE Programme on Valuation under Income Tax Act - 11<sup>th</sup> February 2023



Resource Person CA. (Dr) Gopal Krishna Raju

## CPE Programme on Clause by Clause Analysis of the Union Budget - 2<sup>nd</sup> February 2023



CA. T.G. Suresh



CA. Prasanna Krishnan V

### Resource Persons

## CPE Programme on Insight for Social Stock Exchange (SSE) - 8<sup>th</sup> February 2023



Resource Person CA. Amit Kumar Kedia

## CPE programme on Investment Trends in Startup Ecosystem & Opportunities - 10<sup>th</sup> February 2023



Resource Person : Mr. R. Sairanganathan

## CPE Programme on Audit Documentation for Corporate - FY 2023-2024 - 13<sup>th</sup> February 2023



Resource Person: CA. R. Adithya



# Glimpses of New Office bearers 2023-24 assuming Office

**New Office Bearers for the Year 2023-24 along with CA. R. Bupathy, Past President, ICAI**



**New Office Bearers for the Year 2023-24, CA. Panna Raj S. Chairman, SIRC of ICAI, CA. Geetha A.B., Vice-Chairperson, SIRC of ICAI, CA. Arun A.V, Secretary, SIRC of ICAI, CA. Mandava Sunil Kumar, Treasurer, SIRC of ICAI. CA. Chengal Reddy Ramireddygari, Chairman SICASA also seen.**



**New Office Bearers along with Central Council and Regional Council Members**



**CA. R. Bupathy, Past President, ICAI administering the oath statement to CA. Panna Raj S, Chairman, SIRC of ICAI.**



**CA. Panna Raj S. Chairman, SIRC of ICAI, garlanding the bust of CA. G. P. Kapadia, First President of ICAI**



**Group Photo: Central Council and Regional Council Members in front of bust of CA. G. P. Kapadia, First President of ICAI**





# CHAIRMAN'S COMMUNIQUE

My Dear Professional Colleagues,

Greetings from SIRC of ICAI and Greetings from the Torch Bearers of SIRC of ICAI.

At the 253rd meeting of SIRC held on 16th February 2023 at Chennai, the esteemed members bestowed upon me opportunity to serve as the chairman of SIRC for the year 2023-24, and elected the other office bearers of SIRC for the year 2023-24.



## The new team of office bearers is as below:-

CA S PANNA RAJ	Ballari	Chairman
CA A B GEETHA	Bengaluru	Vice-Chair person
CA ARUN AYYAMPALAYAM VENKATESAN	Salem	Secretary
CA MANDAVA SUNIL KUMAR	Hyderabad	Treasurer
CA CHENGAL REDDY RAMIREDYGARI	Hyderabad	Chairman of Southernn India Chartered Accountants Students' Association

It is indeed a great opportunity for me to think and re-think, vitalize & revitalize, and energize & re-energize my competencies and core competencies to enhance the value added services to our professional fraternity with passion, dedication and devotion. I am very much aware of the huge responsibility thrust upon me and my erudite colleagues in the Regional Council, to take forward the initiatives of my predecessors and to innovate new bench marks in the sphere of the activities of the council.

I assure that our performance always will be in sync with the expectations of our members and the students. We are confident that your continued support, motivation and participation in all our activities that make us feel at ease to work with more conviction.

## New President, Vice - President of ICAI

I and my colleagues join the strong 70000 Plus members of our fraternity to express our heartfelt congratulations, through this column, to CA Aniket Sunil Talati and CA Ranjith Kumar Agarwal for assuming the much coveted position of the President and Vice - President of the ICAI respectively, for the year 2023-24. SIRC extends all support in all their endeavors of ICAI. We, with our members of the fraternity also congratulate the Central Council Members of our Region for their nomination to various standing and non standing committees of ICAI. The details are available elsewhere in this news letter.

## Action plan of SIRC of ICAI

I have commenced my tenure with humility, passion and longing; and also with positive, sensitive and conscientious frame of mind, and more than anything else with the unstinted support and guidance of my colleagues in the Council, to serve our fraternity in particular and the nation in general.

Just and Inclusive growth is the theme of our action plan for the year 2023-24. Businessmen, as principal creators of wealth, cannot be inert to injustices that are being engendered during the force of promoting growth. Business ethics demand that business houses - small and big, national and global - ought to reengineer their approaches to their business processes with the express intention of contributing to evolving a just and inclusive society which our constitution promises, by according equal importance to growth - promoting "efficiency" and justice - promoting "equity" with this backdrop we have embedded all our activities directing our resources towards the cause of our members, students and other stake holders of the Region abiding by the said constitutional obligation. The features of our Action Plan are hoisted in our SIRC website for the information of our members. A Bird's Eye View of the action plan is summarized below:

Technology Upgradation	Study Circle Meetings
Workshops	Seminars
Brand Building	National Programs by ICAI Committees
Regional Residential Courses (RRCs)	Sub Regional Conferences
Interaction with Department Officials	Endowment Lectures
Important Occasions	CABF & Membership Drive
Mega Conference & Events	Public Awareness Program
Other Activities	Representations



SIRC welcomes your suggestions to enhance the value of our action plan and to serve you more effectively and efficiently.

### **ICAI and SIRC Awards**

I record through this column the invaluable contribution of my predecessor CA. China Masthan Talakayala, his team of office-bearers and members of SIRC which saw our Region receiving from ICAI the Best Regional Council Award jointly with WIRC for the performance during the year 2022. SIRC is also pleased to record the receipt of award from ICAI the Best Students' Association Award 2nd place. Some of the Branches of SIRC and Branches of SICASA were also awarded for their performance by ICAI.

We have been presenting awards from SIRC also since 1993 to the Branches of SIRC and Branches of SICASA for their exceptional performances. The details of the awards received are published elsewhere in this Newsletter.

### **New Office-bearers of Branches of SIRC**

I congratulate the newly-elected Office-bearers of all the 45 Branches of SIRC for the year 2023-2024. They have assumed their respective positions in the latter half of February 2023. I solicit the support of members to the Branch by participating in the branch programmes in large numbers and to be part of the SIRC initiatives that the Branch takes forward.

### **Welcome Announcement to Members and Students**

I am extremely happy to announce that henceforth the realm of functions pertaining to the SSP-Articles activity in all respects hitherto done by the Mumbai Office covering the entire five regions will be performed at SIRC, Chennai. In this process our Region will herald a new chapter in servicing the members and students across the country. This initiative taken by me and my predecessor with the support of my council colleagues and approval by our beloved President and Vice-President is a landmark and path-breaking achievement in the annals of SIRC. I solicit the cooperation of members and students in our pursuit to extend and enhance our services to the professional fraternity.

The detailed area of activities will separately be communicated to the members and students through our other channels of communication like hosting in SIRC Website and mass mails.

### **Feel Good Environment in ICAI Bhawan, Chennai**

SIRC has prioritized, as one of its activities, the infrastructure development to ensure better services to the members, students and the public. The surroundings in the campus will have spick and span ambience. We have also taken, in a phased manner, the refurbishing of areas. The President's Chamber and the Canopy have been given a face-lift and re-painting done in certain areas in the building. We shall ensure that the "feel good" atmosphere will be appreciated when members and students visit us. Another area in the direction of better services to the stakeholders is revitalizing the administration and regular mentoring and monitoring the administrative services.

I have also advised the Chairmen of Branches to enhance the level of infrastructure facility and the service at their branches. I am confident that members will witness a world of difference in our approaching their requirements and resolving them at the earliest possible time.

### **Forthcoming Programmes of SIRC**

The months of March and April are hectic for all the practicing Chartered Accountants as they would be engaged in Bank Branch Audit. Equally so, for members in industry who will be agog with finalization of annual accounts of their organization to present the financial statements to the Board.

We have always proved our prowess in spite of fixed time frame for completing the assignments in areas like Bank Audit as we keep abreast of the latest developments happening in different sectors. SIRC has, with a view to update the members in the field of Bank Audit, is organizing Seminars on Statutory Audit of Banks and Bank Branch Audit during this month. The detailed announcement in this regard is published elsewhere in this Newsletter. I request the members to register for the programme and hear the eminent personalities in bank audit sharing their rich experience and thoughts while will greatly enlighten members and provide an opportunity to enhance our services to the banking sector.

### **Women's Conference**

SIRC is organizing the Women's Conference on 4th March 2023 at ICAI Bhawan, Chennai in commemoration of the International Women's Day to be celebrated on 8th March 2023 world over. The conference is held



exclusively for the women members. Ms. Pramadvathi Jandhyala, Founder, Latent Views Analytics, will be inaugurating the Conference. I request the women CAs to participate in large numbers and be part of the happy and enlightening proceedings.

SIRC has also queued in regular CPE Programmes for the month. The details of the programme and the resource persons are published in the Calendar of Events of SIRC. Please have the information placed on your desktop on table and in system for keeping track of the events and for participation. We value your encouragement which acts as a motivating and stimulating effect to re-orient our ideas and to convert into programmes for our professional colleagues.

### **Focus of SIRC on widening professional opportunities**

The professional services rendered by us have been acclaimed world over for its acumen. The prominence our profession attained had opened up multifold professional avenues in and outside India. Technology is playing a pivotal role in our performance and therefore SIRC would focus in this direction to enhance the skills on technology-related areas for our members, students and the workforce in our CA Offices.

Another area where SIRC would be directing its attention is in the direction of conducting workshops relating to the Micro, Small, and Medium Enterprises (MSMEs) Sector which plays a significant role in our national economy. SIRC is also structuring the workshop modules on subjects which will enhance our role in the domain of newer avenues of professional opportunities.

### **Visit to Branches**

It will be my pleasure to meet the members and students during my visits to the Branches of SIRC during this year. At first of my schedule of visits after assuming the position as Chairman I had the opportunity to interact with the members of Anantapur, Bengaluru, Belagavi, Guntur, Hubballi, Ongole, Rajamahendravaram, Vijayawada (my place of stay) Branches. The occasion gave me some valuable inputs and I consider them as fascinating and enlightening. Such visits, I believe, not only rejuvenate my strength but also create a feeling of togetherness amongst our professional fraternity.

### **Students Related – Coaching Classes**

SIRC is considered as knowledge hub for the students of our course and continues to be popular. One of the areas of extending our services to the students is to introduce classes both in hybrid mode / online classes even in places which are under the jurisdiction of smaller branches so as to reach out to the nook and corner where the students reside. The modalities are being worked out and the students in these places would be informed in due course.

### **Initiatives for NextGen**

As part of our contribution to the younger generation, skill-based programmes like Entrepreneurship Development, Leadership, Communication, etc., is in our agenda to train non-CA students from amongst the other educational institutions.

### **Suggestions and Feedback:**

I welcome your valuable suggestions and feedback to offer you programmes on contemporary and futuristic areas, public outreach programmes and brand building of our alma mater.

I look forward to your continued support for the fulfillment of the initiatives of SIRC and betterment of our elite profession. The positive aura with which we start our innings, I am confident, will take us in the right direction. TOGETHER WE CAN & WE WILL.

With warm regards

**CA. S. PANNA RAJ**  
Chairman, SIRC of ICAI

### **GRACIOUS CONTRIBUTORS TO CABF - 2023**

S.No	FIRM No. / MEM No.	FIRM NAME / MEM NAME	CITY	AMOUNT (in `)
1	207869	CA. M. Rajeshkumar	Pondicherry	1,11,111

SIRC thank the Member for Gracious Contribution.



## SIRC of ICAI receiving the Best Region Council Award for the year of 2022-23.



All Members of SIRC and Central Council Members from Southern Regional with the Best Regional Council Award and Best Students' Association Award.





# ICAI Award 2022 - Southern Region

**Best Branch of Regional Council  
(Medium Category) 1st Prize by Vijayawada**



**Best Branch of Regional Council  
(Small Category) 1st Prize by Salem**



**Best Branch of Regional Council  
(Small Category) 2nd Prize by Tirupur**



**Best Branch of Regional Council  
(Micro Category) 1st Prize by Sivakasi**



**Best Branch of Regional council (Mega  
Category) and Students' Association  
(Mega Category) 2nd Prize by Bangalore**



**Best Branch of Students' Association  
(Large Category) 2nd Prize by Coimbatore**





# CPE PROGRAMMES – MARCH 2023

Regn: <https://bit.ly/sirclogin>

Date	Timings	Mode	Topic	Resource Persons	Fees Exclusive of GST Rs.	CPE
02.03.2023 (Thu)	5.00 p.m to 8.00 p.m	Virtual	Bank Branch Audit - Planning & Documentation	CA. Sundararajan R , Chennai	500	9
03.03.2023 (Fri)	5.00 p.m to 8.00 p.m		LFAR, IRAC Norms and Recent Circulars & Notifications	CA. Dr. Gopal Krishna Raju Chennai		
04.03.2023 (Sat)	5.00 p.m to 8.00 p.m		Bank Audit using Excel, Verification of Advances and Audit Documentation	CA. Vivek Krishna Govind, Ernakulam		
04.03.2023 (Sat)	10.00 a.m to 1.00 p.m	Physical	Women's Day Programme	Eminent Speakers	200	3
09.03.2023 (Thu)	5.00 p.m to 7.00 p.m	Physical	Updation on Banking Software (Finnacle, Icube,etc.)	CA. D. Premnadh, Hyderabad	100	2
16.03.2023 (Thu)	5.00 p.m to 7.00 p.m	Virtual	AQMM - Bank Audit	CA. Mohan R Lavi, Bangalore	100	2
17.03.2023 (Fri)	5.00 p.m to 7.00 p.m	Virtual	Technology usage in CA Professional & Using ChatGPT	CA .V. Pattabhi Ram, Chennai	100	2
18.03.2023 (Sat)	9.30 am to 5.30 pm	Physical	One Day Seminar on Audit of Banks	Eminent Speakers	1000	6
21.03.2023 (Tue)	5.00 p.m to 7.00 p.m	Physical	Central Statutory Auditors of Public Sector Bank	CA. Dhananjay Jayant Gokhale, Mumbai	100	2
22.03.2023 (Wed)	5.00 p.m to 7.00 p.m	Physical	Annual Closure - Dos & Don'ts w.r.t. GST	CA. Rajendra Kumar P, CCM - ICAI	100	2
25.03.2023 (Sat)	5.00 p.m to 7.00 p.m	Physical	Annual Closure - Precautions to be taken under Companies Act	CA. M. P. Vijay Kumar, Former CCM - ICAI	100	2
28.03.2023 (Tue)	5.00 p.m to 7.00 p.m	Physical	Annual Closure - Income Tax Compliances	CA. K. Venkatraman, Chennai	100	2
30.03.2023 (Thu)	5.00 p.m to 7.00 p.m	Virtual	Investor Awareness Programme on Financial Literacy	Mr. Satyanarayan Yanmantram, Chennai	100	2

CPE Credit on attending full programme only

Prior Registraton Complusory : <https://bit.ly/sirclogin>



## CPE Programmes conducted by SIRC of ICAI

Please note the link for Resources of Past Virtual and other programmes of SIRC of ICAI

<https://www.sirc-icai.org/past-programmes.php>

## UPDATES

### Corporate Law



Contributed by:  
CA. M. Asir Raja Selvan,  
Chennai  
asir.cs@gmail.com

### FEMA



Contributed by:  
CA. G. Murali Krishna,  
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### Goods and Services Tax



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### Information Technology



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### INCOME TAX



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### Karnataka VAT-GST



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### SEBI



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### STATEMENT ABOUT OWNESHIP AND OTHER PARTICULARS ABOUT THE NEWSPAPER (SIRC NEWSLTER) FOR IV (SEE RULE)

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Name and address of individual who own the newspaper and partners or shareholders holding more than one per cent of the total capital	Southern India Regional Council The Institute of Chartered Accountants of India ICAI Bhawan , No. 122 Mahatma Gandhi Road Nungambakkam, Chennai- 600034 (There is no share capital)
I <b>S. Sabarigreesan</b> hereby declare that the particulars given are true to my knowledge and belief	
Date: 1st March 2023	sd/- <b>Mr. S. Sabarigreesan, Deputy Secretary</b>

## NEW TECHNICAL PUBLICATION OF ICAI



Framework for  
Social Audit  
Standards



A Primer on the Concept  
of Social Stock Exchange

## Disclaimer

The SIRC/ICAI does not accept any responsibility for the views expressed in different contributions/ advertisements published in this Newsletter.



