



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



**S I R C**

Southern India Regional Council



# CPE PROGRAMMES DECEMBER 2024

**CPE Programme on Avoiding Common Pitfalls in GSTR 9 and 9C Filing – 02.12.2024**



Resource Person: CA. Prasanna Krishnan V

**CPE Programme on FRRB-Financial Statement Review Regulator with Disciplinary proceedings – 03.12.2024**



Resource Person: CA. Ravindran V

**CPE Programme on Seminar on IBC and Opportunities for CAs in Global Capability Centre (GCC) – 09.12.2024**



Resource Person: : CA. Pramod Srihari



Resource Person: CA. Ajay Rotti

**CPE Programme on Multi-Disciplinary Partnership (MDP) Guidelines – 10.12.2024**



Resource Person: CA. Sathyabhama

**One Day Programme on Audit and Ethics – 11.12.2024**



Resource Person:  
CA. Sanjeev Aditya



Resource Person:  
CA. Ramesh S

**One Day Seminar on Search & Seizure under the Income Tax Act, 1961 and GST – 12.12.2024**



Resource Person:  
Adv. T N C Sridhar



Resource Person:  
CA. Prashanth GS



Resource Person:  
CA. Sachin Kumar



Resource Person:  
Adv. Akella AS Prakasa Rao

**CPE Programme on Investor Awareness programme:  
Regulatory Essentials for Investors – 12.12.2024**



Resource Person: : CA. Vetrivelan AB



Resource Person: CA. Siddharth Sundararajan

**17th V.Shankar Aiyar Memorial Lecture – 13.12.2024**



Special Address by Shri Mani Shankar Aiyar



Chief Guest : Shri Subba Rao D, IAS, Former Governor of RBI

**One Day Training Workshops on Forensic Accounting & Ethics – 14.12.2024**



Resource Person: CA. Kuppuraj



Resource Person: CA. Venkatesan Prabhu

**CPE Programme on Standards on  
Auditing – 16.12.2024**



Resource Person:  
CA. Sriram V



Resource Person:  
CA. Mathangi S V

**CPE Programme on NFRA's  
Standard on Audit – 26.12.2024**



Resource Person:  
CA. Mohan R Lavi

# Women Members Residential Refresher Course at Mahabalipuram – 27th & 28th December 2024



Group Photo of Participants



Resource Person:  
CA. Aseem Trivedi



Resource Person:  
Smt. G.Uma Maheshwari



Resource Person:  
Shri Shiva Subramaniam



Resource Person:  
CA. Sangeeta Shankaran  
Sumesh



Resource Person:  
CA. Girinath Davey



Resource Person:  
CA. Lakshmi Nalledath Palat



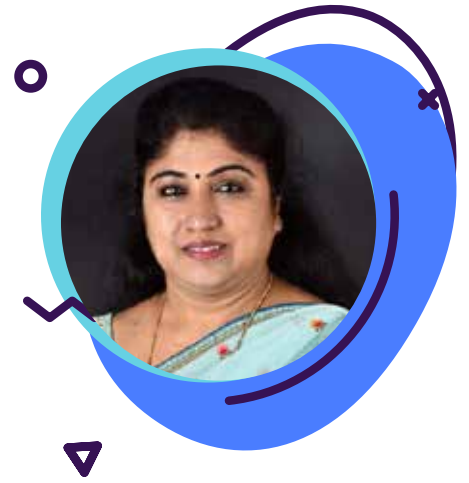
Resource Person:  
CA. Ganesh Sankararaman

# Chairperson's Communique

## Greetings from SIRC.

### Dear Professional Colleagues,

This will be my penultimate communiqué from the desk of Chairperson and due to code of conduct in ICAI Elections I have to deny the pleasure of writing from my desk but however the communication otherwise has been shared through the "Regional Council Writes". I am happy to be back to my desk to record the Chairperson's Communique with the commencement of the New Year.



### SIRC congratulates the newly-elected Central Council Members of ICAI and Regional Council Members of SIRC:

I join with all the members of the Southern Region to congratulate the members elected to the 26<sup>th</sup> Council and the 25<sup>th</sup> Southern India Regional Council for a term of 4 years (2025-2029). SIRC wishes the newly-elected members a glorious tenure of office. The names of the successful candidates are published elsewhere in this newsletter.

SIRC thanks the members for their support in the smooth conduct of elections across the Southern Region. SIRC also records its appreciation to the officials and staff of SIRC for their admirable support in the conduct of the elections across the region. SIRC also records the support of the officials and staff of ICAI and the Regions for smooth conduct of the elections across the country.

### Quadrennial elections to the Managing Committees of Branches of Regional Councils for the term 2025-2029:

The Quadrennial elections to the Managing Committees of Branches of SIRC for the term 2025-2029 is being held by 25<sup>th</sup> January 2025 and the Branches will be holding the special general meeting accordingly. The Branch will issue the notice for the Special General Meeting as per the directions of the Central Council. SIRC requests members to participate in the elections at their respective branches and exercise their franchise.

### Proposed Programmes at SIRC – Chennai:

Let us begin the New Year – 2025 with participation in a flurry of programmes which SIRC has planned and published in the "Forthcoming Programmes of SIRC" elsewhere in this issue. SIRC also requests members across the Region to participate in the programmes being organized by their respective branches.

### Republic Day Celebrations:

SIRC, continuing with the tradition of unfurling the National Flag, will be celebrating the Republic Day with gay and gaiety. I will have the honour of unfurling the National Flag which I will cherish forever. My colleagues and I invite the members and the students to participate in the Republic Day Celebrations on 26<sup>th</sup> January 2025 at 8.30 a.m. at the lawns of ICAI Bhawan, Chennai. The Branches of SIRC are also celebrating the occasion in a befitting manner and members and students of respective branches may please participate and celebrate the occasion.

SIRC requests members' participation of this historic occasion in the annals of our beloved country. Let us on the occasion take pledge to dedicate ourselves to uphold the sanity of our Constitution.

### A rear-view of programmes of December 2024:

#### 17<sup>th</sup> V. Sankar Aiyar Memorial Lecture:

The 17<sup>th</sup> V. Sankar Aiyar Memorial Lecture was delivered by Shri D. Subba Rao, Former Governor of Reserve Bank of India. In his address on the subject of "Is India's fiscal federalism loaded against the States?" he opined that the terms of fiscal federalism is not loaded against States. He mentioned in his address that the States initially could get share of only income tax and excise duty, but in 2000 many other taxes, such as customs duty, were added to the divisible pool.

The family members of CA. V. Sankar Aiyar, other eminent personalities from different walks of life and large members of our professional fraternity attended the memorial lecture. SIRC expresses its sincere thanks to the Chief Guest Shri D. Subba Rao, Former Governor of RBI, Shri Mani Shankar Aiyar, Former Union Minister and other dignitaries present on the occasion.

### Sub-Regional Conference – 6 Hours CPE Credit

On 21<sup>st</sup> December 2024 SIRC held the 5<sup>th</sup> Sub-Regional Conference for the year 2024-2025 at Thiruvananthapuram. The Conference hosted by Thiruvananthapuram Branch of SIRC was well attended and the deliberations were as ever before of high order. Positive feedback received from the members encourages us to better our performance in the months ahead.

### **Residential Refresher Course exclusively for Women Members: 12 Hours CPE Credit:**

First to be held exclusively for the women members was the Residential Refresher Course on 27<sup>th</sup> and 28<sup>th</sup> December at Blue Bay Beach Resort, ECR, Mammalapuram. The response was phenomenal and women members across the Southern Region participated and made the event more interesting, informative and intuitive. The RRC being residential in nature gave ample opportunity for closer interaction between the resource persons and the participants. The success of this unique event has instilled in us the confidence to make it as an annual feature and SIRC would be much delighted to consider such an idea in the years ahead.

### **Other CPE Programmes:**

During last month SIRC organized CPE programmes with a total of 56 hours of CPE Credit with three full day programmes on 11<sup>th</sup>, 12<sup>th</sup> and 14<sup>th</sup>, eight three hours programme on 2<sup>nd</sup>, 3<sup>rd</sup>, 9<sup>th</sup>, 10<sup>th</sup>, 16<sup>th</sup>, 26<sup>th</sup>, 30<sup>th</sup> and 31<sup>st</sup> December 2024 and a two hour programme on 12<sup>th</sup> December 2024. Each of the programme held in SIRC at Chennai were well attended and appreciated. Members at the branches also attended the CPE programmes organized by the respective branches. SIRC is confident that all the members would have complied with the CPE requirements set by ICAI by 31<sup>st</sup> December 2024.

SIRC records its grateful thanks to the resource persons of the programmes of SIRC for sparing their valuable time and sharing their expert knowledge amongst the elite audience of Chartered Accountants.

### **Daily and Week Work Life Balance Programme:**

The programmes initiated by the Professional Skills Enrichment Committee of ICAI have been widely acclaimed by the members who are keen to participate on a regular basis. SIRC exhorts members to join in large numbers and this programme is organized online and at the comfort zone of the members. It also conducts daily and weekly yoga programme to keep us fit and the participation of members and their families shows the exceptional support of the initiative of the Committee. We have published the details and timings in this issue for the members to participate in these wellness events.

### **World Forum of Accountants (WOFA) – 2025 – January 31 to February 2, 2025, New Delhi:**

It is a momentous occasion for us to be part of the World Forum of Accountants organized by ICAI between 31<sup>st</sup> January 2025 and 2<sup>nd</sup> February 2025 at New Delhi. It is also an occasion to showcase our presence from Southern Region in large numbers. I therefore exhort you to register for WOFA if not already sent the registration. The details of the programme are published elsewhere in ICAI Journal, ICAI Website and in this newsletter. For further details and updates members may visit ICAI Website.

### **Virtual Certificate Course on Skills Enrichment (1st Batch): 30 Hours CPE Credit:**

ICAI, under the auspices of the Professional Skills Enrichment Committee is conducting for the members of ICAI a Certificate Course on Skills Enrichment via virtual mode between 4<sup>th</sup> January 2025 and 2<sup>nd</sup> February 2025. The course is conducted with the objective of equipping the Chartered Accountants to enrich their professional skill and competence thereby enhancing their portfolio.

The Course is held on Saturdays and Sundays keeping in mind the professional commitments of our members and held between 11.00 a.m. and 02.00 p.m. on Saturdays and Sundays for ten days consisting of ten modules. SIRC requests members to join in large numbers and be benefitted. Complete details of the modules and other information are published elsewhere in this newsletter.