Esteemed Professional Colleagues,

I take immense pleasure and privilege in meeting you all through this communique as a Regional Council Member of SIRC of ICAI. At the onset, I sincerely express my unlimited gratitude to each one of my professional colleagues for showing trust and faith in my abilities and giving me an opportunity to serve ICAI to do the best for the member fraternity, student community and the profession as whole.



With the ultimate goal of standardizing and ensuring uniformity and utmost quality in the sessions delivered by our empanelled faculties and thereby increasing the effectiveness of the sessions facilitated, BoS has organized a faculty development program at Chennai, Bangalore, Mangalore, Ernakulam which was well received by all the faculties and garnered positive feedback.

The month also witnessed the capacity building program for Treasuries and Accounts Department by Committee on Public and Government Financial Management in Chennai as a part of the MOU signed with the Treasuries and Accounts department with ICAI being the facilitating partner.

With the branch managing committee installations happening in full swing across the states in the Southern region, it's indeed interesting and glad to note that many youngsters and the women volunteer themselves and come forward for the services of ICAI.

As we celebrate the International Women's Day on March 8th, SIRC is in the forefront to take the theme to an entirely different level with the theme being "March Forth". It's often said women has to work twice as hard to reach half as far. However, in today's era especially the women members with the changing mindset, greater focus given on personal development, knowledge updation and putting it to practical usage, are redefining the outmoded norms and setting their limits high. And the need of the hour is not to get empowered but to March Forth with full confidence.

Before I conclude, I would like to touch upon the various initiatives undertaken by the committee I am chairing. Taking into account the challenges faced by our professional colleagues in these changing times, it is very vital to equip our members with the skill sets required for facing the road ahead and helping them embrace technology and its end use in the professional arena and practice. Considering this, to mark a beginning, the Digital accounting and Assurance Committee of SIRC of ICAI had arranged various workshops for senior members as well as newly qualified Chartered Accountants, physical sessions on the emerging topics like Web 3, Cyber security, Digitization of Internal Audit, Data Analytics and Governance. The committee was also instrumental in providing must have sessions for Chartered Accountants covering topics like Working from anywhere anytime, Cloud accounting, Data Backup and Power BI facilitated by top notch speakers and industry subject matter experts.

As the saying goes "In order to develop a positive action we must develop here a positive vision". I request the continuous support, motivation and encouragement of all the members to serve you better and transform my vision into reality and serve you better. Always at your service.

Jai Hind, Jai ICAI

With warmest Regards,

**CA Rekha Uma Shiv,**  
Regional Council member, 2022-2025  
SIRC Of ICAI



## Branch Visit by SIRC Chairman CA. S. Panna Raj, SIRC of ICAI

**Ballari Branch visit by CA. S. Panna Raj Chairman, SIRC of ICAI, Installation of New Office bearers for 2023 -2024 - 22<sup>nd</sup> February 2023.**



**Anantapur Branch visit by CA. S. Panna Raj Chairman, SIRC of ICAI, Installation of New Office bearers for 2023 -2024 - 23<sup>rd</sup> February 2023**



**Bengaluru Branch visit by CA. S. Panna Raj Chairman, SIRC of ICAI, Installation of New Office bearers for 2023 -2024 - 24<sup>th</sup> February 2023**



**Ongole Branch visit by CA. S. Panna Raj Chairman, SIRC of ICAI, Installation of New Office bearers for 2023 -2024 - 24<sup>th</sup> February 2023**



**Guntur Branch visit by CA. S. Panna Raj Chairman, SIRC of ICAI, Installation of New Office bearers for 2023 -2024 - 25<sup>th</sup> February 2023**



**Vijayawada Branch visit by CA. S. Panna Raj Chairman, SIRC of ICAI, Installation of New Office bearers for 2023 -2024 - 25<sup>th</sup> February 2023**



**Rajamahendravaram Branch visit by CA. S. Panna Raj Chairman, SIRC of ICAI, Installation of New Office bearers for 2023 -2024 - 26<sup>th</sup> February 2023.**



**Belagavi Branch visit by CA. S. Panna Raj Chairman, SIRC of ICAI, Installation of New Office bearers for 2023 -2024 - 28<sup>th</sup> February 2023**



**Hubballi Branch visit by CA. S. Panna Raj Chairman, SIRC of ICAI Installation of New Office bearers for 2023 -24 on 28th February 2023.**





**CPE Programme on Accounting Issues in  
Pharmaceutical Industry  
- 17<sup>th</sup> February 2023**



Resource Person: CA. Naga Durga Sudhakar G V

**CPE Programme on Labour Code Covering  
Wage Code & Social Security Code  
- 25<sup>th</sup> February 2023**



Resource Person : CA Sounder Rajan

**CPE Programme on "CAs in the Digital Age,  
"Staying ahead of the curve for better career  
Prospects" - 22<sup>nd</sup> February 2023**



Resource Person : CA. Srinivas Yanamandra.

**CPE Programme on Benami Transactions -  
-27<sup>th</sup> February 2023**



Resource Person: CA. Rajesh Sangvi

**AICITSS Courses by SIRC of ICAI (Physical Mode).  
Advanced (ICTISS) MCS Course**

Between 9.03.2023 to 25.03.2023

BATCH NO	TIMINGS
AdvICITSSMCS_CHENNAI_16	07.00 A.M TO 01.30 P.M
AdvICITSSMCS_CHENNAI_17	01.45 P.M TO 08.15 P.M

**Advanced Information Technology Training (AICITSS- AIT)**

Between 16.03.2023 to 31.03.2023

AICITSSAdvITT_CHENNAI_9	07.30 A.M TO 01.30 P.M
AICITSSAdvITT_CHENNAI_10	01.45 P.M TO 07.45 P.M

The enrolment of students shall be done on First come First served basis.

Please register through the link:

[https://www.icaionlineregistration.org/Admin\\_Module/login.aspx](https://www.icaionlineregistration.org/Admin_Module/login.aspx)

**ICITSS Courses by SIRC of ICAI (Physical Mode).  
Information Technology Training (ICITSS- IT)**

Between 16.03.2023 to 31.03.2023

BATCH NO	TIMINGS
ICITSSITT_CHENNAI_16	07.30 A.M TO 01.30 P.M
ICITSSITT_CHENNAI_17	01:45 P. M To 07:45 P.M.

**Orientation Course (ICITSS-OC)**

Between 9.03.2023 to 25.03.2023

BATCH NO	TIMINGS
ICITSSOC_CHENNAI_15	07.00 A.M TO 01.30 P.M
ICITSSOC_CHENNAI_16	01.45 P.M TO 08.15 P.M

The enrolment of students shall be done on First come First served basis.

Please register through the link:

[https://www.icaionlineregistration.org/Admin\\_Module/login.aspx](https://www.icaionlineregistration.org/Admin_Module/login.aspx)

## IMPORTANT ANNOUNCEMENT

### Announcement to Members for Restoration of Membership:

SIRC understands that few of the members are yet to pay their membership fee/certificate of practice fee for the year 2022-2023 and as per regulatory provisions their names were removed. SIRC requests such members to restore their names with retrospective effect by visiting the Self Service Portal (SSP) and submit the request for restoration in the prescribed Form No. 9 and pay required fees latest by 31st March 2023.



## **APPEAL TO MEMBERS TO CONTRIBUTE GENEROUSLY TO CHARTERED ACCOUNTANTS BENEVOLENT FUND (CABF) TO SUPPORT THEIR PROFESSIONAL COLLEAGUES AND THEIR DEPENDENTS IN DISTRESS.**

### **OBJECTIVE OF CHARTERED ACCOUNTANTS BENEVOLENT FUND (CABF)**

The objective for which the fund is established is to provide financial assistance for maintenance, education or any other similar purpose to necessitous persons being:-

- (a) persons who are or have been members of the Institute, whether subscribers to the fund or not; or
- (b) wives and children of persons who are or have been members of the Institute, whether subscribers to the fund or not.
- (c) widows and children of deceased persons who have been members of the Institute whether subscribers to the fund or not.
- (d) relatives or others who were dependent for support on a person who has been a member of the Institute, whether subscriber to the fund or not; and who has died without leaving a widow or child.

### **PROCEDURE FOR BECOMING A MEMBER OF THE CABF :**

There are two categories of members :-

- (a) Life Member: A single payment of Rs. 10000/- shall make a person eligible to be admitted as a life member of the fund w.e.f. 1st January, 2020. Thereafter he shall not be liable to pay any amount on account of subscription and shall be styled as a 'Life Member'.
- (b) Ordinary members: All other members shall be described as 'Ordinary Members' and shall have to pay an annual subscription of Rs. 1000/-. Apart from this any member can subscribe for 'Voluntary Contribution'.

Procedure for making payment

Membership subscription to the Chartered Accountants Benevolent Fund can be paid along with annual membership fee online.

☒ Application Form for Life Membership of CABF

Please visit <https://cabf.icaai.org/lifeMember> and apply for Life Membership of CABF.

☒ Application Form for Ordinary Membership of CABF

Please visit <https://cabf.icaai.org/OrdinaryMember> and apply for Ordinary Membership of CABF.

☒ Application Form for Voluntary Contribution to CABF

Please visit <https://cabf.icaai.org/voluntaryMember> and apply for voluntary contribution to CABF.

### **EXTENT OF ASSISTANCE AVAILABLE :**

Monthly Assistance

Maximum monthly assistance available to a member or persons eligible to receive the assistance is from Rs.15000/- per month according to the circumstances of the use renewable after one year. This is for maintenance of family of members/widow/relatives of deceased members.

Financial assistance will be given only to the members/widows/relatives whose monthly family income is not more than Rs. 25000/- pm.

Ex-gratia financial assistance of Rs.150000/- is provided to the legal heir of deceased member in case of accidental death/ unnatural death at the age below 55 years against claim.

Procedure for availing assistance

Application for financial assistance can be made through CABF portal <https://cabf.icaai.org/> along with all relevant supporting documents mentioned therein.

☒ Please visit <https://cabf.icaai.org/financial> for Application for Monthly Financial Assistance from CABF

☒ Please visit <https://cabf.icaai.org/exgratia> for Application Form for Ex-gratia (Lumpsum) Financial Assistance from CABF

☒ Please visit <https://cabf.icaai.org/medical> for Application for Medical Financial Assistance from CABF

The application must be recommended by any Central Council Member or Chairman/Vice Chairman/Secretary of any Regional Council or Branch/Ex-President/Chairman/Vice-Chairman and Member Secretary/Member of Managing Committee of CABF /Member of Managing Committee of Regional Council.

We appeal to our members to contribute generously to Chartered Accountants Benevolent fund (CABF) to support their professional colleagues and their dependents in distress.

**SIRC of ICAI**

Printed and Published : By Mr. S. Sabarigreesan , Deputy Secretary on behalf of Southern India Regional Council of the Institute of Chartered Accountants of India, ' ICAI Bhawan'. # 122, Mahatma Gandhi Road, Nungambakkam, Chennai – 600034. Phone: 044-39893989, 30210321. Email: [sirc@icaai.in](mailto:sirc@icaai.in) Website: [www.sirc-icaai.org](http://www.sirc-icaai.org). Designed by The Right Carftsman, 4C Saipadam Apartment, 3rd Cross Ramalinga Nagar Ext.,K K Pudur, Coimbatore - 641038, Editor : CA. Panna Raj S, Chairman, SIRC of ICAI.



**THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA  
COMPOSITION OF THE STANDING AND  
NON-STANDING COMMITTEES FOR THE YEAR 2023-24  
(SOUTHERN REGION ONLY)**

**CA. DAYANIWAS SHARMA**

**Standing Committees:**

Executive Committee	Member
Examination Committee	Member

**Non-Standing Committees:**

Board of Studies (Academic)	Vice Chairman
Digital Accounting and Assurance Board	Vice Chairman
Estate Development Directorate (EDD)	Convenor
UDIN Directorate	Deputy Convenor
Accounting Standards Board	Member
Auditing & Assurance Standards Board	Member
Committee for Members in Practice	Member
Corporate Laws and Corporate Governance Committee	Member
Financial Reporting Review Board	Member
Committee on Public and Government Financial Management-	Member
International Affairs Committee	Member
Committee for Members in Industry & Business	Member
Peer Review Board	Member
Professional Development Committee	Member
Research Committee	Member
Infrastructure Development Committee	Member
Management Committee	Member
Public Relations Committee	Member
Taxation Audits Quality Review Board	Member
Committee on MSME & Start-up	Member
Digital Re-Engineering & Transformation Directorate	Member
Members & Students - (Grievances Handling and e-Sahayata) Directorate	Member

**CA. SRIDHAR MUPPALA**

**Standing Committees:**

Executive Committee	Member
Finance Committee	Member
Disciplinary Committee (u/s 21 D read with section 17) -Disciplinary Committee (u/s 21 D)	Member

**NON-STANDING COMMITTEES:**

Students Skills Enrichment Board (Board of Studies - Operations)-	Vice Chairman
Public Relations Committee	Vice Chairman
Digital Re-Engineering & Transformation Directorate	Deputy Convenor
Accounting Standards Board	Member
Auditing & Assurance Standards Board	Member
Board of Studies (Academic)	Member
Committee on Commercial Laws, Economic Advisory & NPO Cooperative	Member
Direct Taxes Committee	Member
Ethical Standards Board	Member
Expert Advisory Committee	Member
GST & Indirect Taxes Committee	Member
Digital Accounting and Assurance Board	Member
Board of Internal Audit & Management Accounting	Member
Research Committee	Member
Committee for Development of International Trade, Services & WTO	Member
Infrastructure Development Committee	Member
Valuation Standards Board	Member
Committee on Career Counselling	Member
Sustainability Reporting Standards Board	Member
Estate Development Directorate (EDD)	Member



RBA Directorate	Member
Members & Students (Grievances Handling and e-Sahayata) Directorate	Member

<b>OTHER COMMITTEES</b>	
Disciplinary Committee (u/s 21 B) Bench 2 (Western & Central Region)	Member

<b>CA. PRASANNA KUMAR D</b>	
<b>Non-Standing Committees:</b>	
Professional Development Committee	Chairman
Committee on Public and Government Financial Management	Vice Chairman
Accounting Standards Board	Member
Audit Committee	Member
Board of Studies (Academic)	Member
Students Skills Enrichment Board (Board of Studies - Operations)	Member
Committee for Members in Practice	Member
Committee on Financial Markets and Investors' Protection	Member
Direct Taxes Committee	Member
Corporate Laws and Corporate Governance Committee	Member
Board of Internal Audit & Management Accounting	Member
International Affairs Committee	Member
Committee for Members in Industry & Business	Member
Research Committee	Member
Infrastructure Development Committee	Member
Public Relations Committee	Member
Committee on MSME & Start-up	Member
Strategy, Perspective Planning & Monitoring Committee	Member
Committee on Career Counselling	Member
UDIN Directorate	Member
Legal Directorate	Member
RBA Directorate	Member
Tender Monitoring Directorate	Member
Members & Students (Grievances Handling and e-Sahayata) Directorate	Member

<b>CA. RAJENDRA KUMAR P</b>	
<b>Non-Standing Committees:</b>	
Board of Internal Audit & Management Accounting	Chairman
Committee on Insolvency & Bankruptcy Code	Vice Chairman
Legal Directorate	Deputy Convenor
Committee for Members in Practice	Member
Direct Taxes Committee	Member
Editorial Board	Member
GST & Indirect Taxes Committee	Member
Digital Accounting and Assurance Board	Member
Committee for Members in Industry & Business	Member
Professional Development Committee	Member
Research Committee	Member
Committee for Development of International Trade, Services & WTO	Member
Infrastructure Development Committee	Member
Management Committee	Member
Committee for Members in Entrepreneurship & Public Service	Member
Public Relations Committee	Member
Continuing Professional Education Committee	Member
Strategy, Perspective Planning & Monitoring Committee	Member
Committee on Career Counselling	Member
Women & Young Members Empowerment Committee	Member
UDIN Directorate	Member
Publication & CDS Directorate	Member

<b>OTHER COMMITTEES:</b>	
Board of Discipline (u/s 21A)	Presiding Officer



<b>CA. COTHA S. SRINIVAS</b>	
<b>Standing Committes:</b>	
Examination Commitee	Member
Finance Committee	Member

<b>Non-Standing Committees:</b>	
Committee on Financial Markets and Investors' Protection	Vice Chairman
Research Committee	Vice Chairman
Publication & CDS Directorate	Convenor
Members & Students (Grievances Handling and e-Sahayata) Directorate -	Deputy Convenor
Accounting Standards Board	Member
Students Skills Enrichment Board (Board of Studies - Operations)	Member
Committee for Members in Practice	Member
Direct Taxes Committee	Member
Ethical Standards Board	Member
GST & Indirect Taxes Committee	Member
Board of Internal Audit & Management Accounting	Member
Committee for Members in Industry & Business	Member
Professional Development Committee	Member
Infrastructure Development Committee	Member
Committee on Insolvency & Bankruptcy Code	Member
Committee on MSME & Start-up	Member
Committee on Career Counselling	Member
Legal Directorate	Member
RBA Directorate	Member
Digital Re-Engineering & Transformation Directorate	Member
Centre for Audit Quality Directorate	Member

<b>OTHER COMMITTEES:</b>	
Disciplinary Committee (u/s 21 B) Bench 4 (Northern Region)	Member

<b>CA. SRIPRIYA KUMAR</b>	
<b>Non-Standing Committees:</b>	
Corporate Laws and Corporate Governance Committee	Chairperson
Peer Review Board	Vice-Chairperson
Centre for Audit Quality Directorate	Deputy Convenor
Auditing & Assurance Standards Board	Member
Board of Studies (Academic)	Member
Committee on Commercial Laws, Economic Advisory & NPO Cooperative	Member
Editorial Board	Member
Ethical Standards Board	Member
Expert Advisory Committee	Member
Committee on Public and Government Financial Management	Member
GST & Indirect Taxes Committee	Member
Digital Accounting and Assurance Board	Member
Committee for Development of International Trade, Services & WTO	Member
Management Committee	Member
Committee on Insolvency & Bankruptcy Code	Member
Valuation Standards Board	Member
Committee on MSME & Start-up	Member
Strategy, Perspective Planning & Monitoring Committee	Member
Women & Young Members Empowerment Committee	Member
Sustainability Reporting Standards Board	Member
UDIN Directorate	Member
Legal Directorate	Member
Tender Monitoring Directorate	Member
Digital Re-Engineering & Transformation Directorate	Member



### ICAI AWARDS – 2022 – SOUTHERN REGION

Category	Prize	Name of Units
Best Regional Council	1 <sup>st</sup> Prize	WIRC & SIRC (Jointly)
Best Students' Association	2 <sup>nd</sup> Prize	SICASA
Best Branch of Regional Council (Mega Category)	2 <sup>nd</sup> Prize	Ahmedabad & Bangalore (Jointly)
Best Branch of Regional Council (Medium Category)	1 <sup>st</sup> Prize	Vijayawada
Best Branch of Regional Council (Small Category)	1 <sup>st</sup> Prize	Salem
Best Branch of Regional Council (Small Category)	2 <sup>nd</sup> Prize	Tirupur
Best Branch of Regional Council (Micro Category)	1 <sup>st</sup> Prize	Sivakasi
Best Branch of Students' Association (Mega Category)	2 <sup>nd</sup> Prize	Bangalore
Best Branch of Students' Association (Large Category)	2 <sup>nd</sup> Prize	Coimbatore

### SIRC AWARDS - 2022

#### SIRC's BEST BRANCH AWARDS for 2022

S. No.	Category of the Branch	No. of Branches	Membership Strength	Best Branch	Second Best Branch
1	Micro	5 Branches	Members upto 200	Tirunelveli	Kalaburgi (Gulbara)
2	Small	23 Branches	Members between 201 – 500	Udupi	Belagavi
3	Medium	9 Branches	Members between 501 – 1000	Thiruvananthapuram	Mangaluru and Thrissur
4	Large	4 Branches	Members between 1001-2500	Coimbatore	Visakhapatnam
5	Mega	4 Branches	Above 2501 Members	Hyderabad	Ernakulam
		45 Branches			

#### SIRC's BEST BRANCH OF SICASA AWARDS for 2022

S. No.	Category of the Branch	No. of Branches	Membership Strength	Best Branch	Second Best Branch
1	Micro	5 Branches	Members upto 200	Sivakasi	Tirunelveli
2	Small	23 Branches	Members between 201-500	Tirupur	Hubbali and Salem
3	Medium	9 Branches	Members between 501-1000	Kozhikode	Thrissur
4	Large	4 Branches	Members between 1001-2500	Vijayawada	Visakhapatnam
5	Mega	4 Branches	Members above 2500	Ernakulam	Hyderabad and Chengalpattu District
		45 Branches			

*Wish you Happy Retired Life*



**Shri M. N. Sathyamurthy** joined the services of the Institute as LDC on 18th January 1989 . He retired as Assistant Secretary on superannuation on 28th February 2023 after a meritorious service of 34 years.

**ICAI and SIRC wish him best of health and happy retired life.**





THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA  
(SETUP BY AN ACT OF PARLIAMENT)  
SOUTHERN INDIA REGIONAL COUNCIL  
"ICAI BHAWAN", NO.122, MAHATMA GANDHI ROAD  
NUNGAMBAKKAM, CHENNAI-600034.



# ONLINE COACHING CLASSES

# CA FINAL CLASSES

COMMENCES ON 24TH MARCH 2023  
END ON 30TH SEPTEMBER 2023

NOVEMBER 2023 EXAMS

LAST DATE FOR REGISTRATION 23RD MARCH 2023

AVAIL THIS OPPORTUNITY AND GET THROUGH YOUR NOVEMBER 2023 EXAMINATIONS

- SIRC of ICAI is your alma mater and the leader in grooming CAs for the past 50 years
- Expert and Experienced Faculty Team for SIRC Coaching Classes
- Be trained by the Leader... at a very nominal cost
- State of the Art Online Platform for Coaching

- **Group-1** : 6.00 am- 9.00 am
- Class Fees : Rs.14,000/-
- **Group-2** (Excluding Paper 6): 6.00 pm - 9.00 pm
- Class Fees: Rs.11,000/-
- **Both Groups**: Rs.22,000/-
- **Subject wise** : Rs.3,750/-

**PAPER -1** • FINANCIAL REPORTING

**160 HOURS**

**PAPER -2** • STRATEGIC FINANCIAL MANAGEMENT

**150 HOURS**

**PAPER -3** • ADVANCED AUDITING & PROFESSIONAL ETHICS

**120 HOURS**

**PAPER -4** • CORPORATE & ECONOMIC LAWS

**100 HOURS**

**PAPER -5** • STRATEGIC COST MANAGEMENT & PERFORMANCE EVALUATION

**140 HOURS**

**PAPER -7** • DIRECT TAX LAWS & INTERNATIONAL TAXATION

**160 HOURS**

**PAPER -8** • INDIRECT TAX LAWS

**150 HOURS**

SCAN THE QR CODE



FacultyLink - <https://bit.ly/3QU3yIk>

For Registration, Please visit: [www.sirc-icai.org/view-batches.php](http://www.sirc-icai.org/view-batches.php)

FOR FURTHER QUERY, PLEASE CONTACT SIRC COACHING CLASSES

✉ SIRC.FINAL@ICAI.IN ☎ 91-73585 06400 ,91-8220522669, 91-9677126011 ☎ 044-30210370





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NUNGAMBAKKAM, CHENNAI-600034.



READ, REVISE, RECALL WITH YOUR ALMA MATER

ARE U WRITING  
YOUR CA FINAL  
MAY 2023  
EXAMINATIONS?

COURSE DURATION

BEGINS: 10TH MARCH 2023

ENDS: 3RD WEEK OF APRIL 2023

Timing : 10.00 am to 1.00 pm  
2.00 pm to 5.00 pm

LAST DATE REGISTRATION  
08.03.2023

SIRC- CA FINAL ONLINE RRC CLASSES



SCAN THE QR CODE



Fees :

Group-1 - ₹ 4,500

Group-2- ₹ 3,750

Both Groups - ₹7,500

SUBJECT

WISE: ₹1,250

PAPER	SUBJECT	HOURS
PAPER-1	FINANCIAL REPORTING	24 HOURS
PAPER-2	STRATEGIC FINANCIAL MANAGEMENT	24 HOURS
PAPER-3	ADVANCED AUDITING & PROFESSIONAL ETHICS	24 HOURS
PAPER-4	CORPORATE & ECONOMIC LAWS	24 HOURS
PAPER-5	STRATEGIC COST MANAGEMENT AND PERFORMANCE EVALUATION	24 HOURS
PAPER-7	DIRECT TAX LAWS AND INTERNATIONAL TAXATION	30 HOURS
PAPER-8	INDIRECT TAX LAWS	30 HOURS

LINK FOR REGISTRATION: <https://www.sirc-icai.org/view-batches.php>

✉ [sirc.final@icai.in](mailto:sirc.final@icai.in)

☎ 73585 06400, 82205 22669, 96771 26011

☎ 044 3021 0370





SOUTHERN INDIA REGIONAL COUNCIL OF  
THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA  
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# Congratulations!

Your Dream is  
**Our Vision**  
Our Dream is  
**Your Success**



TO ALL THE SUCCESSFUL  
STUDENTS & FACULTIES OF

## SIRC COACHING CLASSES

FOR THE AMAZING RESULTS IN NOVEMBER 2022 EXAMS

### SOME OF THE SUCCESSFUL INTERMEDIATE STUDENTS

**ALL INDIA RANK-33**



**SRO0772903**



SRO0733289



SRO0731254



SRO0700146



SRO0468812



SRO0756075



SRO0691244



SRO0791757



SRO0707444



SRO0769737



SRO0769936



SRO0733424

SRO  
0751038

SRO  
0723490

SRO  
0769257

SRO  
0769509

SRO  
0741951

SRO  
0727274

SRO  
0742585

and  
many more

### SOME OF THE SUCCESSFUL FINAL STUDENTS



SRO0601157



SRO0590039



SRO0634151



SRO0690422



SRO0433154



SRO0675307



SRO0574069



SRO0532785



SRO0628750



SRO0678252



SRO0619269



SRO0584579



SRO0502069

SRO  
0448025

SRO  
0691851

SRO  
0690422

SRO  
0691851

SRO  
0632447

and  
many more

### ANNOUNCEMENTS

- FOR THOSE ATTENDING MAY & NOVEMBER 2023 EXAMS. YOUR ALMA MATTER IS THE PLACE TO GO !
- INTEGRATED EXPERT COACHING & ASSESSMENT
- ALL IN ONE GO ! UNDER ONE ROOF !
- AS ECONOMICAL & QUALITATIVE FOR EVERYONE TO AFFORD !

- ◆ CA FOUNDATION - JUNE 2023 EXAMS-Physical & Virtual - 27th Jan 2023 batch.
- ◆ CA INTERMEDIATE / FINAL - NOV. 2023 EXAMS - Online- 24th March 2023 batch
- ◆ PRACTICE TEST SERIES FOR NOV 2023 EXAMS - from 5th Feb 2023 to 6th April 2023

For Registration, Please Visit: [WWW.SIRC-ICAI.ORG/VIEW-BATCHES.PHP](http://WWW.SIRC-ICAI.ORG/VIEW-BATCHES.PHP)

FOR FURTHER QUERY, PLEASE CONTACT SIRC COACHING CLASSES

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@ sirc.foundation@icai.in

☎ 044-30210379 | 91-8220522669  
@ sirc.intermediate@icai.in

☎ 044-30210370 | 91-7358506400  
@ sirc.final@icai.in





Southern India Regional Council of  
The Institute of Chartered Accountants of India  
(Setup by an Act of Parliament)

Introducing  
Face to Face  
Classes

HYBRID (PHYSICAL cum VIRTUAL)

# CA INTERMEDIATE CLASSES

Regular Batch for November 2023 Examination

Commences on 24th March 2023 - End on 30th September 2023

**VENUE:**

ICAI Bhawan,  
Nungambakkam, Chennai.

**TIMINGS :**

Group-1 : 06.30 A.M. to 09.30 A.M.  
Group-2 : 05.30 P.M. to 08.30 P.M.

FEES	VIRTUAL	PHYSICAL
GROUP - 1	Rs.12,000/-	Rs.13,000/-
GROUP - 2	Rs.12,000/-	Rs.13,000/-
BOTH GROUPS	Rs.21,000/-	Rs.24,000/-
SUBJECT WISE	Rs.3,500/-	Rs.3,750/-

- ◆ SIRC of ICAI is your alma mater and the leader in grooming CAs for the past 50 years
- ◆ Expert and Experienced Faculty Team for SIRC Coaching Classes
- ◆ Be trained by the Leader... at a very nominal cost
- ◆ State of the Art Online Platform for Coaching

PAPER	SUBJECT	HOURS
PAPER-1	ACCOUNTING	140 Hours
PAPER-2	CORPORATE AND OTHER LAWS	120 Hours
PAPER-3	COST AND MANAGEMENT ACCOUNTING	140 Hours
PAPER-4	TAXATION	160 Hours
PAPER-5	ADVANCED ACCOUNTING	140 Hours
PAPER-6	AUDITING AND ASSURANCE	100 Hours
PAPER-7	ENTERPRISE INFORMATION SYSTEMS & STRATEGIC MANAGEMENT	100 Hours
PAPER-8	FINANCIAL MANAGEMENT & ECONOMICS FOR FINANCE	100 Hours

SCAN THE  
QR CODE



Avail this opportunity  
and get through your  
November 2023 Examinations

LAST OF REGISTRATION  
**23.03.2023**

For Registration, Please visit : [www.sirc-icai.org/view-batches.php](http://www.sirc-icai.org/view-batches.php)

Faculty Link : <https://bit.ly/3QU3yIk>

For further query, please contact SIRC coaching classes

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☎ 82205 22669, 96771 26011, 73585 06400





Southern India Regional Council of  
The Institute of Chartered Accountants of India  
(Setup by an Act of Parliament)

## Are U writing your CA Intermediate - MAY 2023 Examinations?

**COURSE DURATION**

**BEGINS**

9th MARCH 2023

**ENDS**

3rd Week of  
APRIL 2023

**HYBRID (PHYSICAL cum VIRTUAL)**

# RAPID REVISION CLASSES

**VENUE:**  
ICAI Bhawan,  
Nungambakkam,  
Chennai.

**TIMINGS :**  
10.00 A.M.  
to  
05.00 P.M.



FEES	PHYSICAL	VIRTUAL
GROUP - 1	Rs.4,000/-	Rs.3,500/-
GROUP - 2	Rs.4,000/-	Rs.3,500/-
BOTH GROUPS	Rs.6,500/-	Rs.6,000/-
SUBJECT WISE	Rs.1,250/-	Rs.1,100/-

PAPER	SUBJECT	DATE OF COMMENCEMENT
PAPER-1	ACCOUNTING	11.03.2023
PAPER-2	CORPORATE AND OTHER LAWS	1st Week APRIL
PAPER-3	COST AND MANAGEMENT ACCOUNTING	09.03.2023
PAPER-4	TAXATION	25.03.2023
PAPER-5	ADVANCED ACCOUNTING	1st Week APRIL
PAPER-6	AUDITING AND ASSURANCE	16.03.2023
PAPER-7	ENTERPRISE INFORMATION SYSTEMS & STRATEGIC MANAGEMENT	21.03.2023
PAPER-8	FINANCIAL MANAGEMENT & ECONOMICS FOR FINANCE	27.03.2023

SCAN THE  
QR CODE



LAST OF  
REGISTRATION

**08.03.2023**

**LINK FOR REGISTRATION:** <https://www.sirc-icai.org/view-batches.php>

☎ 044-3021 0379

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☎ 82205 22669, 96771 26011, 73585 06400





Southern India Regional Council of  
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(Setup by an Act of Parliament)



# SATURDAY PRACTICE TEST

**ATTENTION : CA FOUNDATION  
students writing JUNE 2023 EXAMS**

## FEATURES : EACH SUBJECT

- ◆ 50 Marks Test (Block Test) - 3
- ◆ 100 Marks Model Test-1
- ◆ Evaluation Period - 15 days (For Physical Students only not for virtual students)
- ◆ Answer Keys Shared as Soft Copies after evaluation for both virtual and physical students

**START DATE  
04-03-2023**

**END DATE  
29-04-2023**

## FEES STRUCTURE :

MODE	PHYSICAL	VIRTUAL
FOUNDATION COURSE	Rs.3,000	Rs.1,500
SUBJECT WISE REGISTRAION	Rs.800 / Per Subject	Rs.400 / Per Subject

**For Registration : [https://www.sirc-icai.org/view\\_cevent\\_batches.php](https://www.sirc-icai.org/view_cevent_batches.php)**

For details of schedule & Chapters allocated Click Link : <https://rb.gy/sdiulh>

**For FOUNDATION :**

**044-30210323**

**sirc.foundation@icai.in**



The following are the important updates in Companies Act, 2013, SEBI LODR from 25th January 2023 to 24th February 2023.