### **Congratulations:**

SIRC congratulates Shri Heramb Maheswari of Hyderabad (Roll No. 639751) and Shri R. Rishab Ostwal of Tirupati (Roll No. 692795) who shared the honours of First Rank (508 marks – 84.67%) at the All India Level in the CA Final Examination held in November 2024. SIRC welcomes them to its professional fraternity and wish them the best in their career.

SIRC congratulates Ms. Tanya Gupta of Chennai (459 marks – 76.50%) for securing the All India Second Rank in the Intermediate Examination held in September 2024 and wish her the very best in her Final Examination.

SIRC congratulates CA. Muni Subramanyam Jonnalagadda of Tirupathi for securing Second Rank in the Insurance & Risk Management Examination held in November 2024.

### **Students' Related Events:**

#### **CA. P. P. GURURAJA UPADHYAYA MEMORIAL LECTURE:**

SIRC is holding an event under the auspices of the CA. P. P. Gururaja Upadhyaya Memorial Lecture on 12th January 2025 (earlier scheduled on 29th December 2024) at ICAI Bhawan, Chennai in memory and honour of CA. P. P. Gururaja Upadhyaya, Former Central Council Member of ICAI. The event is exclusively for the CA Students.

The inspiring and enriching one-day conference had the theme “ANDHADHI” will feature paper presentations by students on select topics on Income Tax followed by a special address by the **Chairman of Sessions to be chaired by eminent professionals**. These technical sessions will be followed by a session on ‘**Opportunities for CAs in World Bank**’ and a motivation session.

On the occasion SIRC will be felicitating students in the merit list from the Southern Region under various awards and prizes instituted by distinguished members of our professional fraternity. The list of such awards is featured elsewhere in the newsletter. We have also published an announcement inviting from the students applications for grant of scholarships under merit- cum-means category.

#### **ICAI Commerce Olympiad – 2024:**

The Committee on Career Counselling of ICAI is organizing the ICAI Commerce Olympiad on 19<sup>th</sup> January 2025 (Sunday). There has been encouraging response to the Olympiad from students. The event offers an opportunity for the students studying from 8<sup>th</sup> Standard upto graduation to explore and excel their competence level, skills and recognize to improvise their talents. The details were published in the last issue and in the current issue of the Newsletter. We solicit the support of members to take forward the information amongst their known schools, colleges and the students as well.

#### **SIRC solicits the support for Chartered Accountants Benevolent Fund (CABF):**

As members are aware the corpus of the CABF is used to support the family members of the deceased members of ICAI and to assist the members who need support for meeting their medical expenses. SIRC therefore appeals and solicits the contribution to the Fund. The contribution by every member of the profession will augment the financial resources to extend the quantum of assistance and expanding the number of beneficiaries through the CABF. The appeal of ICAI in this respect is published elsewhere in this Newsletter.

#### **Best Wishes to Students appearing for Intermediate Examination:**

SIRC wishes all the students appearing for the ensuing Intermediate and Foundation Examinations to be held in January 2025 the very best in their performance.

#### **Extension of last date for complying with the CPE hours requirements for the Calendar year 2024:**

As you are already aware that “Statement on Continuing Professional Education, 2023” (available at link <https://www.icai.org/post/issuance-of-cpe-statement-2023>) has been made effective from Calendar year 2024 onwards, which introduced consequential provisions for non-compliance with CPE hours’ requirements applicable to various categories of members on yearly basis. These consequential provisions are applicable w.e.f. 1st January, 2025 for non-compliance arising from the Calendar Year 2024 with regard to CPE hours requirements.

As consequential provisions arising due to non-compliance with CPE requirements are coming into effect for the first time from Calendar year 2024, it has been decided to extend the last date for complying with the CPE hours requirements for the Calendar year 2024 from 31st December, 2024 to **28th February 2025**, for the benefit of Members at large and to avoid any hardship due to non-compliance.

On similar grounds, the last date of compliance and filing Unstructured Learning Activities (ULA) is also extended till **28th February, 2025**, for the Calendar year 2024.

Further, it may please be noted that the duration of consequential provisions at Level I (from January 1st to June 30th) would be changed to March 1st to June 30th for Calendar year 2024 and the subsequent levels (II, III and IV) under the consequential provisions for non-compliance with CPE hours will remain unchanged.

For ready reference, consequential provisions for non-compliance with CPE hours requirement on yearly basis from calendar year 2024 onwards are available at <https://resource.cdn.icai.org/79152cpe63323.pdf>

#### **Greetings:**

SIRC greets all the members and students of ICAI a very happy New Year – 2025. Let the New Year bring to us happiness, bountiful prosperity and good health. SIRC also greets all a very Happy Pongal (Maharasankarathi).

With warm regards

**CA. GEETHA A B**

Chairperson, SIRC of ICAI

# SIRC of ICAI

## FORTHCOMING PROGRAMMES, JANUARY – 2025

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

Sl. No.	Date	Day	Timing	Place & Venue	Mode	Topic	Resource Persons	Fees Inclusive of GST Rs.	CPE Hours
1	6-Jan-25	Mon	4:30 pm to 7:30 pm	Chennai	Physical	Drafting appeal for faceless assessment	Eminent Speakers	531	3 hrs
2	7-Jan-25	Tue	5:30 pm to 07:30 pm	Chennai	Physical	Investors Awareness Programme on Investment Scenario on 2025	Mr. Ak Narayanan	0	2 Hrs
3	8-Jan-25	Wed	10:00 am to 6:00 pm	Chennai	physical	One day Workshop on FEMA	Eminent Speakers	1180	6 hrs
4	11-Jan-25	Sat	10:00 am to 6:00 pm	Chennai	Physical	Financial Reporting of listed companies and unlisted companies	CA. Mohan R Lavi CA. Udupi Vikram CA. Venkatasubramani	1180	6 hrs
5	17-Jan-25	Fri	4:30 pm to 7:30 pm	Chennai	Physical	Accounting standard for non cooperative entites	CA. Pramod Jain	531	3 hrs
6	18-Jan-25	Sat	10:00 am to 6:00 pm	Chennai	physical	One day workshop on MSME- Startups	Eminent Speakers	1180	6 hrs
7	20-Jan-25	Mon	4:30 pm to 7:30 pm	Chennai	physical	Practical Session: Trust Renewal	Eminent Speakers	531	3 hrs
8	22-Jan-25	Wed	10:00 am to 6:00 pm	Chennai	physical	Tips: Preparedness to peer review and Documentation required for peer review	Eminent Speakers	531	3 hrs
9	25-Jan-25	Sat	10.00 am to 6.00 pm	Chennai	Physical	One day workshop on Labour Law	Eminent Speakers	1180	6 hrs
10	26-Jan-25	Sun		Chennai	Physical	Republic Day			
11	27-Jan-25	Mon	4:30 pm to 7:30 pm	Chennai	Physical	Tax planning in capital Gain	CA S Krishnan	531	3 hrs
12	29-Jan-25	Wed	10:00 am to 6:00 pm	Chennai	Physical	One day workshop on Arbitration	Eminent Speakers	1180	6 hrs

**Venue Details: P. Brahmayya Memorial Hall, ICAI Bhawan, No.122, Mahatma Gandhi Road, Nungambakkam, Chennai – 600034.**

CPE Credit on attending full programme only

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

**SOUTHERN INDIA REGIONAL COUNCIL**  
The Institute of Chartered Accountants of India  
(Set up by an Act of Parliament)

**HAPPY Republic Day**

**NATIONAL FLAG UNFURLING AT THE LAWNS OF INSTITUTE'S PREMISES**

**Date & Time: Sunday, 26 January at 9.00am**  
**Venue: SIRC of ICAI 'ICAI Bhawan', No. 122, Mahatma Gandhi Road, Nungambakkam, Chennai - 600 034.**

**NATIONAL FLAG UNFURLING: CA. GEETHA A B., Chairperson, SIRC of ICAI**

**CPE programmes conducted by SIRC of ICAI:** Please note the link for Resources of Past Programmes of SIRC of ICAI <https://www.sirc-icai.org/past-programmes.php>



# ARTICLE

## Can a Adjudicating Authority go beyond the Show Cause Notice to increase the scope of already initiated proceedings?

Contributed by: CA.S.Seetharaman, Chennai



### Introduction:

We have been witnessing a kind of universal power being assumed by the adjudicating authorities making the situation worse than ever for ignorant taxpayers. In this article we are going to have a deep dive into these burning issues. The Adjudicating Authority typically cannot go beyond the scope of the original Show Cause Notice (SCN) to increase the scope of already initiated proceedings. He cannot assume universal power to ask for the documents directly in the show cause notice. However, to understand the above statement, we should give careful consideration to the frameworks below, the essence of which has been observed in the recent judgment by the Honorable Madras High Court.

### Understanding of the Framework:

A "show cause notice" (SCN) outlines specific allegations or violations against an individual or entity, informing them why potential disciplinary action might be taken and giving them the opportunity to explain why such action should not proceed; essentially, it defines the boundaries of the case and the reasons for which the concerned party needs to "show cause" before any final decision is made.

### Specific allegations:

- The Show Cause Notice must clearly state the precise violations or misconduct attributed to the recipient, including relevant legal provisions or company policies involved.

### Opportunity to respond:

- The primary purpose of an SCN is to provide a fair chance for the recipient to present their side of the story, offer explanations, and potentially rectify any perceived errors before any punitive action is taken.

### Limitations on scope:

- A show cause notice cannot introduce new allegations or go beyond the stated grounds for potential action; the adjudicating authority is generally bound to stay within the scope outlined in the notice.

**To be issued by the proper officer:** As per Circular No. 31/05/2018 – GST dated 9<sup>th</sup> February 2018 the monetary limit has been specified to issue the Show Cause Notice to be issued by the Proper Officer as tabulated below –

Officer	Monetary Limit for issue of SCN under CGST	Monetary Limit for issue of SCN under IGST	Monetary Limit for issue of SCN under CGST & IGST
Superintendent of Central Tax	Not exceeding Rupees 10 lakh	Not exceeding Rupees 20 lakh	Not exceeding Rupees 20 lakh
Deputy or Assistant Commissioner of Central Tax	Above Rupees 10 lakh and not exceeding Rupees 1 crore	Above Rupees 20 lakh and not exceeding Rupees 2 crore	Above Rupees 20 lakh and not exceeding Rupees 2 crore
Additional or Joint Commissioner of Central Tax	Above Rupees 1 crore without any limit	Above Rupees 2 crore without any limit	Above Rupees 2 crore without any limit

**Note** – There is no such specified limits under SGST. To demonstrate, a DCTO has power to issue notice for any amount of dispute.

### Formal document:

- An SCN is a formal legal document that should be properly served on the recipient, including details like the issuing authority, date, and relevant case information.
- Then, the procedures laid down for the proceedings to be followed as per the law. In this regard, it is worth noting that

### As per Section 75(7) of the CGST Act, 2017

***“The amount of tax, interest and penalty demanded in the order shall not be in excess of the amount specified in the notice and no demand shall be confirmed on the grounds other than the grounds specified in the notice.”***

### Case Law Analysis:

Adjudicating Authority cannot go beyond the scope of the already initiated proceeding in line with the judgment of the ***M/s Senthil Hardwares vs. The State Tax Officer, Pattukottai – I Assessment Circle, Pattukottai, Thanjavur by the Honorable Madras High Court in its pronouncement speaking through Honorable jury Justice Shri Saravanan dated 30<sup>th</sup> July 2024.***

- *In a recent ruling, the Madras High Court held that Goods and Services Tax (GST) authorities cannot introduce new defects or issues in their orders that were not previously mentioned in the Show Cause Notices (SCNs). In M/s Senthil Hardwares, the petitioner filed a writ petition seeking to quash the order dated 27.04.2024 alleging it was illegal and arbitrary. A notice (DRC 01) was issued to the petitioner on 19.04.2022 through the GST portal followed by a personal hearing on 27.04.2024 during which the petitioner submitted a detailed reply to the notice.*
- *Afterward, the GST authorities issued a tax demand order including interest and penalty. The petitioner claimed that the amount demanded in the impugned order included components/defects not mentioned in the original notice (DRC 01). The petitioner’s counsel argued that the respondent had accepted their reply to the notice, yet the impugned order imposed additional demands.*
- *The respondent countered that the petitioner failed to produce adequate documentation to substantiate the valid availing of the Input Tax Credit (ITC). Justice C. Saravanan observed that the impugned order violated the principles of natural justice, as the petitioner was not given prior notice regarding the defects mentioned in the reasoning of the order. The court determined the reasoning behind the impugned order was unsustainable due to this procedural lapse. The court quashed the impugned order and remanded the case to the respondent for fresh adjudication.*
- *The court directed the respondent to issue an additional addendum to the original notice within 45 days allowing the petitioner 30 days to respond. A fresh order was mandated to be passed on merits and in accordance with the law, within two months from the reply submission. The writ petition was allowed.*

### Conclusion:

Therefore, with careful analysis and consideration of the Act, Circular and recent Madras High Court Judgement, AO cannot go beyond the SCN to increase the scope of already initiated proceedings. The current plight of the taxpayers are more to attribute with the lack of knowledge about the law and their powers were multiplied by the revenue driven Adjudicating Authorities who assume and exercise powers beyond what is conferred on them to perform the act of law. It becomes extremely imperative that

- when the Show Cause Notice issued asking for the details and not pointing out any deviations or
- when Adjudicating Authorities goes over and above the SCN issues and try to cover the matters which are not covered in the SCN

we put up a protest to dispute the proceedings as **void-ab-initio** by way of a communication and not as a reply.

For further reference author can be reached at: [ssr@ssrandco.com](mailto:ssr@ssrandco.com)

# ARTICLE

## Innovation around Indian indirect taxation—all corners!

Contributed by: CA. Akash Srivatsan Raghavan , Bangalore

### Summary



India is gradually moving from being a (primary) technology [hereinafter referred to in short as 'tech'] consumer market to a (maturing) tech integration ecosystem. The requirement seems to have changed from necessitating standard made (on-shelf, custom plug-in) software packages to a tech partner who is constantly innovating and integrating latest tech into the business products – on account of real-time evolving

landscape across the globe. As every kind of system now (to a large extent) has adopted tech into their process-chains, to meet the ongoing developmental requirements, our taxation systems too have gradually upgraded into a tech-based model – not only to interact with its stakeholders, but also to manage, analyze and protect the workflow in its entire space – facilitating enhanced capabilities and better decision making.

While cost of tech has immensely reduced on account of our government's long drawn action and initiatives in the past 3 (three) decades, need seems now to have arisen for tech leaders to integrate with other players in the ecosystem (refer table below in introduction), so that the benefit of (policy) decisions can be reaped in the process of value addition that businesses offer to the markets.

Partners in the taxation ecosystem are required to make sustained efforts to materialize the intended outcomes of the sophisticated tax policies and frameworks (i.e. of ecosystem already built and in place) that have been recently rolled out.

This article dwells upon the following aspects:

- What the recent tech initiatives in our indirect tax system looks like and how it has come to be;
- How tech adoption has facilitated tax-policy innovation;
- How such tech has been facilitating economic growth of the nation; and
- Other stakeholders expectations, to enjoy the fruits of innovative policymaking and related implementation systems put in place.

### Introduction

Technology has not only enabled the possibility to avail the conveniences and best practices in India, but has also enabled innovation in several other fronts. Everyone has observed how organizations and groups have recently migrated from their legacy systems and processes into the latest tech models. Indirect taxation ecosystem is not too far behind. At the outset, let's dive into few instances where impeccable advancements have taken place in the Indian indirect taxation space by use of high-end software, modern methodologies and IoT hardware. The table below depicts proposal / efforts that have been made to adopt cutting edge tech ideas, and necessary resources deployed:



Area	Advancement	Means	Extent usage
Policy making (Legislatures)	E-database E-meetings E-publishing	Best practices Decision making Updates	Tech & AI/ML Tech & ML Tech
Tax collection (Executives)	E-feedback E-exchange E-governance	Reaction Intelligence Enforcement	Tech, big data Tech & AI/ML Tech & IOT
Tax assessment (Taxpayers)	E-compliance E-payments E-communication E-certification	Reporting Discharging dues Intimations Expert Authentication	Hyper-tech automation Tech & IOT Tech & AI/ML Tech & analytic tools
Dispute settlement (tax courts and administrators)	E-hearing E-reporting E-recovery	Evidences Judgements Collection	Tech & IOT Tech Tech

Indian indirect taxation system broadly is regulated by:

- Customs laws – cross border movement of goods, including imposing duty on such goods.
- Foreign trade laws (FTDR) – manner, procedure & policy (FTP) to affect international transactions.
- Goods and services tax (GST) law – on domestic supply of goods and services and cross-border service transactions.
- Indian stamp law – on execution of instruments, affecting legal rights.
- Property taxes – through state / municipal legislations, on land and properties thereupon as mentioned in those law.
- Other central & state laws – for items allowed to be taxed under the Constitution of India by other legislations.
- With all above stated tax agencies having successfully adopted tech in their working models, recent census have shown that collections have remarkably gone upward and leakages substantially plugged – resulting in more funds for the nation’s development and growth, without increased burden on its citizens.



### Adopting tech in Indian foreign trade, Customs and GST systems



While the last decade has seen paradigm shift in the manner of administration and management of their roles by the Central Board of Indirect Taxes & Customs (CBIC, and formerly known as CBEC) for Customs, Central Excise and GST and the Director General of Foreign Trade (DGFT) for FTDR / FTP and the manner of collection of information and communication from the citizens (or taxpayers). Some of the areas where tech has taken over the processes of regulation, administration and tax collection [for laws having coverage of this article] have been tabulated below:

Indian Customs	FTDR (with FTP & SEZ)	Indian GST
Registration	Registration	Registration
Assessment & approval	Licensing & sanctioning	Assessment & scrutiny
Tracking movement of goods, in bonded area	Tracking licensed items cross-border	Tracking movement of goods
Documentation IM-PEX transactions	Documentation for issuing LICENSES	Documentation of supply transactions
Warehousing @bonded	FTWZ storage	Warehousing @domestic
Books of accounts	Books of accounts	Books of accounts
Special rate availers	Restricted goods	Special goods, notified under GST
e-cash & e-credit wallets	-	e-cash & e-credit wallets
-	-	VAT credit matching and reconciliations
RFID, warehouse keep & container locking	Entry / exit controls in designated areas	RFID tags & QR code
Intelligence source & analyzing data	Intelligence source	Intelligence source & analyzing data
Intelligence exchange between departments	Intelligence exchange between departments	Intelligence exchange between departments
Adjudication & litigation proceedings	Adjudication & litigation proceedings	Adjudication and litigation
ICEGATE portal	DGFT portal and other portals like SIMS, etc.	GSTN, e-waybill & e-invoice portal

While these are some of the examples of implementation of latest tech initiatives in the Indian indirect taxation space, few of the below initiatives are still in the development phase and are expected to soon reach the desired outcome:

Faceless sanction of departmental assessment and approvals;

- End-to-end online processing of taxpayers applications;
- IOT implementation i.e. RFID, QR code and e-invoice, across the ecosystem;
- Invoice Management System (IMS) integration into GST return itself;
- E-enquiry, e-inquiry & e-appeals; and
- 100% integration with the other stakeholders in the system.

### How technology adoption has enabled innovation in indirect tax system

While the effects of adopting tech in the tax administration ecosystem has had several impacts, one of the ripple effect has been to facilitate innovation in the policy making itself. Few important instance of such recent advancements are summarized below:

- E-matching and communication of VAT passage between the taxpayers in the GST supply chain.
- E-recording transactions at source helps provide real-time data to the stakeholders in the tax admin system and facilitates less tampering.
- E-ledgers, on one hand, offers access to taxpayer records in the hands of administrators and, on the other hand, ensures digital payment, transfer and accounting.
- Integrating foreign trade transaction management - between GST, DGFT, ICEGATE & AD bank systems - facilitating analysis & risk management.
- Analytics of reported data, based on automated return scrutiny model, develops intelligence from such numerical data to initiate actions.
- E-monitoring of movements and interactions of transaction/s to gain necessary intelligence, without repetitive checks in transit.
- Enhanced KYC capabilities based on bio-metric authentication, Aadhaar verification, GPS systems recording and third-party authentication.
- Online authorization and verification, without requirement of any physical document submission in the process.
- Single online common platform, capable of uniting all stakeholders in tax system. It also facilitates advanced capabilities like data analysis, reports interaction with its (in-house) AI systems and higher data security.
- Enabled partners / taxpayers abroad to interface (ex. OIDAR) with the Information Technology (IT) systems to adhere necessary compliances.