## **I. Extension of Time for filing of 45 company e-Forms, PAS-03 and SPICE+PartA without additional fee in MCA Version 3**

The Ministry of Corporate Affairs (MCA) vide its General Circular No.04/2023 dated 21st February 2023 relaxed the levy of additional fee in continuation to the General Circulars No. 1/2023 dated 09.01.2023 and 03/2023 dated 07.02.2023.

Due to change in way of filing in Version-3, including fresh process of registration of users on MCA-21 and process of stabilization of 45 forms launched with effect from 23.01.2023, and after considering various representations, in continuation of General Circulars No. 1/2023 dated 09.01.2023 and 03/2023 dated 07.02.2023, it has been decided to allow further additional time till 31.03.2023 for filing of these forms which are due for filing between 07.02.2023 and 28.02.2023, without additional fees, to the stakeholders.

2. Further, Form PAS-03 which was closed for filing in Version-2 on 20.01.2023 and launched in Version-3 on 23.01.2023, and whose due dates for filing fall between 20.01.2023 and 28.02.2023, can also be filed without payment of additional fees till 31.03.2023.

3. Further, reservation period for the names which are reserved under sub-section (5) of section 4 of the CA 2013 is extended by a further period of 20 days. The resubmission period under rule 9 of Companies (Incorporation) Rules, 2014 falling between 23.01.2023 and 28.02.2023, is also extended by 15 days.

## **II. Extension for Filing of Forms GNL-2, MGT-14, PAS-3, SH-8, SH-9 and SH-II due to migration from V2 Version to V3 Version in MCA 21 Portal from 22.02.2023 to 31.03.2023-reg.**

The Ministry of Corporate Affairs (MCA) vide its General Circular No.05/2023 dated 22nd February 2023 relaxed the levy of additional fee for the above referred forms till 31st March 2023 and as well physical filing can be done with the concerned ROCs.

The matter has been examined in the Ministry and it has been decided that the companies intending to file (i) Form GNL-2 (filing of prospectus related documents and private placement), (ii) MGT-14 (filing of Resolutions relating to prospectus related documents, private placement), (iii) PAS-3 (Allotment of Shares), (iv.) SH-8 (letter of offer for buyback of own shares or other securities), (v.) SH-9 (Declaration of Solvency) and (vi.) SH-11 (Return in respect of buy-back of securities) from 22.02.2023 to 31.03.2023 on the MCA-21 Portal may file such Form in physical mode duly signed by the persons concerned as per requirements of the relevant forms, along with a copy thereof in electronic media, with the concerned Registrar without payment of fee and take acknowledgement (as per Annexure to this Circular) thereof. Such filing will be accompanied by an undertaking from the company that, the company shall also file the relevant Form in electronic form on MCA-21 Portal along with fee payable as per Companies (Registration Offices and Fees) Rules, 2014.

As clarified by General circular Number 04/2023 dated 21.02.2023 no additional fees will be levied as referred in the said circular.

## **III. Manner of achieving minimum public shareholding**

SEBI, vide Circular No. SEBI/HO/CFD/PoD2/P/CIR/2023/18 dated 3rd February 2023 had permitted different methods that may be used by listed entities to achieve compliance with the minimum public shareholding (MPS) requirements mandated under Rule 19(2)(b) and 19A of the Securities Contracts (Regulation) Rules, 1957 ("SCRR") read with regulation 38 of the



Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015 (“LODR Regulations”).

SEBI has been receiving representations from listed entities and other stakeholders requesting relaxation from compliance with the conditions specified in the existing methods and approval for using non-prescribed methods to achieve MPS compliance.

In view of the above and to facilitate listed entities achieve MPS compliance, few of the existing methods have been reviewed and rationalized and two additional methods have been introduced. Accordingly, a listed entity shall adopt any of the following methods in order to achieve compliance with the MPS requirements mandated under rules 19(2)(b) and 19A of the SCRR read with regulation 38 of the LODR Regulations:

Sl. No.	Method	Specific conditions, if any, applicable
1.	Issuance of shares to public through prospectus	-
2.	Offer for sale of shares held by promoter(s) / promoter group to public through prospectus	-
3.	Offer for sale of shares held by promoter(s) / promoter group through the Stock Exchange mechanism i.e., the secondary market, in terms of circular reference No. SEBI/HO/MRD/MRD-PoD-3/P/CIR/ 2023/10 dated January 10, 2023.	-
4.	Rights issue to public shareholders	Promoter(s) / promoter group shareholders shall forgo their entitlement to equity shares that may arise from such issue.
5.	Bonus Issue to public shareholders	Promoter(s) / promoter group shareholders shall forgo their entitlement to equity shares that may arise from such issue.
6.	Allotment of equity shares under Qualified Institutions Placement in terms of Chapter VI of the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2018.	-
7.	<p>Sale of shares held by promoter(s) / promoter group in the open market in any one of the following ways, subject to compliance with the conditions specified:</p> <p>i. Promoter(s) / Promoter group can sell up to 2% of the total paid-up equity share capital of the listed entity, subject to five times' average monthly trading volume of the shares of the listed entity, every financial year till the due date for MPS compliance as per the SCRR (or)</p> <p>ii. Promoter(s) / Promoter group can sell upto a maximum of 5% of the paid-up capital of the listed entity during a financial year subject to the condition that the public holding in the listed entity shall become 25% after completion of such sale. The sale can be a single tranche or in multiple tranches not exceeding a period of 12 months and the amount of shares to be sold shall not exceed the trading volume of the shares of the listed entity during the preceding 12 months from the date of announcement.</p>	<p>i. Promoter(s) / Promoter group can use either the mechanism specified at Sl. No. 7(i) or 7(ii) to comply with MPS requirements, but not both.</p> <p>ii. The listed entity shall, at least one trading day prior to every such proposed sale, announce the following details to the stock exchange(s) where its shares are listed:</p> <p>a) the intention of the promoter(s) / promoter group to sell and the purpose of sale;</p> <p>b) the details of promoter(s)/promoter group, who propose to divest their shareholding;</p> <p>c) total number of shares and percentage of shareholding in the listed entity that is proposed to be divested; and</p> <p>d) the period within which the entire divestment process will be completed.</p> <p>iii. The listed entity shall also give an undertaking to the recognized stock exchange(s) obtained from the persons belonging to the promoter and promoter group that they shall not buy any shares in the open market on the dates on which the shares are being sold by promoter(s)/promoter group as stated above.</p> <p>iv. The listed entity, its promoter(s) and promoter group shall ensure compliance with all applicable legal</p>



		provisions including that of the Securities and Exchange Board of India (Prohibition of Insider Trading) Regulations, 2015 and Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011.
8.	Increase in public holding pursuant to exercise of options and allotment of shares under an employee stock option (ESOP) scheme, subject to a maximum of 2% of the paid-up equity share capital of the listed entity.	The ESOP scheme shall be in compliance with the Securities and Exchange Board of India (Share Based Employee Benefits and Sweat Equity) Regulations, 2021 and the promoter(s) / promoter group shall not be allotted any shares.
9.	Transfer of shares held by promoter(s) / promoter group to an Exchange Traded Fund (ETF) managed by a SEBI-registered mutual fund, subject to a maximum of 5% of the paid-up equity share capital of the listed entity.	The listed entity shall, at least one trading day prior to such proposed transfer, announce the following details to the stock exchange(s) where its shares are listed: i. the intention of the promoter(s) / promoter group to transfer shares and the purpose of such transfer; ii. the details of promoter(s)/promoter group who propose to transfer their shares in the listed entity; iii. total number of shares and percentage of shareholding proposed to be transferred; and iv. Details of the ETF to which shares are proposed to be transferred by the promoter / promoter group. The listed entity shall also give an undertaking to the recognized stock exchange(s) obtained from the persons belonging to the promoter and promoter group that they shall not subscribe to the units of such ETF to which shares have been transferred by promoter(s) / promoter group entities for the purpose of MPS compliance.
10.	Any other method as may be approved by the Board on a case-to-case basis.	The listed entity shall approach the Board with an application containing relevant details to obtain prior permission. The Board would endeavour to communicate its decision within 30 days from the date of receipt of the proposal or the date of receipt of additional information as sought from the listed entity.

The Stock Exchange(s) shall monitor the methods adopted by listed entities to increase their public holding and comply with MPS requirements in terms of this circular. Non-compliance, if any, observed by the Stock Exchange(s) with respect to the method(s) and / or conditions prescribed herein, shall be reported to SEBI on a quarterly basis.



The Rule 19 (2) (b) & 19A of Securities Contracts (Regulations) Rules, 1957 is given herewith for easy reference.

### **Rule 19 (2) (b) of Securities Contracts (Regulations) Rules, 1957 :**

The minimum offer and allotment to public in terms of an offer document shall be

(i) at least twenty five per cent of each class or kind of equity shares or debenture convertible into equity shares issued by the company, if the post issue capital of the company calculated at offer price is less than or equal to one thousand six hundred crore rupees;

(ii) at least such percentage of each class or kind of equity shares or debentures convertible into equity shares issued by the company equivalent to the value of four hundred crore rupees, if the post issue capital of the company calculated at offer price is more than one thousand six hundred crore rupees but less than or equal to four thousand crore rupees;

(iii) at least ten per cent of each class or kind of equity shares or debentures convertible into equity shares issued by the company, if the post issue capital of the company calculated at offer price is above four thousand crore rupees<sup>33</sup> but less than or equal to one lakh crore rupees

(iv) at least such percentage of each class or kind of equity shares or debentures convertible into equity shares issued by the company equivalent to the value of five thousand crore rupees and at least five per cent of each such class or kind of equity shares or debenture convertible into equity shares issued by the company, if the post issue capital of the company calculated at offer price is above one lakh crore rupees:

Provided that the company referred to in this sub-clause (iv) shall increase its public shareholding to at least 10% within a period of two years and at least 25% within a period of five years, from the date of listing of the securities, in the manner specified by the Securities and Exchange Board of India;

Provided that the company referred to in sub-clause (ii) or sub-clause (iii), shall increase its public shareholding to at least 25% within a period of three years from the date of listing of the securities, in the manner specified by the Securities and Exchange Board of India:

Provided further that this clause shall not apply to a company whose draft offer document is pending with the Securities and Exchange Board of India on or before the commencement of the Securities Contracts (Regulation) Third Amendment Rules, 2014, if it satisfies the conditions prescribed in clause (b) of sub-rule (2) of rule 19 of the Securities Contracts (Regulation) Rules, 1956 as existed prior to the date of such commencement.

### **Rule 19A of Securities Contracts (Regulations) Rules, 1957 :**

(1) Every listed company other than public sector company shall maintain public shareholding of at least 25%.

Provided that every listed public sector company which has public shareholding below twenty-five per cent. on the commencement of the Securities Contracts (Regulation) (Second Amendment) Rules, 2018, shall increase its public shareholding to at least twenty-five per cent, within a period of three years from the date of such commencement, in the manner specified by the Securities and Exchange Board of India.

Explanation: For the purposes of this sub-rule, a company whose securities has been listed pursuant to an offer and allotment made to public in terms of clause (b) of sub-rule (2) of rule 19, shall maintain minimum twenty five per cent, public shareholding from the date on which the public shareholding in the company reaches the level of twenty five percent in terms of said sub-clause.



(2) Where the public shareholding in a listed company falls below 25% at any time, such company shall bring the public shareholding to twenty five per cent within a maximum period of 12 months from the date of such fall in the manner specified by the Securities and Exchange Board of India.

Provided that every listed public sector company whose public shareholding falls below 25% at any time after the commencement of the Securities Contracts (Regulation) (Second Amendment) Rules, 2018, shall increase its public shareholding to at least 25%, within a period of two years from such fall, in the manner specified by the Securities and Exchange Board of India.

(4) Where the public shareholding in a listed company falls below twenty-five per cent. in consequence to the Securities Contracts (Regulation) (Amendment) Rules, 2015, such company shall increase its public shareholding to at least 25% in the manner specified by the Securities and Exchange Board of India within a period of three years, as the case may be, from the date of notification of:

(a) the Depository Receipts Scheme, 2014 in cases where the public shareholding falls below twenty five per cent. as a result of such scheme;

(b) the Securities and Exchange Board of India (Share Based Employee Benefits) Regulations, 2014 in cases where the public shareholding falls below twenty-five per cent., as a result of such regulations.

## FEMA

Contributed by: CA. G. Murali Krishna, Hyderabad

### **I. Introduction of Foreign Contribution (Regulation) Act (FCRA) related transaction code in NEFT and RTGS Systems:**

RBI vide Circular No. RBI/2022-23/178, CO.DPSS.RPPD.No.S1931/04-03-001/2022-23 dated February 16, 2023 introduced FCRA related transaction code in NEFT and RTGS Systems. Under the FCRA, 2010 (amended as on September 28, 2020), foreign contributions must be received only in the "FCRA account" of State Bank of India (SBI), New Delhi Main Branch (NDMB). The contributions to the FCRA account are received directly from foreign banks through SWIFT and from Indian intermediary banks through NEFT and RTGS systems.

In terms of extant requirements of Ministry of Home Affairs (MHA), Government of India, the donor details such as name, address, country of origin, amount, currency, and purpose of remittance are required to be captured in such transactions and SBI is required to report the same to MHA on daily basis.

Keeping in view the above, necessary changes have been introduced in NEFT and RTGS systems, technical details of which are provided in Annex. Member banks are advised to incorporate necessary changes in their core banking / middleware solutions to capture the requisite details while forwarding the foreign donations through NEFT and RTGS systems to SBI. The instructions will be effective from March 15, 2023. These instructions are issued under Section 10 (2) read with Section 18 of Payment and Settlement Systems Act, 2007 (Act 51 of 2007).

For more details and Annex, please refer to the circular.

### **II. Case Law:**

#### **Play Games 24x7 Pvt Ltd Versus RBI & DPIIT**

##### **Facts of the case:**

1. The petitioner, Play Games 24x7 Pvt Ltd, is a software company engaged in designing and developing software related to online games. It owns www.rummycircle.com website from which users can download gaming apps namely my11circle, rummycircle etc., on to their mobile phones for playing.

2. The petitioner received foreign direct investment (FDI) from overseas investors during 2006 to 2012. However, there were delays in filing of Form ARF and Form FCGPR as applicable at that time. Moreover, share allotments could not happen against certain inward remittances



within 180 days-time period provided by law, and in certain cases amounts were returned to overseas investors with substantial delay.

3. After filing the required forms, the petitioner made an application to RBI for compounding the contraventions involved therein. RBI returned the application asking the petitioner to approach Department for Promotion of Industry and Internal Trade (DPIIT) for its approval as the business of petitioner involved games in the nature of gambling, which is prohibited as per extant FDI regulations.

4. The petitioner made an application to DPIIT and followed up multiple times for its clarification / approval. However, DPIIT did not respond.

5. Aggrieved by inaction of DPIIT, the petitioner filed a writ petition before Bombay High Court against RBI. Considering the facts of the case, the Hon'ble High Court directed DPIIT be made a party to the petition.

6. Upon a notice by Hon'ble High Court, DPIIT reverted saying that the website of the petitioner contained games like Ultimate Teen Patti Call-it-right and other social games (in addition to rummy) which are purely games of chance / luck, and accordingly they are prohibited from getting any FDI.

7. Against above submission by DPIIT, the petitioner responded with below explanations:

i. That rummycircle (rummy) and my11circle (cricket) are games of skill but not games of chance.  
ii. That Ultimate Teen Patti, Call-it-right and other games, in the nature of games of chance / luck, were introduced on the gaming platform subsequent to getting FDI.

iii. That the petitioner collects money from users towards add-in services like purchase of virtual coins for playing the games online but there is no reward or prize money to the users upon playing the game, and accordingly it is not gambling as per Indian laws are concerned.

#### **HELD THAT:**

a. As there is no definition for 'gambling' under Indian laws, definition as per New Encyclopaedia Britannica and Black's Law Dictionary were referred by Hon'ble High Court, as per which games of chance / luck can be considered as 'gambling' only when it results in a prize or reward for the players.

b. DPIIT had gone through only the website of the petitioner to refer their business, but it did not understand their terms of business to identify if it constitutes gambling or not.

c. Business of petitioner is not illegal or illicit, and so a new compounding application can be filed by petitioner within two weeks and RBI to dispose off the same within four weeks from the date of submission considering the time lapsed in judicial proceedings till the date of this order.

### **III. Update on Compounding Orders issued under FEMA Regulations:**

#### **a. Health Catalyst India Private Limited**

Regulation	Rule 4 of Non-Debt Instruments (NDI) Rules, 2019
Contravention	Failure to comply with the provisions of receiving investment by an Indian Entity from a person resident outside India
Date of Order	24-01-2023
Compounding Fee	₹ 1,329



### b. Deepak Chandulal Shewani

Regulation	Rule 9 of Non-Debt Instruments (NDI) Rules, 2019 read with Regulation 4(3) of Notification No. FEMA 395 /2019-RB dated October 17, 2019
Contravention	Failure to comply with the provisions of transfer of equity instruments of an Indian Company by or to a person resident outside India
Date of Order	12-01-2023
Compounding Fee	₹ 177

### c. SBTSMS Private Limited

Regulation	Paragraph 2 of Schedule I to Notification No. FEMA 20(R)/2017 - RB dated November 07, 2017
Contravention	Failure to comply with the provisions of mode of payment with regard to purchase/sale of capital instruments of an Indian company by a person resident outside India
Date of Order	26-12-2022
Compounding Fee	₹ 14,383

## GOODS AND SERVICE TAX

Contributed by: CA. G. Saravana Kumar, Madurai.

### CHANGES PROPOSED IN FINANCE BILL 2023 - GST

#### 1. Composition scheme allowed for persons supplying goods through E-Com operator: (Clause 128)

Presently a person involved in supply of goods through E-commerce operator is not allowed to opt for composition scheme. Now it is proposed to allow such persons to opt for composition scheme.

#### 2. Failure to pay consideration to the supplier within 180 days - ITC to be reversed instead of payment of output tax (Clause 129)

In case the recipient fails to pay the consideration to the supplier within one hundred and eighty days from the date of issue of invoice then he shall have to pay the ITC already taken by adding the same to the output tax. However, in order to align with the present system of return filing, it is proposed that such amount shall be paid in the manner prescribed along with interest under section 50. Rule 37 has already been amended through Notification No 19/2022-CT dated 28.09.2022 providing that such amount shall be paid either by payment or reversal along with interest under section 50.

#### 3. Exempt supply to include supply of warehoused goods before clearance for home consumption - Clause 130(a)

Where warehoused goods are supplied before the same are cleared for home consumption, ITC relating to such supply is outside the purview of Rule 42 and 43 reversals. Now, it is proposed that such ITC shall have to be considered for the purpose of proportionate reversal since value of exempt supply is proposed to be amended to include supply of warehoused goods before clearance for home consumption.



#### **4. ITC on goods or services received for CSR Activities proposed to be restricted – Clause 130(b)**

Hitherto there was confusion as to availability of ITC on CSR activities. Now it is proposed that such ITC shall be regarded as blocked ITC as per section 17(5)(fa). However, one may take a view that since this amendment is prospective, ITC may be available for the past periods.

#### **5. No need of compulsory registration u/s 24 by a person supplying exclusive exempted goods or services Clause 131:**

As per section 24, a person is required to take compulsory registration in cases covered therein. For example, a person is supplying exempt goods but covered by reverse charge has to take registration to discharge liability under reverse charge mechanism. Now it is proposed that a person who is exempted under section 23 (supplying wholly exempted goods or services) shall not be required to take registration even if he receives the supply of goods or services covered by reverse charge mechanism.

#### **6. Maximum time limit fixed for filing various returns in GST – Clause 132 – 135:**

Presently there is no maximum time limit available for filing various returns under GST. A person may file his GST returns belatedly after any number of years after the due date. Now it is proposed that GSTR 1, GSTR 3B, GSTR 9, 9C and GSTR 8 shall not be allowed to be filed after the expiry of three years from the due date of filing aforesaid returns. However, the Government is empowered to extend above time limit for certain class of registered persons.

#### **7. Provisional refunds for exporters – Concept of Provisional ITC omitted – Clause 136:**

Section 54(6) is proposed to be amended so as to provide that refund on provisional basis shall be calculated at 90% of the amount of refund claimed.

#### **8. Manner of calculation of interest on delayed refunds proposed to be prescribed – Clause 137:**

As per section 56 it has been provided that interest shall be paid in case refund is given after the expiry of sixty days from the date of application. Now it is proposed that manner of computing such interest shall be prescribed in case of such delayed refunds after the expiry of sixty days.

#### **9. Penalty prescribed for E-Commerce Operator – Clause 138:**

It is proposed that penalty of Rs. 10000 or tax amount involved whichever is higher shall be levied on e-commerce operator for the following offences

- Any unregistered person (not exempted from registration) is allowed to supply of goods or services through E-Commerce operator
- A Composition taxable person is allowed to make interstate supply of goods or services through such E-Commerce Operator.
- Failure to furnish information relating to supplies made by unregistered person through him in GSTR 8.

#### **10. De-criminalization provisions – Clause 139:**

Below specified offences are proposed to be outside decriminalization provisions and no prosecution shall be initiated:

- Obstructing or preventing an officer in discharge of his duties.
- Tampering with or destroying any material evidence or documents;
- Failure to supply any information which a person is required to supply under this Act.

Also, the monetary limit of prosecution is proposed to be increased from Rs. 1 crore to Rs. 2



Crores for all the offences except in case of an offence relating to fake invoices without actual supply of goods or services.

### **11.Changes in limit for Compounding of offences - Clause 140(b)**

The minimum limit for compounding of offences is proposed to be changed from the present limit i.e., higher of Rs. 10000 or 50% of tax involved to 25% of tax involved.

The maximum limit for compounding of offences is proposed to be changed from the present limit i.e., higher of Rs. 30000 or 150% of tax involved to 100% of tax involved.

### **12.Sharing of tax payers' information with other systems - Clause 141**

It is proposed to share the following information of tax payers with other systems after getting the consent of the relevant supplier or the recipient.

- Particulars furnished in application for registration
- Particulars furnished in GSTR 1,3B and 9/9C
- Invoices uploaded through e-invoice portal
- E-way bill particulars
- Such other details as may be prescribed.

### **13.High-sea sales not to be treated as supply with retrospective effect from 01st July, 2017 - Clause 142(1) & (2)**

Supplies mentioned in para 7 and 8 were brought to schedule III i.e. neither supply of goods nor supply of services with effect from 01st Feb, 2019. Now it is proposed that this would take effect from 01st July, 2017.

### **14.Changes in the definitions of OIDAR services and Non-taxable online recipient services: - Clause 143(a)&(b)**

Scope of OIDAR services is expanded significantly by the proposed amendment in the definition of OIDAR service. The words "essentially automated and involving minimal human intervention" were removed from the definition. By removing these words, now a service would be classified as OIDAR services if they are provided with the assistance of information technology. Also, definition of non-taxable online recipient has also been amended as follows. "Any unregistered person receiving online information and database access or retrieval services located in the taxable territory"

### **15.Place of supply in case of transportation of goods outside India where supplier and receiver is located in India - Clause 144**

Place of supply in case of transportation of goods outside India where supplier and recipient is located in India the place of supply shall be the location of the registered person where supply is to a registered person and in case supply is to an unregistered person then place of supply shall be location at which such goods are handed over for transportation.

### **Summary of Recommendations made at 49th GST Council Meeting**

1. Central Government has decided to clear the entire pending balance GST compensation of Rs. 16,982 Crore for June' 2022. Since, there is no amount in the GST compensation Fund, Centre decided to release this amount from its own resources and the same will be recouped from the future compensation cess collection.

2. GST Appellate Tribunal - The Council adopted the report of Group of Ministers with certain modifications. The final draft amendments to the GST laws shall be circulated to Members for their comments.

3. It is recommended to extend the time limit for application for revocation of cancellation of registration and one time amnesty for past cases.

4. Extension of time lines for best judgment assessment under section 62 and also one time amnesty scheme for past cases are recommended.



5. From FY 2022-23 onwards late for belated filing of GSTR 9 for persons having aggregate annual turnover up to Rs. 20 crores shall be revised as follows:
  - a. Registered persons having an aggregate turnover upto Rs. 5 Crore – Rs. 50 per day subject to a maximum amount calculated at 0.04% of turnover in state.
  - b. Registered persons having an aggregate turnover between Rs. 5 Crore and Rs. 20 crore – Rs. 100 per day subject to a maximum amount calculated at 0.04% of turnover in state.
6. One time amnesty by waiver or reduction of late fee for past pending returns in GSTR 4, GSTR 9 and GSTR 10 shall be provided.
7. Clarifications and changes in rates of certain goods and services provided.

## **INFORMATION TECHNOLOGY**

Contributed by: CA. S. Deephika, Chennai.

### **1. Windows 11 - Updates:**

Windows 11 has got a new preview build that brings in a whole lot of fresh bits and pieces, including a major change and some further minor tweaks for the taskbar, and improvements on the accessibility front.

Microsoft just pushed out build 22621.1343 to the Release Preview Channel, and it reintroduces a search box to the taskbar.

As Windows 11 users are doubtless aware, the operating system changed the traditional search box as seen on Windows 10, morphing it into a button that you had to click, before typing your query in a box at the top of the search panel.

With this new preview, though, we have the traditional box sat back in the taskbar, into which you can directly type your query.

Further minor changes to the taskbar include an adjustment for the system tray, where the icons now have a rounded focus (when moused over). And for tablets (2-in-1s), there's a touch-optimized taskbar that's easier to use with your fingers (and it gets fully out of your way when collapsed, to maximize screen real-estate on a smaller display).

As well as a fair bit of work to the taskbar, there's also a raft of additions in terms of accessibility. We're talking about bolstered support for braille devices, and extra voice access functions (with the 'click' command in particular, that lets you verbally instruct the cursor to click on various elements on the screen), plus better scrolling using voice controls.

Alongside the new features, there are the expected bug fixes and tinkering. Microsoft also notes: "We improved the reliability of Windows after you installed an update," which sounds like a useful change to us. It's a pretty broad-reaching statement, of course, but more post-update stability has got to be a good thing.

### **2. Google Slides – ChatGPT Plugin:**

AI chatbots like ChatGPT are fun on their own, but their biggest benefits emerge when you plug them into existing programs – as shown by a promising new Google Slides plug-in.

A new Google Workspace app called MagicSlides combines OpenAI's GPT tech with Google's presentation software to give us a glimpse of how much easier it'll soon be to build a deck of slides. To get started you just need one of OpenAI's API keys, which you can generate in your account by going to 'View API keys'.

Once installed, the extension adds a sidebar to Google Slides that lets you type in the topic you're presenting, followed by the total number of slides you're aiming for. You can also type in extra info that you'd like it to pull in, alongside the overall tone you want (for example, professional or funny).

Hit generate and the extension will create a pretty decent draft presentation for you to edit and work with. It isn't perfect – the tool doesn't yet design the slides for you or pull in any of the many third-party Google Slides themes that are available.

But those features are apparently enroute and it does give us a hint of what's to come pretty soon. Google Bard, which is the search giant's equivalent of ChatGPT, hasn't yet been baked into Google Search, but it'll arrive "in the coming weeks".

And like the many ways ChatGPT could transform Microsoft Office, some of those talents will inevitably filter into Google Workspace apps like Google Sheets, Sheets, and Docs. Given how useful this third-party extension already looks, we can't wait.



Talking to AI chatbots like the ChatGPT-powered Bing is fascinating and fun, but their biggest influence is arguably going to be within specialist tools that we already use – like presentation tools and spreadsheet programs.

In their current form, neither ChatGPT nor Google Bard will be able to reliably make complete Google Sheets presentations for us. But as this Sheets extension shows, they can already rustle up solid first drafts for us to work with – and that's an exciting glimpse of their time-saving potential.

This is why both Microsoft and Adobe have referred to AI tools as creative 'co-pilots'. Neither see the tools as replacements for human creativity or productivity – and recent issues with the new Bing have shown that the tech is far from polished enough to be truly relied on for serious work.

But the likes of ChatGPT are developing faster than expected. And in the meantime, their ability to speed up the creation process in the likes of Google Slides and Microsoft Excel could see those programs make their biggest usability leaps in years.

### **3. Microsoft Word & Outlook – AI Boost:**

Microsoft is reportedly drawing up plans to release its Prometheus model - of which OpenAI's GPT large language model forms somewhat of a foundation - into even more of its Microsoft 365's office software products.

An AI model in the Microsoft Outlook email service could help make search more usable, while being able to handle more conversational prompts. The company's mail app has long been criticized for its poor performance when it comes to search, especially when compared with rivals such as Gmail.

The benefits for Microsoft Word users could involve something of a writing assistance, be it spelling and grammar or a more advanced tool to help orchestrate the right tone, which could see companies like Grammarly needing to speed up development.

Elsewhere in the Microsoft suite, another AI destined for Excel has already been mentioned by some company researchers. Though it won't be powered by the GPT model, the proprietary tech designed specifically for Excel could help less savvy users create better formulas.

While Microsoft may appear to be rolling out versions of its artificial intelligence in somewhat of a hasty manner, it has had more success than Google, which recently lost a substantial amount of market value following a Bard promo video that displayed factually incorrect information. Microsoft's relative success and speed could give it the tools it needs to once again be the go-to environment for businesses and individuals alike.

### **4. Google Translate Updates:**

Google Translate is gaining a much-needed upgrade as it's gaining what is arguably the most important translation metric: context.

With the power of AI, Google Translate will begin to provide more “contextual translation options” complete with examples in the intended language. In the example given, the AI will be able to understand if you're talking about ordering a bass (the fish) for dinner or ordering a bass (the instrument) for your band. The service will then provide sample sentences for each translation pertaining to a particular meaning.

Besides maintaining accuracy, the announcement states Google Translate will begin using “the right turns of phrase, local idioms, or appropriate words depending on your intent.” That way, the translated sentence will match how a native speaker talks.

The update will be rolling out to Google Translate on both mobile and browser versions within the coming weeks. At launch, only a handful of languages will be supported: English, French, German, Japanese, and Spanish. Other reports claim more languages will be coming out months from now. We reached out to Google to confirm this; however, a representative told us the company doesn't have any new info to share at the moment.

Additionally, the Google Translate app redesign that first appeared on Android is migrating over to iOS. iPhone owners will now have a slew of quality-of-life changes such as a “larger canvas for typing [alongside] more accessible entry points”. The user interface has also been streamlined to make translating easier to do.



You'll also have a more dynamic font that will autocorrect itself as you type. "Alternate translation and dictionary definitions" will appear alongside translations. Users can also hold the language button to "quickly pick a recently used language." And swiping down on the text area brings up recent translations.