### What is tech able to solve now-a-days?

While low-code Business Intelligence [BI] softwares (on one hand) have helped businesses themselves customize and handle huge scattered source data (with inbuilt features such as data extraction, SQL-compression, metadata management, data-transformation, modelling and output-visualization) by one-time automation of routine tasks, to arrive at simple and valuable Management Information system [MIS] insights in graphical or pictorial forms that ultimately helps arriving at effective and sustainable business decisions, Generative Artificial Intelligence algorithms [GenAI] (on the other hand) have helped businesses obtain *quick-fix* solutions from common knowledge of open databases that can solve business requirements like drafting letter / responses, summarising, converting data form, analysing-outcomes, formatting, presenting and computing data (from online source or cloud servers). Internet of things (IoT) products released in recent past have been a time saver for many – Ex. tax officials use them for selective risk-based enquiry (off-site) and for transit checks (on-site), for monitoring evasion.



While online communication softwares (initially during the COVID-19 phase) were used as a group video chatting option, the industry has upgraded itself in a short span by adopting several advanced machine learning capabilities like Natural Language Processing (NLP). Thus they are thus able to offer integrated products such as background blurring, auto-transcription, e-meeting summary, etc., to ensure that virtual communication experiences can bring better value than in-person interactions.

## Impact of adopting tech innovation in tax, in an ecosystem like India

### Pros

- Helps standardize and regulate Small and Medium Enterprises (SME) businesses in accounting & documentation of commercial transactions.
- Supports the digital initiatives of policy makers.
- Reduces interruption in the VAT chain, during commodity flow at intermediate levels.
- Helps in remote and paperless interaction and documentation.
- Enhances quick availability of business data (from source reports) for the administrator, facilitating their speedy analysis and action.
- Reduces administration time and cost, which in turn can be passed on to citizens by ways of reduction in administration fee.
- Ensures audit trail across.

### Cons

- Difficulties have been witnessed by (other) partners in the eco-system - to understand the latest interface released from time to time.
- Loss of tax benefits (including VAT credits), on account of non-compliance (or mistake) by other stakeholders in the e-chain.
- Unexpected delays impacting businesses adopting JIT stock models.
- Without proper procedures and safeguards in operation, faceless controls may act as a harmful tool.
- It may be a hard task for tech partners to in-build all business scenarios into a packaged software (including its compatibility with other networks), hence impacting seamless compliance.
- Erroneous system generated communications having no authenticity –forcing recipients to enter litigation even after being tax compliant.
- Possible loss of sensitive business data stored in third-party data servers.

With the above stated effects on the use of tech in the taxation sphere, it seems such usage has transformed not only the Revenue collection mechanism but even business processes and strategy planning models – to match them with current tech needs that are ultimately based on the prevalent laws. While the world is evolving and today Artificial Intelligence (AI), Machine Learning (ML) and deep-learning (DL) seem to be the in-trend adoption in every eco-system. Businesses may also need also keep in mind that innovation in science and technology would only continue to further evolve at ongoing pace. Thus, efforts in tax system planning should foresee adopting a tech (or a tech system, as the case may be) that is flexible to imbibe changes that are expected soon (at least). Below chart tries to pictorially depict the journey of tech in the taxation sphere:



### Few suggestions to handle the aforesaid cons

With the policy making machinery possessing the (and continuously building the necessary) capabilities, to scale in tech methodologies – by rolling out sophisticated online tax management and collection systems, it must be remembered that many businesses may not be able to match the IT requirements posed on them through the upgraded (or still upgrading) systems. While majority of businesses in India are SME's or family businesses – having exceptional potential to scale in their specialized spheres, yet they may find it challenging in enhancing their capabilities in adoption of tech initiatives and accurately deliver with the imposed taxation mechanism.

While tax authorities have off-late started releasing pilot tech models, on non-mandatory basis, to obtain feedback from trade and businesses about adaptability, efficiency and effectiveness of (the newly released) tech system versions – unless support in the form of affordable **“interface software, with compatible tools”** to integrate them with existing business software [that can handle volume of different ranges] are made available, such tools may become a hindrance in achieving the proposed strategic goals.

At this juncture, it may also need mention that technology capabilities of other users if tax eco-system to also be quickly upgraded to interact robustly with the parent tax software(s) – so that the law that is common and integrates actions of several stakeholders (legislators, executives, administrators, tax courts and citizens, as already discussed above) and offers a thread in the process that is inextricably interlinked through systems should not be broken due to the lack of capability at one (or more) stakeholders end.

While the manpower using the tech interface of the tax systems (i.e. for other partners in the tax ecosystem) maybe sound in data management and have necessary legal capabilities, they usually lack the (third party) tech adoption capabilities to maneuver the complex interfaces for handling the compliance through it, which may cause severe lapses – that in turn impacts compliance ratings and compliance-management cost. While software interfaces do provide FAQ's, tutorials and backend support team to solve the issues faced by the users, in the verge of statutory deadlines aforesaid support turns out inadequate.

While the GST practitioners (GST-P), DGFT-consultants or Customs House Agents (CHA) are selected based on certain legal & technical criteria, their statutory roles could be enhanced to be capable of handling the technology that is posted to taxpayers for handling compliances in the new systems – not only for the taxpayers, but even for tax administrators, tax courts, etc. Moreover, initiatives for releasing equally capable end-use software, at subsidized rates, for aforesaid specialized professionals with dedicated and quick problem-solving helpdesks / helplines – possessing personnel having legal and technological capabilities to navigate across (common & specific) issues faced by stakeholders in the tax-tech system. Therefore, aforesaid practitioners and helpdesk-personnels may be offered regular (and focused) trainings by the top Revenue officials, and its partners, so that their legal knowledge, field issues and corresponding tech skill can be regularly updated and upgraded to face the stressed times.



Lastly, while efforts have been in-built to keep safe the information obtained from tax reports [in the Customs / FTDR / GST laws, read with The Information Technology Act, 2000 (IT Act) and The Digital Personal Data Protection Act, 2023 (DPDP Act)] care needs to be taken that intermediaries in the exchange processes are also made to strictly adopt these laws to protect the safety of citizen's property (i.e. their personal and business data). As the aforesaid statutes mandate linking of PAN, Aadhaar, IEC, bank account, GPS and other personal information (for natural as well as legal persons) involved in the business (i.e. of the taxpayers or their beneficiaries, respectively), such data in common servers need handling with utmost secrecy. While the data protection methods, devices and software tools have parallelly upgraded with the improvement in interface and backend processing technology, hacking professional have played their intelligent part in innovating their breach strategies. Tools like block-chain, etc. (in the back end) could be adopted to take advantage of the edge in such technology models to solve the data security issues.

## Conclusion

The adoption of big-data analytical tools, Large Language Models (LLM), block-chain security strategies, IOT implementation and machine learning based algorithms has surely contributed towards innovation in the nation's tax arena. Innovative (tax) policymaking on adoption of aforesaid tech has been witnessed in indirect tax credit matching models, trust based self-assessment, data auto-population, risk-based enquiry / inquiry, automatic notices, paperless documentation, faceless hearings, digital-authentication, virtual enforcement (blocking e-ledgers) and digital accounts & payments policies.

On the flip side, advancements on interface development side have been achieved by introduction of bot-based query resolution, that solve frequently faced trade queries. Big-data analysis has helped in solving the common issues faced by the citizens, by diligently addressing feedback about the latest initiatives (rolled out time and now). Auto-filling of taxpayers data on (interface) portal and integration of various systems to automate online procedures has helped save citizens compliance time, reduction of clerical errors and convenient data analysis.



With it becoming a necessity for even small players to register and avail tax benefits of the newly developed policies, for offering their commodities to markets at best prices, care needs to be taken to ensure that the advantages of innovative policy and tech initiatives should not be offset by business' (inadequate) tech capabilities – then, entire policy efforts may turn out to be counterproductive.

## Reference materials

- CA-GPT 2.0
- Foreign Trade & Regulation Act, 1992 (FTDR Act), Foreign Trade Policy, 2023 (FTP) and DGFT portal releases
- Customs Act, rules, notifications, circulars and ICEGATE portal releases
- CGST, SGST/UTGST and IGST Acts, 2017 and rules made thereunder, including GST Network FAQ and press releases

For further reference author can be reached at: [ca.akashsrivatsan@gmail.com](mailto:ca.akashsrivatsan@gmail.com)

# UPDATES

## Corporate Law



**Contributed by:**  
CA. M. Asir Raja Selvan,  
Chennai  
asir@arsindia.com  
9500003636

## FEMA



**Contributed by:**  
CA. G. Murali Krishna,  
Hyderabad  
gmk@grandhianandassociates.in  
9849992493

## Goods & Services



**Contributed by:**  
CA. G. Saravana Kumar  
Madurai  
saravanakumar.g@bsls.pro  
99945346441

## Income Tax



**Contributed by:**  
CA.V.K. Subramani  
Chennai  
vksintax@gmail.com  
9944394495

## Information Technology



**Contributed by:**  
CA. Deephika S  
Chennai  
cadeephika@gmail.com  
9500026130

## Karnataka Commercial Taxes Including VAT/GST



**Contributed by:**  
CA. Annapurna D Kabra,  
Bengaluru  
annapurna@akaconsult.com  
9972077441

## SEBI



**Contributed by:**  
CA. V M V Subba Rao  
Nellore  
vmvsrao@gmail.com  
9390221100

## GST Rulings



**Contributed by:**  
CA. V.V. Sampath Kumar  
Chennai  
vvsampat@yahoo.com  
6382977630

## Future Batch Details January - 2025

### Orientation Course (ICITSS-OC)

S.No	Batch	From Date	To Date	Timing
1	ICITSSOC_CHENNAI_78	22.01.2025	07.02.2025	07.00 A.M. TO 01.30 P.M.
2	ICITSSOC_CHENNAI_79	22.01.2025	07.02.2025	01.45 P.M. TO 08.15 P.M.

### MCS Course (AICITSS-mcs)

S.No	Batch	From Date	To Date	Timing
1	AdvICITSSMCS_CHENNAI_73	03.01.2025	23.01.2025	07.00 A.M. TO 01.30 P.M.
2	AdvICITSSMCS_CHENNAI_74	03.01.2025	23.01.2025	01.45 P.M. TO 08.15 P.M.
3	AdvICITSSMCS_CHENNAI_75	03.01.2025	23.01.2025	07.00 A.M. TO 01.30 P.M.
4	AdvICITSSMCS_CHENNAI_76	03.01.2025	23.01.2025	01.45 P.M. TO 08.15 P.M.