For the cherry on top, Google Translate on iOS will support an additional 33 languages from Hawaiian, Hmong, Luxembourgish, and Yiddish – just to name a few. It is recommended you download this batch onto your phone in case you get stuck without an internet connection and need to translate something on the fly.

## INCOME TAX

Contributed by: CA. V.K. Subramani, Erode.

**Frequently asked questions on E-Verification Scheme dated 01.02.2023 :** The FAQs on the e-Verification Scheme, 2021 (hereafter 'FAQs') aim to provide general guidance in understanding the procedures and processes of the e-Verification Scheme, 2021 issued vide Notification no. 137/2021 dated 13.12.2021. These are presented in an easy-to-understand manner without using the technical wordings of the Income Tax Act, to the extent possible. These FAQs are informative and advisory in nature and are subject to updation as required. These should not be used as a basis for any legal interpretation of the e-Verification Scheme, 2021 or the Income Tax Act, 1961. The taxpayers may like to take an informed decision on their tax matters in this regard.

1. Where can I see my financial transaction reported to Income Tax Department by Sources/Reporting Entities?

The financial transactions gathered by Income Tax Department are about your receipts which attract TDS/TCS, immovable property purchase or sale, bank deposits, investment in shares/mutual funds, time deposits etc. All these transactions can be viewed by you in the AIS portal of your income tax account for FY 2020-21 onwards.

2. What should I do if I find a transaction which is incorrectly recorded or which does not pertain to me?

As detailed above, once you are viewing information under AIS, click on a specific information. Once the information details are seen, on the right side is a feedback button by using which taxpayer can provide feedback from the menu options available.

3. What happens after I raise my objection to any transaction reported in AIS?

Income Tax Department will in the next 3-4 months initiate a process of contacting the Source/Reporting Entity which reported the information/transaction and will seek confirmation about the correctness of the data.

Once this process is rolled out then (i) If the Source/Reporting Entity agrees that there has been a mistake, the data will be corrected in due course of time after the Source/Reporting Entity files its corrected statement. This process is done through an automated Information Technology driven procedure; and (ii) If the Source/Reporting Entity stands by the data and does not support your objection, further explanation/evidence will be called from you under the e-Verification Scheme which is explained in the following questions.

4. What is the e-Verification Scheme, 2021? (i) When a financial transaction reported by a Source/Reporting Entity is not considered/included by you while filing your Return of Income, a computerized process of identification of such mismatch is undertaken; (ii) A communication is sent to the Source/Reporting Entity seeking confirmation of the transaction/data reported by it. The Source/Reporting Entity can either confirm the information provided by it or can state that it has wrongly reported and can change the information by revising its statements filed earlier; (iii) If the Source/Reporting Entity confirms the information, proceedings under the e-Verification Scheme will be initiated for the taxpayer, in appropriate cases. A notice u/s 133(6) will be issued to the taxpayer, electronically through the Compliance Portal which is accessible through <https://eportal.incometax.gov.in>, seeking explanation/evidence to support why the transaction has not been considered/included in the Return of Income. The notice could also be issued through Speed Post in exceptional circumstances; (iv) The explanation/evidence/compliance to the notice u/s 133(6) of the IT Act, 1961 is to be done by the taxpayer through electronic means, using the Compliance Portal



(<https://eportal.incometax.gov.in>);(v) Based on the explanation/evidence provided, a view will be formed by the Prescribed Authority conducting the e-Verification about the transaction having been/not having been suitably reflected in the return of income; (vi) After this process, a communication will be sent to the taxpayer informing (a) No further clarification on the issue under verification proceedings is presently required from taxpayer, or (b) The explanation is not found sufficient to explain the mismatch in the specific information and the taxpayer may consider updating the return of income u/s 139(8A) of the Act, if eligible.

#### 5. What is the usefulness of the e-Verification Scheme, 2021?

Various steps have been taken to facilitate voluntary compliance. Sharing of information through AIS and pre-filing of return of income being the most recent. The e-Verification Scheme is another such step. It will help: (i) Correct inaccuracy in data/information provided by Source/Reporting Entity; (ii) To inform the taxpayer about any transaction which could have been missed in computing income and taxes, and in filing Return of Income; (iii) To provide an opportunity to the taxpayer to correct any omissions in Return of Income by filing an updated return of Income and pay tax due on the income missed in the original Return of Income; (iv) To provide an opportunity to the taxpayer to explain a transaction being verified before any further action by way of Assessment or Re-assessment is undertaken.

#### 6. Is the e-Verification Scheme same as e-Verification of return?

After filing the income tax return (ITR), you need to verify it to complete the return filing process. Without verification within the stipulated time, an ITR is treated as invalid. e-Verification is the most convenient and instant way to verify your ITR. You can e-Verify your return online using OTP on mobile number registered with Aadhaar, net banking, digital signature etc. The e-Verification Scheme, 2021 is totally different from e-Verification of return.

#### 7. Where do I see the notice u/s133(6) issued to me seeking my explanation on a transaction not included by me in the Return of Income? How do I file my response to the notice u/s 133(6) issued under the e-Verification Scheme, 2021? Or What should I do when I receive notice for e-Verification?

The notice u/s133(6) issued under the e-Verification Scheme will be visible to you in the Compliance Portal (accessible through <https://eportal.incometax.gov.in>). Normally you will also be alerted through an SMS on your registered mobile phone and will also receive it on your registered email address.

#### 8. At the time of responding to the notice of e-Verification, after log in, nothing appears and only a blank screen page opens up. What should I do?

Please enable the 'pop ups' from 'Privacy and Security' settings in Google chrome, Firefox, etc.

#### 9. How do I know that notice under e-Verification has been issued to me?

The Income Tax Department will send a notice u/s 133(6) of the Income Tax Act, 1961.

This will be visible on your e-filing portal account on [incometax.gov.in](https://incometax.gov.in). The notice is also emailed to the latest email address submitted to the Income Tax Department while filing the return of income. You will also receive SMS on the latest mobile number registered with your PAN.

#### 10. What do I do in case I am having difficulty in accessing the Compliance Portal for viewing notices or submitting responses?

You may lodge your complaint at the helpdesk for the "Compliance" portal by calling 18001034215. Please note that helpline number is unique for each portal. Please use helpline for Compliance Portal for redressal of difficulties.

#### 11. How does the taxpayer verify the genuineness of the notice received?

Very soon a facility will be provided for verification of the genuineness of the notice from the DIN mentioned in the notice. The taxpayer will be enabled to verify the DIN from the e-portal and see if the notice is genuine by clicking on the Authenticate Notice/Order Issued by ITD link in the Quick Links section found in the e-portal and following the process as mentioned in the e-portal.



The taxpayer has to furnish the response to the notice only through the Compliance Portal of the Income Tax Department <https://eportal.incometax.gov.in> and not through email. The instructions for furnishing the information are mentioned in the Annexure-2 of the notice issued to the taxpayer.

12. While responding to the notice issued u/s. 133(6) of the Income-tax Act in the Compliance portal, the system/portal is not accepting the attachments of size above 10 MB. How to submit such large documents?

With each response, 10 documents of size 10MB each can be uploaded as attachments. Large documents which are to be attached can be split into documents of less than 10 MB parts and can be attached and uploaded.

13. What happens if my explanation is found to be satisfactory?

A communication is sent to taxpayer informing that "No further clarification on the issue under verification proceedings is presently required from you". However, this could change if any additional evidence/information comes to the knowledge of Income Tax Department subsequently.

14. What happens if the explanation is not found satisfactory?

If the explanation is not found satisfactory, the e-Verification proceedings will be concluded with a communication to the taxpayer informing: "The explanation is not found sufficient to explain the mismatch in the specific information and the taxpayer may consider updating the return of income u/s 139(8A) of the Act, if eligible." Subsequently if the taxpayer does not Update the Return of Income within the due time, Income Tax Department will undertake risk-assessment based initiation of proceedings like Assessment or Re-assessment which could lead to tax demand and penalty etc.

15. What can I do if I realize that I have missed a transaction while calculating my income in the Return of Income already filed by me?

You may consider Updating your Return of Income under Section 139(8A) of the I.T. Act, 1961, if eligible, by paying tax on the missed income along with additional tax to avoid further proceedings in the form of assessment/re-assessment which could lead to tax demand and penalty.

16. Can I respond to the notice u/s. 133(6) of the I.T. Act, 1961 that I have updated my return of income by paying additional tax on the transaction being e-verified by Income Tax Department?

Yes. This should be explicitly stated in the response. The updated return of Income will be verified with the information and an appropriate decision will be taken by the Income Tax Department.

17. Do I need to pay any penalty while updating my return?

No, there is no penalty as such. However, you have to pay an additional tax of 25% in the first year and 50% in the second year while updating your return.

18. Is it possible for me to have a physical hearing with the officer?

This scheme does not allow for any physical hearing by the Prescribed Authority. You are requested to file your reply online through the portal. In case of any query or clarification the Prescribed Authority will communicate through the portal and give you adequate opportunity to clarify along with supporting documents. There is provision for video conference facility in exceptional case. This facility is under development.

19. Why should I update my return?

The Income Tax Department is giving you an opportunity to pay tax on the income that was not shown by you in your return but about which the Income Tax Department had received information. In the event of you not availing this opportunity to pay tax on such income and update your return, the Income Tax Department may, based on facts, initiate appropriate proceedings under the IT Act, 1961.



20. What is updated return and its utility to the taxpayer?

Finance Act, 2022 has inserted a new section, Section 139(8A) in Income Tax Act. This new section provides for filing of 'Updated Return' by the taxpayers. The taxpayer can file an updated return within two years from the end of the relevant Assessment Year. So, during the current financial year 2022-23, taxpayers can file ITR-U for AY 2020-21 and AY 2021-22. i.e., the return for FY19-20 can be updated till 31st March, 2023.

Updated return can be filed irrespective of the fact, whether the original return was filed by the taxpayer or not. However, to file an updated return, the taxpayer has to meet the conditions prescribed in section 139(8A) of the IT Act 1961. This facility of filing an updated return can also be viewed as an opportunity to disclose the earlier missed income and pre-empt further proceedings under the I.T. Act.

21. How is the e-Verification Scheme different from scrutiny assessments/reassessments?

This is primarily a preliminary verification based on the information received by the IT Dept from various reporting entities. No order is required to be passed in this case because this is not a notice for assessment or reassessment. This is only for verification. Once information is verified as correctly reflected in ITR, further steps may not be taken by the Income Tax Department with reference to the specific information verified. If information is not included in the return of income, then the taxpayer can update the tax return as mentioned above.

22. What should the taxpayer do if information provided by the Income Tax Department is not correct?

Or What should I do if the duplicate entries are there in notice received by me under the e-Verification Scheme?

If you go through the notice and find that the information as mentioned in the notice does not belong to you or it is a duplicate entry or is incorrect (fully or partially), you should clearly state the same in the response filed on Insight and provide supporting evidence for the same, where applicable. The Income Tax Department would then confirm with the source the veracity of the information and take appropriate action.

23. What if you agree to the mismatch between return of income and information explained to you in the notice u/s 133(6) of the IT Act, 1961, under e-Verification Scheme?

The taxpayer can update his ITR under section 139(8A) of the Act, and pay the additional taxes. A response can be submitted that the mismatch is accepted and ITR has been updated or will be updated.

24. What are the possible reasons for difficulties faced in filling responses to the notice u/s 133(6) of the IT Act, 1961?

Common reasons: (i) Response of Taxpayer is to be submitted on compliance portal which is accessible via e-filing portal ([www.incometax.gov.in](http://www.incometax.gov.in)). Other portals of Income Tax Department are for other specified compliances and will not accept responses to notice under e-Verification Scheme; (ii) Web browser used by the taxpayer is not updated to the latest version and hence the website is not supported by the browser; and (iii) POP-UP Blocker of the web browser is enabled and it is blocking the access to the response window.

**2. Substitution of Rules 16CC and 17B and substitution of Form Nos. 10B and 10BB:** In exercise of the powers conferred by section 10(23C)(b) tenth proviso and section 12A(1)(b)(ii) read with section 295 of the Income-tax Act, 1961, the CBDT has substituted rules 16CC and 17B and they shall come in to force w.e.f. 1st day of April, 2023.

**16CC.** Form of report of audit prescribed under tenth proviso to section 10(23C).—The report of audit of the accounts of a fund or institution or trust or any university or other educational institution or any hospital or other medical institution which is required to be furnished under tenth proviso to section 10(23C)(b) shall be in (a) Form No.10B where- (I) the total income of such fund or institution or trust or university or other educational institution or hospital or other medical institution, without giving effect to the provisions of the sub-clauses (iv), (v), (vi) and (via) of the said clause, exceeds rupees five crores during the previous year; or (II) such fund or institution or trust or university or other educational institution or hospital or other medical institution has received any foreign contribution during the previous year; or (III) such fund or



institution or trust or university or other educational institution or hospital or other medical institution has applied any part of its income outside India during the previous year; and Form No.10BB in other cases.

17B. Audit report in the case of charitable or religious trusts, etc.— The report of audit of the accounts of a trust or institution which is required to be furnished under section 12A(1)(b)(ii), shall be in—(a) Form No. 10B where- (I) the total income of such trust or institution, without giving effect to the provisions of sections 11 and 12 of the Act, exceeds rupees five crores during the previous year; or (II) such trust or institution has received any foreign contribution during the previous year; or (III) such trust or institution has applied any part of its income outside India during the previous year;(b) Form No. 10BB in other cases.

**3. Procedure for remedial action in cases where Revenue Audit Objection is accepted:** CBDT in F.No. 246/06/2023-A&PAC-I-79 dated 16th February, 2023 has referred to Instruction No.7/2017 dated 21st July, 2017 and has prescribed the procedure for remedial action in cases where Revenue Audit objection is accepted. As per Instruction No.7 of 2017 in para 5.3 it is stated that where the Revenue Audit objection is accepted the PCIT shall decide if the relevant order under audit requires revision under section 263 as remedial action. If yes, he shall call for the relevant records and proceed to initiate action under section 263. In other cases, the PCIT shall communicate his decision not to invoke section 263 to the Assessing Officer who shall examine the facts of each case and take a suitable action as per his independent application of mind on the facts of each case. In case, the AO decides to chose section 154 as appropriate remedial measure, he shall initiate the action after approval of the Range head. The remedial action in the case of accepted audit objection shall be initiated within 3 months and shall be completed within further period of 6 months from initiation. The objection shall be treated as settled once the intimation of completion of remedial action and issue of demand notice is given to concerned CAG officer. In the latest communique, the CBDT has stated that section 154 is routinely invoked even where the mistake is not apparent from record or in cases where action under section 263 or section 147 is warranted, resulting in avoidable unfavourable judgements at the appellate stage. It has requested the field authorities to ensure that the procedure prescribed in Instruction No.7 of 2017 is followed scrupulously and remedial action is taken under appropriate section of the Income-tax Act, 1961 after due application of mind.

## KARNATAKA VAT - GST

Contributed by: CA. Annapurna D Kabra, Bengaluru.

### Karnataka Professional Tax Law -2023

Several Commercial Tax laws in Karnataka like luxury tax, entertainment tax, etc are subsumed in GST law except Karnataka Professional Tax laws. Therefore, the dealer should comply with the provisions of professional tax laws in Karnataka even though he is the registered person under the GST law. The Karnataka Government in its state budget 2023 proposed to bring relief in the tax exemption limit for payment of Professional tax. The Karnataka Tax on Profession, Trades, Calling and Employments (Amendment) Bill 2023 in introduced in Karnataka Fifteenth Legislative Assembly to amend certain clauses of KTPTCE Act 1976. This Act may be called as KTPTCE Act 2023 and will come into force from 1st day of April 2023.

The Profession Tax shall be paid by every person exercising any Profession or calling or is engaged in any trade or holds any appointment, public or private as specified in the Schedule to the Act. However, no tax is payable by persons who have attained age of sixty years. Also, no tax is payable for holding any Profession for less than 120 days in the year. The employer is defined as a person under whom one or more employees are working deriving an amount by way of salary or wages on regular basis. The person or officer responsible for making such disbursement of salary or wage, head of the office or a manager are also considered as employer. (Sec 2 f).