### Advanced ITT Course (AICITSS-AdvITT)

S.No	Batch	From Date	To Date	Timing
1	AICITSSAdvITT_CHENNAI_73	03.01.2025	25.01.2025	07.30 A.M. TO 01.30 P.M.
2	AICITSSAdvITT_CHENNAI_74	03.01.2025	25.01.2025	01.45 P.M. TO 07.45 P.M.

### ITT Course (ICITSS-ITT)

S.No	Batch	From Date	To Date	Timing
1	ICITSSITT_CHENNAI_76	03.01.2025	25.01.2025	07.30 A.M. TO 01.30 P.M.
2	ICITSSITT_CHENNAI_77	03.01.2025	25.01.2025	01.45 P.M. TO 07.45 P.M.

**Registration Link:** <https://www.icaionlineregistration.org>

#### Helpline for MCS

Mobile : 9677126011  
E-Mail : sircgmcs@icai.in

#### Helpline for ITT and Advanced ITT:

Mobile: 9176826789  
E-Mail : sroitt@icai.in

#### Helpline for Orientation

Mobile: 9962266650  
Email Id: sro-orientation@icai.in



## IMPORTANT ANNOUNCEMENT

### Subject: Information Systems Audit – Assessment Test (ISA – AT), January 2025

Members are hereby informed that the next Information Systems Audit (ISA) Course Assessment Test (3.0 Syllabus) which is open to the members of the Institute will be held on **25th January 2025 (Saturday) from 9 AM to 1 PM (IST)** at the following cities provided that sufficient number of candidates offers themselves to appear there from.

Name of the State	No. of Cities	Name of the Examination Cities
Andhra Pradesh	3	Guntur, Vijayawada and Visakhapatnam
Assam	1	Guwahati
Bihar	1	Patna
Chattisgarh	1	Raipur
Chandigarh	1	Chandigarh
Delhi / New Delhi	1	Delhi / New Delhi
Goa	1	Goa
Gujarat	3	Ahmedabad, Rajkot and Surat
Haryana	2	Faridabad and Gurgaon (Gurugram)
Himachal Pradesh	1	Shimla
Jammu & Kashmir	1	Jammu
Jharkhand	1	Ranchi
Karnataka	2	Bengaluru and Hubli
Kerala	1	Ernakulam
Madhya Pradesh	3	Bhopal, Gwalior and Indore
Maharashtra	6	Aurangabad, Mumbai, Nagpur, Nashik, Pune, and Thane
Odisha	1	Bhubaneswar
Punjab	1	Ludhiana
Rajasthan	2	Jaipur and Jodhpur
Tamil Nadu	2	Chennai and Coimbatore
Telangana	1	Hyderabad
Uttar Pradesh	9	Allahabad
Uttarakhand	1	Dehradun
West Bengal	1	Kolkata

The Council reserves the right to withdraw any centre at any stage without assigning any reason. The above Test is open only to the Members of the Institute who are already registered with the Institute for the ISA course and fulfill the eligibility criteria laid down. The fee payable for the above Assessment Test is ₹ 2000/-.

An application for admission to the Information Systems Audit (ISA) Course - Assessment Test is required to be made on-line at <https://isaat.icaiaexam.icaai.org> from **12th December 2024 to 26th December 2024** and remit the examination fee of ₹ 2000/- on-line by using VISA or MASTER or MAESTRO Credit / Debit Card / Rupay Card / Net Banking / Bhim UPI.

**(CA. Anand Kumar Chaturvedi)**  
Joint Secretary (Examinations)

## ANNOUNCEMENT

### MERIT CUM MEANS SCHOLARSHIP

Applications are invited from students pursuing CA Course (presently undergoing article ship training) for the award of 12 (6 at the level of Intermediate and 6 at the level of final) merit cum means scholarships (lump sum one time payment) under the Endowment Funds being maintained by SIRC of ICAI for the year 2024-2025. Application is available at the SIRC website. It may be downloaded and sent to the office of SIRC of ICAI at 'ICAI Bhawan', 122, Uthamar Gandhi Salai, Nungambakkam, and Chennai – 600034. The filled applications shall be submitted on or before 15-01-2024. The decision of the SIRC of ICAI shall be final in all matters regarding this Merit Cum Means Scholarship.

## PRIZE FUND AWARDEE

The Southern India Regional Council of the Institute of Chartered Accountants of India has been awarding prizes in the form of Cash Awards to the candidates who have secured highest marks under different criteria as prescribed and mentioned below:

Name of the Endowment	Prizes
Shri V. Soundararajan Memorial Endowment Prize	Candidate from any centre within the Southern Region of the Institute who comes out successful in CA Final Examination in both groups in one attempt and who tops the merit list amongst all candidates from the Southern Region
Shri L.N. Vasudevan Award	Candidate belonging to the city of Chennai who secures the highest marks in aggregate in CA Final Examination
Shri P. Gopalakrishna Rao Award	The Lady candidate who secures the highest marks in the aggregate in the CA Final Examination in the Southern Region
Shri M.G. Subramanian Award	First Rank holder in the CA Final Examination amongst the candidates belonging to State of Tamil Nadu (if no candidate qualifies this criteria falling within 50 Ranks, First Rank Holder from Southern Region.)
CA. T.K. Chandrasekaran Award	Candidate who secures the highest mark in "Financial Reporting" Paper in the CA Final Examination from the Southern Region.
Shri B. Shyam Sundar Award	Candidate who secures the highest marks in the (Intermediate) taken together to arrive at the highest marks/percentage.
Shri B Ramaraj Endowment Prize	Candidate securing highest marks in the subject "Economics" in CPT/Foundation Examination from Southern Region.[to be re allocated]
L Mallikarjuna Rao Memorial Endowment Prizes (Two Endowments)	Candidate who secures the highest aggregate of marks in Group I of the CA Final Examination from the Southern Region Candidate who secures the highest aggregate of marks in Group II of the CA Final Examination from the Southern Region
CA. S. Venkatasubramanian Memorial Endowment Prizes (Four Endowments)	Best Woman Candidate from the Southern Region at the CA Intermediate Examinations of May each year. Best Woman Candidate from the Southern Region at the CA Intermediate Examination of November each year. Best Woman Candidate from the Southern Region at the CA Final Examination of May each year Best Woman Candidate from the Southern Region at the CA Final Examination of November each year
CA. K Ananthachari Prize Fund	Topper of Chennai Region in CA Final exams. If there are no topper in Chennai Region, to award Prize to the topper (boy or girl) in the Southern Region.

# NOTIFICATION 1

## EXTRAORDINARY

भाग III—खण्ड 4

### PART III—Section 4

प्राजधकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1032] नई दिल्ली, बृहस्पतजतरार, दसिम्बर 26, 2024/पौष 5, 1946  
No. 1032] NEW DELHI, THURSDAY, DECEMBER 26, 2024/PAUSHA 5, 1946

भारतीय चार्टडट अकाउंटेस संसुतथान अजधसूचना  
(चार्टडट अकाउंटेस)

नई दिल्ली, 26 दसिम्बर, 2024

**सं. 54-ईएल(1)/13/2024.**—भारतीय चार्टडट अकाउंटेस संसुतथान की पररषु, चार्टडट अकाउंटेस (पररषुका जनरुतचन) जनयम, 2006 के जनयम 36 के अनुसरण में, नि साधारण की निनकारी के जलए ऐसे नामों (रणाटनुकुरम कुरम में), ससुतुयता संखयाओं और ऐसे ससुतुयों के सुतथानों को अजधसूजचत करती है, नि संसुतथान की छबुबीसरी पररषुके जलए जनमनजलजखत कषुेत्रों से जनरुतजचत हुए है, नि जनमनानुसार है :

#### 1. गुरा, गुरित और महाराषुटर राजुयों तथा गिरि और नागर हरेली तथा मिन और गिरि संघ राजुयकषुेत्रों से जमलकर बनी पजुवमी भारत प्रुाजिकि पररषु

कुरम सं.	नाम	ससुतुयता संखया	सुतथान
1.	सीए. अगुररुल जरुषुणु कुमार, एफसीए	114630	मुंबई
2.	सीए. छैरा यि अरुति, एफसीए	103559	सूरत
3.	सीए. छुांड़ि पीयूष सुुहनरारुगि, एफसीए	108090	मुंबई
4.	सीए. चतिले चनुदरुखिर रसंत, एफसीए	035885	पुणे
5.	सीए. गिरि जरुलि, एफसीए	101533	रुडोरि
6.	सीए. काबरा अरुपटत गिरि, एफसीए	135637	मुंबई
7.	सीए. काबरा गुगि कुमार, एफसीए	044075	मुंबई
8.	सीए. खंडेलरुल पुरुषुुुतुतमलाल हुकमीचं, एफसीए	100601	अहमरुगिबारुि
9.	सीए. दकनरे मंगे पांडुरंग, एफसीए	045481	ठाणे
10.	सीए. सारुला प्रुीजत पारस, एफसीए	108502	मुंबई
11.	सीए. मिाट उमेरु रामनारायण, एफसीए	104605	औरंगारुबारुि

#### 2. आंधुर प्रुी, कनारुतक, केरल, तजमलनाडु और तेलंगाना राजुयों तथा लकुषदुवीप और पुडुचेरी संघ राजुयकषुेत्रों से जमलकर बनी जिकुषणी भारत प्रुाजिकि पररषु

कुरम सं.	नाम	ससुतुयता संखया	सुतथान
1.	सीए. बाबु अबुराहम कजललरुयारुजलल, एफसीए	026973	कोजुि
2.	सीए. यिाजनरुस मिाट, एफसीए	216244	हैरुिबारुि
3.	सीए. मधुकर नारायण जहरेगंगे, एफसीए	027409	बेंगलुरु
4.	सीए. मुपुपाला शरुीधर, एफसीए	212977	हैरुिबारुि
5.	सीए. प्रुसनना कुमार डी, एफसीए	023999	जरुखिापरुनम
6.	सीए. रुरि कुमार पी, एफसीए	204314	चेनुनई
7.	सीए. शरुीजप्रुया के, एफसीए	205829	चेनुनई

#### 3. अरुणाचल प्रुी, असम, मजणपुर, मेघालय, जमारुिम, नागालैंड, ओजडुा, जसदमि, जतरुपुरा, पजुमि बंगाल राजुयों तथा अंमिन और जनकोबार दुवीप समूह संघ राजुयकषुेत्र से जमलकर बनी प्रुी भारत प्रुाजिकि पररषु

कुरम सं.	नाम	ससुतुयता संखया	सुतथान
1.	सीए. प्रुरा रजरु कुमार, एफसीए	056409	जसलचर
2.	सीए. सांधी संधिब, एफसीए	059112	कोलकाता

4. जबहार, छत्तीसगढ़, झारखंड, मध्य प्रदेश, रासिस्थान, उत्तराखंड और उत्तर प्रदेशों से जमलकर बनी मध्य भारत प्रांजिक पररर्ष

क्रम सं.	नाम	ससिद्यता संखया	सुस्थान
1.	सीए. अग्रराल रोजहत दुवाटया, एफसीए	413955	यिपुर
2.	सीए. छोडि अभय, एफसीए	079662	भोपाल
3.	सीए. गोयल अनु, एफसीए	075710	गाजयाबाि
4.	सीए. गुप्ता सती कुमार, एफसीए	072990	यिपुर
5.	सीए. जमशरा ज्ञान चं, एफसीए	078183	गाजयाबाि
6.	सीए. हिह पंका, एफसीए	129087	इरि

5. हरयाणा, जहमाचल प्रदेश और पंजि राज्यों तथा चंडीगढ़, दल्लि, मिमू-कमीर और लददाख संघ राज्यक्षेत्रों से जमलकर बनी उततरी भारत प्रांजिक पररर्ष

क्रम सं.	नाम	ससिद्यता संखया	सुस्थान
1.	सीए. अग्रराल संयि कुमार, एफसीए	085252	नई दल्लि
2.	सीए. चुग हंस रा, एफसीए	088646	नई दल्लि
3.	सीए. नि प्रमो, एफसीए	090358	नई दल्लि
4.	सीए. नि चरणानि ससंह, एफसीए	089658	नई दल्लि
5.	सीए. मिाट री, एफसीए	098258	दल्लि
6.	सीए. ससंघल सीरि कुमार, एफसीए	095377	नई दल्लि

सीए. (डा.) यि कुमार बतरा, ररररनिग आदफसर और सजचर  
[जरज्ञापन-III/4/असा./849/2024-25]

## THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA NOTIFICATION

New Delhi, the 26th December, 2024

(Chartered Accountants)

**No. 54-EL(1)/13/2024.**—In Pursuance of Rule 36 of the Chartered Accountants (Election to the Council) Rules, 2006, the Council of the Institute of Chartered Accountants of India is pleased to notify for general information the names (in alphabetical order), membership numbers and places of the members, who have been elected to the Twenty Sixth Council of the Institute from the constituencies as given below:-

**1. Western India Regional Constituency comprising the States of Goa, Gujarat and Maharashtra and the Union Territories of Dadra & Nagar Haveli and Daman & Diu.**

Sl. No.	Names	Membership No.	Place
1.	CA. Agarwal Vishnu Kumar, FCA	114630	Mumbai
2.	CA. Chhaira Jay Ajit, FCA	103559	Surat
3.	CA. Chhajed Piyush Sohanraji, FCA	108090	Mumbai
4.	CA. Chitale Chandrashekhar Vasant, FCA	035885	Pune
5.	CA. Doshi Vishal, FCA	101533	Vadodara
6.	CA. Kabra Arpit Jagdish, FCA	135637	Mumbai
7.	CA. Kabra Durgesh Kumar, FCA	044075	Mumbai
8.	CA. Khandelwal Purushottamlal Hukamichand, FCA	100601	Ahmedabad
9.	CA. Kinare Mangesh Pandurang, FCA	045481	Thane
10.	CA. Savla Priti Paras, FCA	108502	Mumbai
11.	CA. Sharma Umesh Ramnarayan, FCA	104605	Aurangabad

**2. Southern India Regional Constituency comprising the States of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, Telangana and the Union Territories of Lakshadweep and Puducherry.**

Sl. No.	Names	Membership No.	Place
1.	CA. Babu Abraham Kallivayalil, FCA	026973	Kochi
2.	CA. Dayaniwas Sharma, FCA	216244	Hyderabad
3.	CA. Madhukar Narayan Hiregange, FCA	027409	Bengaluru
4.	CA. Muppala Sridhar, FCA	212977	Hyderabad
5.	CA. Prasanna Kumar D, FCA	023999	Visakhapatnam
6.	CA. Rajendra Kumar P, FCA	204314	Chennai
7.	CA. Sripriya K, FCA	205829	Chennai

**3. Eastern India Regional Constituency comprising the States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Sikkim, Tripura, West Bengal and the Union Territory of Andaman & Nicobar Islands.**

Sl. No.	Names	Membership No.	Place
1.	CA. Patwa Ravi Kumar, FCA	056409	Silchar
2.	CA. Sanghi Sanjib, FCA	059112	Kolkata

**4. Central India Regional Constituency comprising the States of Bihar, Chattisgarh, Jharkhand, Madhya Pradesh, Rajasthan, Uttarakhand and Uttar Pradesh.**

Sl. No.	Names	Membership No.	Place
1.	CA. Agarwal Rohit Ruwatia, FCA	413955	Jaipur
2.	CA. Chhajed Abhay, FCA	079662	Bhopal
3.	CA. Goyal Anuj, FCA	075710	Ghaziabad
4.	CA. Gupta Satish Kumar, FCA	072990	Jaipur
5.	CA. Misra Gyan Chandra, FCA	078183	Ghaziabad
6.	CA. Shah Pankaj, FCA	129087	Indore

**5. Northern India Regional Constituency comprising the States of Haryana, Himachal Pradesh, Punjab and the Union Territories of Chandigarh, Delhi, Jammu & Kashmir and Ladakh.**

Sl. No.	Names	Membership No.	Place
1.	CA. Agarwal Sanjay Kumar, FCA	085252	New Delhi
2.	CA. Chugh Hans Raj, FCA	088646	New Delhi
3.	CA. Jain Pramod, FCA	090358	New Delhi
4.	CA. Nanda Charanjot Singh, FCA	089658	New Delhi
5.	CA. Sharma Rajesh, FCA	098258	Delhi
6.	CA. Singhal Sanjeev Kumar, FCA	095377	New Delhi

**CA. (Dr.) JAI KUMAR BATRA, Returning Officer and Secy.**

**[ADVT.-III/4/Exty./849/2024-25]**

# NOTIFICATION 2

## EXTRAORDINARY

भाग III—खण्ड 4

### PART III—Section 4

प्राजधकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1034] नई दिल्ली, किर्रार, दसिम्बर 27, 2024/पौष 6, 1946

No. 1034] NEW DELHI, FRIDAY, DECEMBER 27, 2024/PAUSHA 6, 1946

भारतीय चार्टडट अकाउंट्स संस्थान अजधसूचना

नई दिल्ली, 27 दसिम्बर, 2024

(चार्टडट अकाउंट्स)

**सं. 54-ईएल(1)/14/2024.**—भारतीय चार्टडट अकाउंट्स संस्थान की पररषि चार्टडट अकाउंट्स (पररषि का जनराटचन) जनयम, 2006 के जनयम 36 के साथ पठति चार्टडट अकाउंट्स ववियिमों के ववियिम के 134 के उपववियिम (10) के उपबंधों के असिरण में नि साधारण की निकारी के जलए ऐसे नामों (रणाटनुक्रम में), ससित्यता संख्याकों और ऐसे ससित्यों

के स्थानों को अनुसूजचत करती है, नि संस्थान की पचचीसरी प्रोजिकि पररषि के जलए जनराटजचत हुए हैं, नि जनमनानुसार हैं:-

### 1. पजधमी भारत प्रोजिकि पररषि

क्रम सं.	नाम	ससित्यता संख्या	स्थान
1.	सीए. अग्रलि राजेश राधेमि, एफसीए	122274	पुणे
2.	सीए. अग्रलि वमिल कुमार, एफसीए	402808	भयंदर
3.	सीए. अजमेरा सौरभ, एफसीए	166931	मुंबई
4.	सीए. चांडक पीयूष प्रेमसुख, एफसीए	122921	विशक
5.	सीए. धमकिर रेखा वॉकि, एफसीए	105162	पुणे
6.	सीए. धामो अवभषेक शवशकांत, एफसीए	135108	पुणे
7.	सीए. घाणेकर मंगेश अर्वाशि, एफसीए	149885	णिणे
8.	सीए. जैश्वेता जयंत, एफसीए	122933	मीरा रोर्
9.	सीए. जैविजिद्र, एफसीए	432465	भयंदर
10.	सीए. जशिनी ईश्वरकुमार रामजीभाई, एफसीए	140066	सूरत
11.	सीए. कला जयेश उमेदमल, एफसीए	101686	मुंबई
12.	सीए. केवर्या पपंकी, एफसीए	059969	णिणे
13.	सीए. वकिम संजय ज्जाशि्वर, एफसीए	107170	निं मुंबई
14.	सीए. पर्ल ठरककि अलकेशभाई, एफसीए	158611	रिंदरा
15.	सीए. साबू कमलेश रामप्रसाद, एफसीए	112543	णिणे
16.	सीए. सागलानि वजतेन्दर् मसिखलाल, एफसीए	116081	गिगपुर
17.	सीए. सैया केतन मिमी, एफसीए	049176	मुंबई
18.	सीए. सालि जीलि केवलि, एफसीए	130322	मुंबई
19.	सीए. शाह वबशरिमेशचंद्र, एफसीए	102444	अहमदाबाद
20.	सीए. शाह फेवलि राजेद्र, एफसीए	135229	अहमदाबाद
21.	सीए. शाह राकेश कुमार, एफसीए	049149	मुंबई







Sl. No.	Names	Membership No.	Place
13.	CA. Nikam Sanjay Dnyaneshwer, FCA	107170	Navi Mumbai
14.	CA. Patel Rikin Alkeshbhai, FCA	158611	Vadodara
15.	CA. Saboo Kamlesh Ramprasad, FCA	112543	Thane
16.	CA. Saglani Jitendra Mansukhlal, FCA	116081	Nagpur
17.	CA. Saiya Ketan Damji, FCA	049176	Mumbai
18.	CA. Savla Jeenal Kenil, FCA	130322	Mumbai
19.	CA. Shah Bishan Rameshchandra, FCA	102444	Ahmedabad
20.	CA. Shah Fenil Rajendra, FCA	135229	Ahmedabad
21.	CA. Shah Rakesh Kumar, FCA	049149	Mumbai