The "person" means any person who is engaged in any profession, trade, calling or employment in the State of Karnataka and includes a Hindu Undivided Family, firm, company, corporation or other corporate body, any society, club or association, so engaged but does not include any person who earns wages on a casual basis;

Every branch of a proprietary concern, firm, company, corporation or other corporate body, any society, club or association is treated as separate person for the purpose of tax liability. Here it is to be noted that levy of professional tax is on profession, trades, callings and employments and not based on the establishments of branch in the state. [Karnataka bank ltd V/s State of



Andhra Pradesh & Others].

The 'salary' or 'wage' includes pay or wage, dearness allowance and all other remunerations received or receivable by any person including any amount received by way of arrears of salary or bonus by whatever name called whether payable in cash or kind and also includes perquisites and profits in lieu of salary as defined in section 17 of the Income Tax Act, 1961. If the bonus is received in part then it will be spread over the twelve months of the year or to the months it particularly relates to. (Sec 2 (j))

**As per Section 2(aa) "Agent" means a person who acts on behalf of another person in the course or furtherance of business.**

**As per section 2(ab) "Assessment" for the purposes of this Act, means determination of tax liability under this Act and includes self-assessment, reassessment and best judgment assessment;"**

**Employer's liability to deduct & pay tax on behalf of employees :** The tax payable by any person earning salary or wage (on regular basis), shall be deducted by his employer from the salary or wage payable to such person before it is paid to him, & such employer, irrespective of whether deduction is made or not while paying salary or wage be liable to pay tax on behalf of all such persons.

**Return and Payment of tax Sec 6:** The Return to be filed by employer on behalf of employees in Form 5 yearly within 60 days from the expiry of a year. The Return to be filed by employer on behalf of employees in Form 5A monthly within 20 days from the expiry of the month. The Return to be filed in Form 4A by every enrolled person annually. The Penalty for non-filing of returns for an employer Rs. 250/- Every enrolled person has to make the payment of the PT annually within 30 days from the end of financial year. All the payments over and above Rs. 5000/- has to be made electronically. Payment of tax has to be made by the employer on behalf of employees within 20 days from the end of the month or quarter as applicable to him. The payment of tax by other enrolled persons must be made within 30 days from the end of the relevant Financial Year.

**Section 9: Assessment of Escape Assessment :** In making the assessment, the assessing authority is satisfied that escape from assessment was due to wilful non-disclosure of information or attempting at evading the tax by the employer or the person direct such employer or the person to pay in addition to the tax assessed, a penalty one hundred percent of the tax (earlier not exceeding one and half times the tax) so assessed.

**Section 10: Payment of tax (and filing of return) by enrolled persons and deduction of tax in the case of certain enrolled persons:** If default is committed in the payment of tax deducted beyond ten days after the period specified, such persons shall be liable to pay interest at 1.5% per month (Earlier it was 2%) of the amount of tax due for each month or part thereof for a period for which the tax remains unpaid.

**Interest u/s Sec 11 and Penalty u/s Sec 12:** If an employer or an enrolled person does not deduct the tax or fails to pay the tax deducted or fails to pay the tax as required under the Act, he shall be liable to pay simple interest at 1.50% (earlier 1.25%) per annum of the amount of tax due. If the registered employer or enrolled person has defaulted payment of tax under this act without any reasonable cause penalty equal to 10% (earlier not exceeding 50%) of amount of tax due can be charged. Therefore, the Penalty for non-payment of tax by enrolled person and registered employer with interest at rate of 1.50% per month and Penalty equal to 10% of the tax amount due.

The Total amount payable in respect of any one person to the state or to any one municipality, district board, local board or other local authority in the state by way of taxes on professions, trades, callings and employments shall not exceed two thousand and five hundred rupees per annum.

The following are liable to pay Professional Tax

- Every person carrying on a profession or calling engaged in any trade holding an appointment (public or private) employed in any manner in the state specified in the second column of the schedule shall be liable to pay at the rate mentioned in the corresponding entry in the third column of the schedule.



**Schedule (Section 3(2)): Rates of taxes on Profession, trades, callings and Employments**

Sl. No	Class of Persons	Rate of tax
(1)	(2)	(3)
1	Salary or wage earners whose salary or wage or both, as the case may be, for a month is Rs. 25,000-00 and above	Rs. 200 per month
2	Persons registered or liable to be registered under the Karnataka Goods and Services Tax Act, 2017	Rs. 2,500 per annum
3	Self-employed persons engaged in Professions, Trades, Callings and Employments, with a standing in profession for more than 2 years, including Legal practitioners, Consultants, Agents, Chartered Accountants and Actuaries, Engineers, Health care professionals, Estate Agents or Brokers, Beauty parlours, dry cleaners and interior decorators, Journalists and Advertisement agencies, providing entertainment using Dish Antenna Cable TV, Computer Institutes selling time, Computer Training Institutes / Driving Institutes / Technical Training Institutes, Astrologers, Astro palmists, Numerologists, Vaastu consultants and Faith healers.	Rs. 2,500 per annum
4	Horse owners and the trainers, Jockeys, Directors, Actors and Actresses (Excluding Junior Artists), Owners of Oil Pumps and Service stations, gas stations, electric charging stations, Owners of Nursing homes, Hospitals, Diagnostic centres, Clinical laboratories and X-ray clinics, other than those run by the Central Government, State Government and local bodies, Owners of Gymnasium and Fitness centres.	Rs. 2,500 per annum
5	Educational Institutions and Tutorial Colleges or Institutes other than those run by the Central Government, State Government and local bodies.	Rs. 2,500 per annum
6	Employers of establishments defined under the Karnataka Shops and Commercial Establishments Act, 1961, employing more than five employees	Rs. 2,500 per annum
7	Licensed dealers of liquors, Money lenders licensed under the Karnataka Money Lenders' Act, 1961, Individuals or institutions conducting chit funds	Rs. 2,500 per annum
8	Owners of transport vehicles(other than auto rickshaws) run on their own or through others under permits granted under the Motor Vehicles Act, 1988 (Central Act 59 of 1988); Goods transport agencies (GTA) and Transport contractors including forwarding and clearing agents Explanation- For the purposes of this entry Goods Transport Agency or GTA means any person who provides service in relation to transport of goods by road and issues consignment note, by whatever name called.	Rs. 2,500 per annum
9	Co-operative Societies registered under the Karnataka Co-operative Societies Act,1959 (Karnataka Act 11 of 1959) and engaged in any profession, trade or calling.	Rs. 2,500 per annum
10	Companies registered under the Companies Act, 2013 (Central Act 18 of 2013) and engaged in any profession, trade or calling; Banking companies as defined in the Banking Regulations Act, 1949 (Central Act 10 of 1949) Explanation.- For the purpose of this entry, 'banking companies' shall include any bank whose operations are governed by	Rs. 2,500 per annum



	the provisions of the Banking Regulation Act,1949 (Central Act 10 of 1949)	
11	Persons other than those mentioned in any of the preceding entries who are engaged in any profession, trade, calling or employment and who are paying tax under the Income Tax Act, 1961 (Central Act 43 of 1961)	Rs. 2,500 per annum
12	Persons other than those mentioned in any of the preceding entries who are engaged in any profession, trade, calling or employment with a minimum of two years of standing and who are not exempted by Notification issued by the State Government from time to time.	Rs. 2,500 per annum

Explanation I- Notwithstanding anything in this Schedule, where a person is covered by more than one entry in the Schedule, tax is payable under any one of such entries.

Explanation II- For the purposes of determining the liability of tax, in terms of Serial No. 4 in this Schedule, the higher number of workers and / or employees at any time during the year shall be reckoned as the basis.

Explanation III- For the purposes of this Schedule where any asset or business is held on lease by a lessee, such lessee shall be deemed to be the person liable under the Act.

Explanation IV- No tax shall be levied under this Act on any partner of a firm which is engaged in any profession, trade or calling if the tax is paid by such firm.

Explanation V- Notwithstanding anything contained in the Schedule, every additional place of a person enumerated in any item of the Schedule shall be deemed to be a separate person for the purpose of levy of Profession tax specified in the Schedule and nothing in this explanation shall be applicable in case of additional places of business which are exclusively used as godown for storing goods.”

Also, it is proposed to tax related disputes in commercial departments, the Karnataka government has announced the Karasamadhana scheme which will resolve the tax related disputes in commercial tax department and collects the arrears promptly without any litigations. The scheme is trying to entail waiving of interest and penalties to those making full payment of tax arrears on or before October 30<sup>th</sup>, 2023. The Notification for Kara Samadhana scheme is awaited and accordingly it will be effective from the notified date.





# भारतीय प्रतिभूति और विनिमय बोर्ड Securities and Exchange Board of India

## परिपत्र / CIRCULAR

सेबी/एच ओ/आईटीडी/आईटीडी\_वीएपीटी/पी/सीआईआर/2023/032

SEBI/HO/ITD/ITD\_VAPT/P/CIR/2023/032

February 22, 2023

प्रति / To,

सभी स्टॉक एक्सचेंज / All Stock Exchanges

सभी समाशोधन निगम (क्लीयरिंग कारपोरेशन) / All Clearing Corporations

सभी निक्षेपागार (डिपॉज़िटरी) / All Depositories

सभी स्टॉक दलाल - एक्सचेंजों के जरिए / All Stock Brokers through Exchanges

सभी निक्षेपागार सहभागी (डिपॉज़िटरी पार्टिसिपेंट) - निक्षेपागारों (डिपॉज़िटरी) के जरिए

All Depository Participants through Depositories

सभी म्यूचुअल फंड / आस्ति प्रबंध कंपनियाँ (असेट मैनेजमेंट कंपनी) / न्यासी (ट्रस्टी) कंपनियाँ /

म्यूचुअल फंडों के न्यासी मंडल / एएमएफआई / All Mutual Funds / Asset Management

Companies / Trustee Companies / Boards of Trustees of Mutual Funds /

Association of Mutual Funds in India (AMFI)

सभी केवाईसी रजिस्ट्रीकरण एजेंसियाँ / All KYC Registration Agencies

सभी अर्हित निर्गम रजिस्ट्रार (रजिस्ट्रार टू एन इश्यू) / शेयर अंतरण अभिकर्ता (शेयर ट्रांसफर एजेंट)

All Qualified Registrars to an Issue / Share Transfer Agents

महोदय / महोदया,

Dear Sir / Madam,

**विषय: साइबर सुरक्षा हेतु बेहतरीन पद्धतियाँ अपनाए जाने के संबंध में सेबी द्वारा विनियमित (रेग्युलेटेड) एंटीटियों के लिए एडवाइजरी**

**Sub: Advisory for SEBI Regulated Entities (REs) regarding Cybersecurity best practices**

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|---|--|
| <p>1. यह देखने में आया है कि वित्तीय क्षेत्र के संगठन, स्टॉक एक्सचेंज, निक्षेपागार (डिपॉज़िटरी), म्यूचुअल फंड और वित्तीय क्षेत्र की अन्य एंटीटियाँ साइबर हमलों की समस्याओं से जूझ रही हैं और साथ ही इन हमलों की तादाद तेजी से बढ़ रही है और</p> | <p>1. Financial sector organizations, stock exchanges, depositories, mutual funds and other financial entities have been experiencing cyber incidents which are rapidly growing in frequency and sophistication.</p> |
|---|--|





जिनके नए-नए हथकंडे अपनाए जा रहे हैं। चूंकि वित्तीय एंटीटियों का कामकाज किसी न किसी रूप में या तो एक दूसरे से जुड़ा हुआ है या फिर एक दूसरे पर निर्भर रहता है, यही वजह है कि साइबर हमलों का खतरा आखिरकार किसी एक एंटीटी के सिस्टम (जिनमें वे सिस्टम भी शामिल हैं जिन पर उसका नियंत्रण हो), नेटवर्क आदि पर ही नहीं मंडराता, बल्कि इसका असर तो दूसरी एंटीटियों के सिस्टम, नेटवर्क आदि पर भी पड़ता है।

2. यही नहीं, बल्कि साइबर हमले करने वाले जिस तरह पूरी साँठगाँठ करके साइबर हमले करने के लिए नए-नए हथकंडे अपनाते जा रहे हैं, उसके चलते अब हमें यह मानना ही होगा कि जोखिम को कम करने (रिस्क मैनेजमेंट) के लिए और संचालन (गवर्नेंस) को सुनिश्चित करने के लिए अब तक जो-जो तौर-तरीके अपनाए जाते थे, वे आज के माहौल में अब शायद इतने कारगर नहीं रहे कि नए-नए पैतरे अपनाकर आज किए जा रहे साइबर हमलों से निपट पाएँ और न ही इतने कारगर रहे हैं कि सार्वजनिक क्षेत्र की तथा निजी क्षेत्र की कंपनियों में तकनीक की दिशा में हो रहे बदलावों के साथ कदम से कदम मिलाकर चल पाएँ।

3. इसलिए, विनियमित एंटीटियों के लिए यह जरूरी है कि वे साइबर हमलों पर न केवल कारगर ढंग से काबू पाएँ, बल्कि सिस्टम को सामान्य स्थिति में भी लाएँ, ताकि ऐसे हमलों की वजह से वित्तीय स्थिरता पर आँच न आए।

Considering the interconnectedness and interdependency of the financial entities to carry out their functions, the cyber risk of any given entity is no longer limited to the entity's owned or controlled systems, networks and assets

2. Further, given the sophistication and persistence of the threat with a high level of coordination among threat actors, it is important to recognize that many traditional approaches to risk management and governance that worked in the past may not be comprehensive or agile enough to address the rapid changes in the threat environment and the pace of technological change that is redefining public and private enterprise.

3. Thus, an efficient and effective response to and recovery from a cyber-incident by REs are essential to limit any related financial stability risks. For ensuring the same,





यही सुनिश्चित करने के लिए, 'फाइनेंशियल कंप्यूटर सिक्यूरिटी इंसिडेंट रिस्पॉन्स टीम' ने सेबी के पास प्रस्तुत की गई अपनी रिपोर्ट में अपने अहम सुझाव दिए हैं। इस प्रकार जो भी सुझाव लागू हैं, वे इस परिपत्र (सर्कुलर) के साथ "संलग्नक-क" में एडवाइज़री के रूप में संलग्न हैं।

Financial Computer Security Incident Response Team (CSIRT-Fin) has provided important recommendations in its report sent to SEBI. The applicable recommendations, in the form of an advisory, are enclosed at *Annexure-A* of this circular.

4. इस एडवाइज़री के साथ-साथ सेबी के लागू परिपत्रों (जिनमें साइबर सुरक्षा तथा साइबर आघात सहने संबंधी ढाँचा, वार्षिक सिस्टम ऑडिट संबंधी ढाँचा, आदि विषयों पर जारी किए गए परिपत्र भी शामिल हैं) और उसके बाद सेबी द्वारा समय-समय पर दी जाने वाली सूचनाओं आदि (अपडेट) पर भी अवश्य गौर किया जाए।

4. This advisory should be read in conjunction with the applicable SEBI circulars (including but not limited to Cybersecurity and Cyber Resilience framework, Annual System Audit framework, etc.) and subsequent updates issued by SEBI from time to time.

5. विनियमित (रेग्युलेटेड) एंटीटियाँ अपनी साइबर सुरक्षा की ऑडिट रिपोर्ट (यह ऑडिट साइबर सुरक्षा और साइबर आघात सहने के संबंध में सेबी द्वारा निर्धारित किए गए ढाँचे के अनुसार किया गया हो) के साथ इस एडवाइज़री का पालन किए जाने के संबंध में भी रिपोर्ट प्रस्तुत करेंगी। यह रिपोर्ट रिपोर्टिंग की मौजूदा व्यवस्था के अनुसार प्रस्तुत की जाएगी और यह रिपोर्ट साइबर सुरक्षा की ऑडिट रिपोर्ट प्रस्तुत करते समय प्रस्तुत की जाएगी।

5. The compliance of the advisory shall be provided by the REs along with their cybersecurity audit report (conducted as per the applicable SEBI Cybersecurity and Cyber Resilience framework). The compliance shall be submitted as per the existing reporting mechanism and frequency of the respective cybersecurity audit.

6. इस परिपत्र के साथ संलग्न एडवाइज़री तुरंत प्रभाव से लागू होगी।

6. The advisory annexed with this circular shall be effective with immediate effect.





7. यह परिपत्र (सर्कुलर) प्रतिभूतियों (सिक्क्यूरिटीज़) में निवेश करने वाले निवेशकों के हितों का संरक्षण करने, प्रतिभूति बाजार (सिक्क्यूरिटीज़ मार्केट) के विकास को बढ़ावा देने तथा उसे विनियमित (रेग्यूलेट) करने की दिशा में, भारतीय प्रतिभूति और विनिमय बोर्ड अधिनियम, 1992 की धारा 11(1) के तहत प्रदान की गई शक्तियों का प्रयोग करते हुए जारी किया जा रहा है ।
7. This circular is issued in exercise of powers conferred under Section 11 (1) of the Securities and Exchange Board of India Act, 1992, to protect the interests of investors in securities and to promote the development of, and to regulate the securities market.

**भवदीय / Yours Faithfully,**

**श्वेता बनर्जी Shweta Banerjee**

**उप महाप्रबंधक Deputy General Manager**

**दूरभाष / Phone: 022-26449509**

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**Annexure-A**

In view of the increasing cybersecurity threat to the securities market, SEBI Regulated Entities (REs) are advised to implement the following practices as recommended by CSIRT-Fin:

**1. Roles and Responsibilities of Chief Information Security Officer (CISO)/ Designated Officer:**

REs are advised to define roles and responsibilities of Chief Information Security Officer (CISO) and other senior personnel. Reporting and compliance requirements shall be clearly specified in the security policy.

**2. Measures against Phishing attacks/ websites:**

- i. The REs need to proactively monitor the cyberspace to identify phishing websites w.r.t. to REs domain and report the same to CSIRT-Fin/CERT-In for taking appropriate action.
- ii. Majority of the infections are primarily introduced via phishing emails, malicious adverts on websites, and third-party apps and programs. Hence, thoughtfully designed security awareness campaigns that stress the avoidance of clicking on links and attachments in email, can establish an essential pillar of defense. Additionally, the advisories issued by CERT-In/ CSIRT-Fin may be referred for assistance in conducting exercises for public awareness.

**3. Patch Management and Vulnerability Assessment and Penetration Testing (VAPT):**

- i. All operating systems and applications should be updated with the latest patches on a regular basis. As an interim measure for zero-day vulnerabilities and where patches are not available, virtual patching can be considered for protecting systems and networks. This measure hinders cybercriminals from gaining access to any system through vulnerabilities in end-of-support and end-of-life applications and software. Patches should be sourced only from the authorized sites of the OEM.
- ii. Security audit / Vulnerability Assessment and Penetration Testing (VAPT) of the application should be conducted at regular basis and in accordance with the Cyber Security and Cyber Resilience circulars of SEBI issued from time to time.





The observation/ gaps of VAPT/Security Audit should be resolved as per the timelines prescribed by SEBI.

**4. Measures for Data Protection and Data breach:**

- i. REs are advised to prepare detailed incident response plan.
- ii. Enforce effective data protection, backup, and recovery measures.
- iii. Encryption of the data at rest should be implemented to prevent the attacker from accessing the unencrypted data.
- iv. Identify and classify sensitive and Personally Identifiable Information (PII) data and apply measures for encrypting such data in transit and at rest.
- v. Deploy data leakage prevention (DLP) solutions / processes.

**5. Log retention:**

Strong log retention policy should be implemented as per extant SEBI regulations and required by CERT-In and IT Act 2000. REs are advised to audit that all logs are being collected. Monitoring of all logs of events and incidents to identify unusual patterns and behaviours should be done.

**6. Password Policy/ Authentication Mechanisms:**

- i. Strong password policy should be implemented. The policy should include a clause of periodic review of accounts of ex-employees Passwords should not be reused across multiple accounts or list of passwords should not be stored on the system.
- ii. Enable multi factor authentication (MFA) for all users that connect using online/internet facility and also particularly for virtual private networks, webmail and accounts that access critical systems.
- iii. Maker and Checker framework should be implemented in strict manner and MFA should be enabled for all user accounts, especially for user accounts accessing critical applications.

**7. Privilege Management:**

- i. Maker-Checker framework should be implemented for modifying the user's right in internal applications.
- ii. For mitigating the insider threat problem, 'least privilege' approach to provide security for both on-and off-premises resources (i.e., zero-trust models) should





be implemented. Zero Trust is rooted in the principle of "trust nothing, verify everything." This security model requires strict identity verification for each and every resource and device attempting to get access to any information on a private network, regardless of where they are situated, within or outside of a network perimeter.

#### **8. Cybersecurity Controls:**

- i. Deploy web and email filters on the network. Configure these devices to scan for known bad domains, sources, and addresses, block these before receiving and downloading messages. Scan all emails, attachments, and downloads both on the host and at the mail gateway with a reputable antivirus solution.
- ii. Block the malicious domains/IPs after diligently verifying them without impacting the operations. CSIRT-Fin/CERT-In advisories which are published periodically should be referred for latest malicious domains/IPs, C&C DNS and links.
- iii. Restrict execution of "powershell" and "wscript" in enterprise environment, if not required. Ensure installation and use of the latest version of PowerShell, with enhanced logging enabled, script block logging and transcription enabled. Send the associated logs to a centralized log repository for monitoring and analysis.
- iv. Utilize host based firewall to prevent Remote Procedure Call (RPC) and Server Message Block (SMB) communication among endpoints whenever possible. This limits lateral movement as well as other attack activities.
- v. Practice of whitelisting of ports based on business usage at Firewall level should be implemented rather than blacklisting of certain ports. Traffic on all other ports which have not been whitelisted should be blocked by default.

#### **9. Security of Cloud Services:**

- i. Check public accessibility of all cloud instances in use. Make sure that no server/bucket is inadvertently leaking data due to inappropriate configurations.
- ii. Ensure proper security of cloud access tokens. The tokens should not be exposed publicly in website source code, any configuration files etc.
- iii. Implement appropriate security measures for testing, staging and backup environments hosted on cloud. Ensure that production environment is kept properly segregated from these. Disable/remove older or testing environments if their usage is no longer required.





- iv. Consider employing hybrid data security tools that focus on operating in a shared responsibility model for cloud-based environments.

**10. Implementation of CERT-In/ CSIRT-Fin Advisories:**

The advisories issued by CERT-In should be implemented in letter and spirit by the regulated entities. Additionally, the advisories should be implemented promptly as and when received.

**11. Concentration Risk on Outsourced Agencies:**

- i. It has been observed that single third party vendors are providing services to multiple REs, which creates concentration risk. Here, such third parties though being small non-financial organizations, if any cyber-attack, happens at such organizations, the same could have systemic implication due to high concentration risk.
- ii. Thus, there is a need for identification of such organizations and prescribing specific cyber security controls, including audit of their systems and protocols from independent auditors, to mitigate such concentration risk.
- iii. Further, REs also need to take into account this concentration risk while outsourcing multiple critical services to the same vendor.

**12. Audit and ISO Certification:**

- i. SEBI's instructions on external audit of REs by independent auditors empaneled by CERT-In should be complied with in letter and spirit.
- ii. The REs are also advised to go for ISO certification as the same provides a reasonable assurance on the preparedness of the RE with respect to cybersecurity.
- iii. Due diligence with respect to audit process and tools used for such audit needs to be undertaken to ensure competence and effectiveness of audits.



**Madras High Court Judgments in VAT CST GST**

**Stock transfers:** Appellant submitted that claim of exemption on stock transfers have been disallowed solely on the ground that goods received has been sold on the same date. Reliance was placed on the Judgment of the STAT in the case of M/s.Neeraj Rubber Factory Pvt. Ltd. Vs. State of TN in T.A.No.431 of 1994, which is stated to have attained finality. However, impugned order of assessment has been passed without even dealing with the above submission/ contention. Stating so, the order of the learned Single Judge dated 06.10.2017 was set aside and the matter is remanded back to the authority concerned. M/s.Sharcstar Communications Ltd., Vs 1. State of TN 2. Union of India, 3. CTO, Peelamedu North Circle, 4.State of Karnataka, 5. State of Kerala W.A.No.2659 of 2022 Dtd: 09.01.2023.

**Tribunal orders and Works contract:** Court held that the view that the Tribunal has not committed any error while reversing the decision of the second respondent AAC as the petitioner did not produce any documents to substantiate that the steel that was purchased from a registered dealer within the State of TN was not used in the execution of works contract. Hon'ble Court also stated that the scope for interference / judicial review of an order of Tribunal is very limited. Unless the order suffers from violation of principle of natural justice or is found to be ex-facie perverse or arbitrary, the Writ Petition ought not to have been entertained. The impugned order passed by the Tribunal does not suffer from any infirmity and cannot be set aside. M/s.G.V.Constructions Vs 1.TNSTAT (AB), Coimbatore. 2. AAC(CT),Coimbatore 3. DCTO, Trichy Road Circle, Coimbatore. W.P.No.25600 of 2007 Reserved On 01.11.2022 Pronounced On 09.01.2023

**Section 75(12) of GST Act :** Sub-section (12) of Section 75 of TNG&ST Act opens with a non obstante expression and is notwithstanding Section 73 and 74 of TNG&ST Act. Therefore, as regards the interest component qua Section 50(1) of TNG&ST Act, the argument of the writ petitioner to the extent that the notice dated 24.03.2022 should have culminated in proceedings under Sections 73 or 74 is a non-starter. This by itself draws the curtains on the captioned writ petition. M/s.Path Finder India Vs. 1.CTO (State Tax) (FAC), Muthialpet Assessment Circle. 2.Branch Manager, Kotak Mahindra Bank Ltd, T.Nagar, Chennai-17. W.P.No.34963 of 2022 Dtd : 03.01.2023

**VAT Refund and interest :** Writ petition filed praying to issue a writ of mandamus directing the Respondent to refund an amount of Rs.1,40,52,656 /- along with interest in terms of Section 42 (5) of the TN VAT Act 2006. This matter is similar to order dated 08.12.2022 in W.P. No.32911 of 2022. Therefore, there shall be a similar order in the instant case and the operative portion of this order is as follows: " In the light of the fair stand taken by learned Revenue counsel, it will suffice to dispose of the captioned writ petition recording the stated position of learned Revenue counsel and it is also deemed appropriate to give a directive that the refund shall be made in accordance with Section 42(5) of TNVAT Act as expeditiously as the official business of sole respondent would permit and in any event, within 8 weeks from today i.e., on or before 27.02.2023. This Court places on record its appreciation for the fair stand taken by learned Revenue counsel." GE T&D I Ltd Vs DC(CT) II, Integrated CT and Regn Building, Chennai-35. W.P.No.34836 of 2022 Dtd: 02.01.2023

**Levy of Penalty :** Based on an inspection, three heads of defects were noticed and they are, (a)alleged sales suppression; (b) contravention of statutory provisions and (c) GSTR -1 filed up to 2019 but GSTR 3 B not filed, tax collected but not paid to the Government; Original Authority made an order dated 23.01.2020 imposing a penalty equivalent to 100% of tax as regards (a), Rs.25,000/- as regards (b) (for three contraventions) under Section 125 of TNG&ST and CG&ST and 100% penalty u/s 122(1) of TNG&ST and CG&ST as regards (c). Appellate authority confirmed the order of Original Authority. All the three points on which the order of Original Authority is predicated do not call for interference even if the grounds urged/raised by the writ petitioner before the second respondent Appellate Authority are considered on merits, and stating so, writ petition is dismissed. M/s.Suvarna Fibrotech Pvt Ltd., Vs. AC(ST) (FAC) Ranipet SIPCOT, Vellore 2. ADC, GST-Appeal, Vellore Office Camp, Vellore W.P.No. 34680 of 2022 Dtd: 02.01.2023.



**Limitation :** An appeal was preferred by the writ petitioner only on 08.09.2022 after the prescribed period of 3 months and condonable period for reasonable cause of one month later. Law is well settled that when there is a cap, Section 5 of the Limitation Act cannot be applied and going by Simplex Infrastructure Ltd. Vs. UOI - 2018 SCC Online SC, 2681 [subsequently, (2019) 2 SCC 455], when there is a cap there cannot be any condonation beyond the cap or belated period. As the appellate authority has dismissed the appeal on the ground of limitation, this Hon'ble Court found no ground to interfere with the impugned order however it is made clear that this writ Court is not expressing any view or opinion on the merits of the matter and it is also made clear that it is open to the writ petitioner to apply afresh for registration and if the writ petitioner chooses to apply afresh for registration, the application shall be processed on its own merits and in accordance with law. Ramanujan Venkatesan Vs JC (Appeals-II) Chennai-40. 2.The DC, GST and CE, Pallavaram Division, Chennai. 3.Superintendent GST and CE, Sholinganallur Outer Range, W.P.No.34774 of 2022 Dtd: 02.01.2023

**Sales to exporters:** Petitioner purchased the raw hides and converted it into dress hides and skins. What was purchased by the petitioner was different and what was exported by the petitioner was different. In this matter, the petitioner is therefore not entitled to exemption u/s 5(3) and 5(4) of the CST Act, 1956 in the light of the observations of the Hon'ble SC in Paragraph No.19 in the said Azad Coach Builders (P) Ltd. (2010) 9 SCC 524, - M/s.E.K.Hajee Mohd Meera Sahib & Sons, Vs1.CTO,Erode. 2.AAC (CT), Erode 3. Secretary, TNSTAT (AB), Coimbatore, 4. Union of India 5.The State of TN, W.P.No.15892 of 2006 Reserved On 11.11.2022 Pronounced On 09.01.2023

**TNVAT Act, ITC reversal :** Section 15 of the TNVAT Act 2006 which speaks of exempted sales is specific to either goods that are exempted by Notification or as specified in the 4th Schedule. Section 30 notifies exemptions under 3 modes, i.e., goods (specified taxable goods), assessee (specified class of assessee) and events (specified combinations of goods and assessees). In the last category, the commodity, by itself, is not exempt, as it is the 'event' that is granted the benefit of exemption. Such an event is not brought under the cover of Section 15 and consequently does not attract reversal of ITC under Section 19(5)(a).M/s.IOC Ltd Vs. DC(ST)-IV, LTU, Chennai. W.P.Nos.21666 & 21672 of 2019 Reserved on: 01.12.2022 Pronounced on: 04.01.2023

**Arrears of tax and Review Petition:** Petitioner to pay the arrears of tax and other amounts due from the petitioner in 24 EMIs commencing from the date fixed by this Court and consequently direct the respondents to revoke the cancellation of registration certification of the petitioner on payment of first instalment. There is nothing new that is before this Court in this Review Application. In such circumstances and seeing as there is no merit in the application and stating so, the petitions were dismissed. M/s. Air Travel Enterprises I Ltd Vs JC of GST and CE, (Appeals-I), GST Bhavan, Chennai. 2. Principal Chief Commr of GST and CE, (Appeals-I), Chennai. 3. STO/CTO, Chennai. Rev. Aplw. SR.No.133584 of 2022 in W.P.No.25091 of 2022 Dtd: 27.01.2023

**Remand directions for Personal Hearing :** Personal hearing is imperative for a legal drill in a TNVAT Act, Section 27 revision. [SBI Officers Association (CC) SBIOA Vs. The AC, Chennai-1 in W.P.No.22634 of 2019 order dated 01.08.2019, upheld by a Hon'ble DB of this Court vide an order dated 16.12.2019 in W.A.No.4073 of 2019], In the case on hand, as the writ petitioner has the benefit of across the board Covid exclusion as a one-off case, captioned writ petition is entertained. Stating so, the matter is remitted back to the AO with specific directions. M/s.Sarvesh Textiles Vs. AC, Tirupur Central-II Assessment Circle, W.P.No.34580 of 2022 DATE: 02.01.2023

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