## 2. Southern India Regional Council

Sl. No.	Names	Membership No.	Place
1.	CA. Abhishek M, FCA	226622	Chennai
2.	CA. Arun Ayyampalayam Venkatesan, FCA	214530	Salem
3.	CA. Bhanu Narayan Rao Y V, FCA	028997	Secunderabad
4.	CA. Chengal Reddy Ramireddygar, FCA	221424	Hyderabad
5.	CA. Deepa Varghese, FCA	209032	Kochi
6.	CA. Deepak Ladda, FCA	223832	Hyderabad
7.	CA. Hegde Pramod Ramamohan, FCA	235160	Bengaluru
8.	CA. Mandava Sunil Kumar, FCA	217061	Hyderabad
9.	CA. Pampanna B E, FCA	220424	Bengaluru
10.	CA. Rajesh S, FCA	231027	Pollachi
11.	CA. Rekha U S, FCA	246384	Chennai
12.	CA. Revathi S Raghunathan, FCA	200052	Chennai
13.	CA. Subba Rao Muppala, FCA	205386	Guntur
14.	CA. Yarra Tirupathaiah, FCA	025911	Hyderabad

## 3. Eastern India Regional Council

Sl. No.	Names	Membership No.	Place
1.	CA. Agarwal Hari Ram, FCA	057625	Kolkata
2.	CA. Agrawal Mayur, FCA	302458	Kolkata
3.	CA. Maheshwari Aditya Kumar, FCA	061237	Siliguri
4.	CA. Sutar Bisworanjan, FCA	066708	Bhubaneswar
5.	CA. Tulsyan Vishnu Kumar, FCA	061953	Kolkata

#### 4. Central India Regional Council

Sl. No.	Names	Membership No.	Place
1.	CA. Agrawal Dinesh Kumar, FCA	076332	Bilaspur
2.	CA. Agrawal Vijay Kumar, FCA	097423	Jaipur
3.	CA. Gandhi Nirbhik, FCA	423646	Bhilwara
4.	CA. Goyal Ankur, FCA	412399	Kanpur
5.	CA. Gupta Ankur Kumar, FCA	411753	Jaipur
6.	CA. Gupta Nitin, FCA	079174	Ghaziabad
7.	CA. Gupta Rajeev, FCA	401237	Meerut
8.	*CA. Gupta Ruchi, FCA	514031	Jaipur
9.	CA. Jain Anand, FCA	427705	Indore
10.	CA. Jain Ankush, FCA	437653	Indore
11.	CA. Kothari Dhaval, FCA	404729	Jodhpur
12.	CA. Tiwary Jayendra Kumar, FCA	531932	Ghaziabad

\* Subject to the outcome of S.B. Civil Writ Petition No.16234/2024, Hon'ble High Court of Rajasthan, Jaipur Bench.

#### 5. Northern India Regional Council

Sl. No.	Names	Membership No.	Place
1.	CA. Aggarwal Sangam Kumar, FCA	516131	Delhi
2.	CA. Aggrawal Gaurav, FCA	532594	Delhi
3.	CA. Bahl Sachin, FCA	520161	Delhi
4.	CA. Baqai Sana, FCA	508252	New Delhi
5.	CA. Chugh Nitish Kumar, FCA	512742	Faridabad
6.	CA. Goyal Hitesh, FCA	503976	Mandi Gobindgarh
7.	CA. Jags Jagjeet Singh, FCA	512338	Delhi
8.	CA. Jain Vaibhav, FCA	515700	New Delhi
9.	CA. Malhotra Navya, FCA	539685	New Delhi
10.	CA. Raja Abhishek, FCA	506930	Delhi
11.	CA. Singh Ajit Kumar, FCA	536976	Delhi
12.	CA. Yadav Rattan Singh, FCA	094845	New Delhi

**CA. (Dr.) JAI KUMAR BATRA, Returning Officer and Secy.**  
**[ADVT.-III/4/Exty./851/2024-25]**

### OBITUARY

No.	MRN	Name	Status	Place	Date of Death
1	005960	CA. VENKATA RAMU H S	FCA	BENGALURU	25-09-2024
2	223435	CA. MACHARLA ROSAIAH	FCA	CHENNAI	07-10-2024
3	211726	CA. KARTHIKEYAN S	FCA	CHENNAI	15-10-2024
4	007095	CA. JAIN KAMAL CHAND	FCA	HYDERABAD	23-10-2024
5	030266	CA. RAMASESHAN T V	FCA	PUDUCHERRY	01-11-2024
6	014784	CA. KEERTHI RAJAN S	FCA	TIRUCHIRAPALLI	01-11-2024
7	019943	CA. VENUGOPALAN R	FCA	VELLORE	02-11-2024
8	204907	CA. INBARAJ M	FCA	CHENNAI	03-11-2024
9	018901	CA. MURUGAVEL S S	FCA	CHENNAI	11-11-2024
10	012573	CA. SANKARAN M	FCA	CHENNAI	13-11-2024
11	253799	CA. SUDHAKAR BHASKAR	FCA	BENGALURU	14-11-2024

May the Almighty, Architect of the Universe rest their soul in peace

## IMPORTANT ANNOUNCEMENT

In pursuance of Regulation 204 of the Chartered Accountants Regulations, 1988, it is hereby informed that the Computer Based Examination for **Post Qualification Course DIPLOMA ON MANAGEMENT AND BUSINESS FINANCE** (open to eligible members only) on the dates and places (centres in India only) as detailed below :

Paper I	9 <sup>th</sup> February, 2025 (Sunday)
Paper II	10 <sup>th</sup> February, 2025 (Monday)
Paper III	11 <sup>th</sup> February, 2025 (Tuesday)

### PLACES OF EXAMINATION CENTRES:

1	AGRA	6	CHANDIGARH	11	HYDERABAD	16	PATNA
2	AHMEDABAD	7	CHENNAI	12	JAIPUR	17	PUNE
3	BENGALURU	8	DELHI	13	KOLKATA	18	VIJAYAWADA
4	BHOPAL	9	ERNAKULAM	14	LUCKNOW		
5	BHUBANESWAR	10	GOA	15	MUMBAI		

Timing of the examination shall be from 10.30 am to 12.30 pm (i.e., 2 hours). Mode of the examination shall be Computer Based Examination whereby examination will be held online at allocated Computer Centres. The examination shall be held as per schedule including on public holidays.

Applications for admission to Examination; Candidates are required to apply on-line at <https://dmbf.icai.org> from **6<sup>th</sup> January, 2025** to **10<sup>th</sup> January, 2025** and remit the examination fee on-line by using VISA or MASTER or MAESTRO Credit / Debit Card / Rupay Card / Net Banking / Bhim UPI.

The examination fees payable for DIPLOMA ON MANAGEMENT & BUSINESS FINANCE course is ₹ 6,000/- for fresh candidates for all the three papers.





Rs 2000/- per paper to those applicants who have appeared in DMBF Examination in or before January, 2024 and have passed one / two groups earlier.

DMBF candidates covered under Transitional Provision Scheme are required to appear and pass Paper -1 of DMBF Examination. Accordingly, such candidates are required to pay DMBF February 2025 examination fee Rs 2000/-.

The medium of the examination shall be English only.

**CA. Anand Kumar Chaturvedi**  
Joint Secretary (Examinations)

## TOPPERS OF CHARTERED ACCOUNTANTS FINAL EXAMINATION NOVEMBER - 2024

	ALL INDIA TOPPER FIRST RANK	ALL INDIA SECOND RANK	ALL INDIA THIRD RANK	
PRESS RELEASE				
NAME	HERAMB MAHESHWARI	RISHAB OSTWAL R	RIYA KUNJANKUMAR SHAH	KINJAL AJMERA
CITY	HYDERABAD - I	TIRUPATI	AHMEDABAD II	KOLKATA - IV
ROLL NO.	639751	692795	601205	657929
MARKS	508	508	501	493
%	84.67	84.67	83.50	82.17



Tanya Gupta

## INTERMEDIATE EXAMINATION SEPTEMBER-2024 ALL INDIA - SECOND RANK

SIRC congratulates **Ms. TANYA GUPTA**, Chennai on her achieving the feat and wish her the best in our career.



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



## CA FINAL ONLINE

**RAPID REVISION COURSE COMMENCES ON**  
7th February 2025 for May 2025 Exams



## FEE STRUCTURE

**Group 1 - Rs.4500**

**Group 2- Rs.4500**

**Both Group - Rs.7500**

**Subject wise - Rs.1750**



<b>PAPER 1</b>	<b>FINANCIAL REPORTING</b>
<b>PAPER 2</b>	<b>ADVANCED FINANCIAL MANAGEMENT</b>
<b>PAPER 3</b>	<b>ADVANCED AUDITING ASSURANCE AND PROFESSIONAL ETHICS</b>
<b>PAPER 4</b>	<b>DIRECT TAX LAWS AND INTERNATIONAL TAXATION</b>
<b>PAPER 5</b>	<b>INDIRECT TAX LAWS</b>
<b>PAPER 6</b>	<b>INTEGRATED BUSINESS SOLUTION</b>

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

**Contact** : 044-30210370

**Further Query** : 7358506400, 8220522669, 9677126011

**RECORDED SESSION  
AVAILABLE**



**Scan QR Code for Register**



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



# ICAI WOFA

WORLD FORUM  
OF ACCOUNTANTS | 31<sup>ST</sup> JAN - 2<sup>ND</sup> FEB 2025  
NEW DELHI, INDIA

*Accountability Meets Innovation (AI): For A Sustainable Planet*

## SAVE THE DATE



Scan to Register



[www.wofa.icai.org](http://www.wofa.icai.org)

Yashobhoomi  
New Delhi



**THE INSTITUTE OF CHARTERED  
ACCOUNTANTS OF INDIA**  
(Set up by an Act of Parliament)



# ICAI Commerce Olympiad

**19<sup>th</sup> January, 2025 (Sunday)**



**Organised by: Committee on Career Counselling of ICAI**

## Levels of Olympiad

- Level 1: Students of class VIII
- Level 2: Students of class IX
- Level 3: Students of class X
- Level 4: Students of class XI
- Level 5: Students of class XII
- Level 6: Students of Graduation

**No  
Registration  
Fees**

Students pursuing in the academic year 2024-25

## Subjects

For Levels 1, 2 & 3

- a. Social Studies
- b. Mathematics
- c. Business Awareness
- b. Aptitude

For Levels 4, 5 & 6

- a. Business Studies
- b. Accountancy
- c. Economics
- d. Aptitude

## Test Pattern

- Objective Type test of 60 minutes duration comprising 100 Multiple Choice Questions.
- 25 Questions from each subject through online arrangement. Each question will carry 1 Mark. (No Negative marking)

## Mode of Olympiad (Online)

Students can participate in the ICAI Commerce Olympiad from anywhere on their Desktop / Laptop/ Mobile / I-Pad.

## How to Register

Students can Register online through its dedicated webpage  
<https://icaicommerceolympiad.in/>

## Prizes & Certificates will be given to the awardees of all classes separately

Category	Ranks 1-3	Ranks 4-28	Ranks 29-78	Ranks 79-128	Rest of the participants will be given Participation Certificate.
Amount	10,000/-	2,000/-	1,500/-	1,000/-	

- ❖ Additionally, first three Rank Holders in ICAI Commerce Olympiad (class X uptill Graduation) will be reimbursed after paying of fees registering in the Foundation Course/ Direct Entry (As per their eligibility) of CA Course subject to the registration in CA Course is done in the same year.
- ❖ Result: The result will be generated based on marks attained in the shortest time through the Computer System and will be published exclusively on its webpage i.e. <https://icaicommerceolympiad.in/>

## Contact us:

**Secretary, Committee on Career Counselling, ICAI**

ICAI Bhawan, A-29, First Floor, Administrative Block, Sector-62, Noida (U.P.), Pin-201309

E-mail: [ccc.secretary@icai.in](mailto:ccc.secretary@icai.in), Tel.: 0120-3876871/886, Toll Free No.: 1800 202 8371, For more details: [www.icai.org](http://www.icai.org), [www.ccg.icai.org](http://www.ccg.icai.org)

## ANNOUNCEMENT FOR MEMBERS

Dear Member,

**Sub: Extension of last date of CPE hours' compliance for the Calendar year 2024 - From 31st December, 2024 to 28th February, 2025**

As you are already aware that "Statement on Continuing Professional Education, 2023" (available at link <https://www.icai.org/post/issuance-of-cpe-statement-2023>) has been made effective from Calendar year 2024 onwards, which introduced consequential provisions for non-compliance with CPE hours' requirements applicable to various categories of members on yearly basis. These consequential provisions are applicable w.e.f. 1st January, 2025 for non-compliance arising from the Calendar Year 2024 with regard to CPE hours requirements.

As consequential provisions arising due to non-compliance with CPE requirements are coming into effect for the first time from Calendar year 2024, it has been decided to extend the last date for complying with the CPE hours requirements for the Calendar year 2024 from 31st December, 2024 to 28th February, 2025, for the benefit of Members at large and to avoid any hardship due to non-compliance.

On similar grounds, the last date of compliance and filing Unstructured Learning Activities (ULA) is also extended till 28th February, 2025, for the Calendar year 2024.

Further, it may please be noted that the duration of consequential provisions at Level I (from January 1st to June 30th) would be changed to March 1st to June 30th for Calendar year 2024 and the subsequent levels (II, III and IV) under the consequential provisions for non-compliance with CPE hours will remain unchanged.

For ready reference, consequential provisions for non-compliance with CPE hours requirement on yearly basis from calendar year 2024 onwards are available at <https://resource.cdn.icai.org/79152cpe63323.pdf>

It may be noted that due to the extension of last date for compliance of CPE hours' requirements for the Calendar year 2024 till 28th February, 2025, the CPE hours earned up to 28th February, 2025 will be counted for the calendar year 2024 - for only those Members who have shortfall of CPE credits for the Calendar year 2024. Further it is to be clarified that CPE Hours completed in extended period (01.01.2025 till 28.02.2025) will be credited/counted for Calendar year 2025 for those Members who have already complied with CPE Hours requirements as required for Calendar year 2024 till 31st December, 2024.

The above may be noted by the Members for timely compliance of CPE Hours requirements for Calendar year 2024 and latest by 28th February, 2025.

Continuing Professional Education Committee

**The Institute of Chartered Accountants of India**

(Set up by an Act of Parliament)

'ICAI BHAWAN', A-29, Sector 62, Noida 201309

Website: <http://www.icai.org>, [www.cpeicai.org](http://www.cpeicai.org)

E-mail : [cpeadmin\[at\]icai\[dot\]in](mailto:cpeadmin@icai.in)



## The Institute of Chartered Accountants of India

(Set up by an Act of Parliament)

# Fostering Digital Transformation in Accounting & Assurance



## Unlocking the Future - Empowering Digital Transformation

In an era defined by digital transformation, the Institute of Chartered Accountants of India (ICAI) spearheads a series of groundbreaking digital initiatives that are reshaping the landscape of Accounting and Assurance practices. These initiatives reflect ICAI's commitment to equipping Chartered Accountants with the latest tools, knowledge and skills required to navigate the dynamic challenges and capitalize on the vast opportunities presented by the digital revolution

### ICAI's PATHBREAKING DIGITAL INITIATIVES:

- ▶ Launched Unique Document Identification Number (UDIN), an 18-digit unique number for authentication of CA certified documents
- ▶ Research on Emerging Technologies - Artificial Intelligence (AI), Cloud Computing and Robotics
- ▶ Executive Development Program on "Blockchain Technology Driver of Digital Era"
- ▶ Mentoring of Technology Driven Startups by Chartered Accountants
- ▶ Digital Competency Maturity Model to upgrade CA Firms on digital landscape
- ▶ Launched World's first detailed Forensic Accounting and Investigation Standards - mandatory from 01.07.2023
- ▶ New Digital Identity for Members and Students @mail.CA.IN mailboxes.
- ▶ ICAI Digital Learning Hub - (<https://learning.icai.org/iDH/icai/>) - Single Source of Knowledge Repository. 1,97,970 Users enrolled
- ▶ Next Gen Curriculum - Infusing Digital Skills
- ▶ Self Service Portal for its members and students for hassle-free services
- ▶ Introduced Artificial Intelligence (AI), Data Science and Block Chain in its new CA curriculum
- ▶ Advanced IT Training Labs
- ▶ Practice Management Software & Digital Audit Tools
- ▶ Digital evaluation of Answer Books
- ▶ Diploma in Informative System Audit
- ▶ Certificate Course on Forensic Accounting & Fraud Detection
- ▶ Partnering Government in MCAV3





**CHARTERED ACCOUNTANTS'  
BENEVOLENT FUND [CABF]**  
The Institute of Chartered  
Accountants of India  
(Set up by an Act of Parliament)

## JOIN HANDS TO STRENGTHEN CABF : SPECIAL DRIVE

The Chartered Accountants' Benevolent Fund (CABF) was established in December, 1962 with the main objective to provide financial assistance for maintenance, and other similar purposes to needy members of the Institute, their wives, widows, children and dependent parent(s).

A dedicated CABF Portal ([cabf.icai.org](http://cabf.icai.org)) is functioning as One Stop solution for making CABF Contribution and grant of Financial Assistance.

During Covid pandemic, hundreds of ICAI members had lost their battle and many others were struggling hard to pass through that difficult time. The impact was deep and had certainly shattered their dreams. The Institute through the CABF had tried to help the members or their dependents in distress.

With an objective to augment funds to provide requisite support to members, it has been decided to launch special drive and to recognise the contributors. Details of the same are given below.

The Financial Assistance disbursed along with number of beneficiaries during the last five financial years has been produced below:-

S No.	Particulars (Years)	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023
1.	Number of beneficiaries	111	88	280	877	221
2.	Financial assistance disbursed (in ₹)	1.12 Crore	0.94 Crore	3.97 Crore	11.92 Crore	3.67 Crore

The Contribution is eligible for tax exemption under Section 80G of the Income Tax Act

**Link for Contribution as Life Member:**  
<https://cabf.icai.org/lifeMember>

**Link for Voluntary Contribution:**  
<https://cabf.icai.org/voluntaryMember>

Contribution can also be made by scanning the QR code or directly through NEFT/RTGS

**Name of A/C :** Chartered Accountants Benevolent Fund

**Name of Bank & Branch :** Axis Bank Ltd., Swasthya Vihar Branch

**A/C No. :** 913010046844303  
**IFS code :** UTIB0000055



### SPECIAL DRIVE FOR CONTRIBUTION TO THE CHARTERED ACCOUNTANTS BENEVOLENT FUND (CABF)

The contributions/donations are accepted from the following:



**Members of ICAI**



**CA Firms**

The donors will be recognized as under: (All contributors exceeding ₹10,000 to receive congratulatory letter from the President, ICAI)

Category of Contribution	Amount Not Less Than	Acknowledgement/Recognition
<b>CABF-Bronze</b>	<b>₹ 1 Lakh</b>	Special Bronze Shield – Along with Congratulatory Letter from the President to be sent by Post/Courier
<b>CABF-Silver</b>	<b>₹ 5 Lakh</b>	Special Silver plated Shield – Along with Congratulatory Letter from the President to be handed over by Regional Chairman in Regional Council Meeting (Acknowledgement to be published in Regional Newsletter and quarterly list to be published in ICAI Journal)
<b>CABF-Gold</b>	<b>₹11 Lakh</b>	Special Gold plated Shield – Along with Congratulatory Letter from the President to be handed over at ICAI Head Office. (Acknowledgement to be published in ICAI Journal)
<b>CABF-Platinum</b>	<b>₹51 Lakh</b>	Special Platinum plated Shield – Along with Congratulatory Letter from the President to be handed over by President & Vice President at ICAI Council Meeting. (Acknowledgement to be published in ICAI Journal with photograph taken during Council Meeting)

LET'S BE A PART OF THIS NOBLE MISSION FOR EXTENDING HELPING HAND TO MORE AND MORE PROFESSIONAL COLLEAGUES DURING UNFORTUNATE CIRCUMSTANCES

# ICAI Call Sahayata

☎ 99975 99975

**One Stop Support for Students, Members & Other Stakeholders**

**Get support in Hindi, English, Kannada, Tamil, Telugu, and more!**

**9 a.m. to 9 p.m. from Monday to Saturday**



**The Institute of Chartered Accountants of India**  
(SET UP BY AN ACT OF PARLIAMENT)

**Printed and Published by:** Mr. S. Sabarigreesan. Deputy Secretary, ICAI on behalf of Southern India Regional Council of the Institute of Chartered Accountants of India, 'ICAI Bhawan'. # 122, Mahatma Gandhi Road, Nungambakkam, Chennai-34. Phone: 044-39893989, 30210321. Email: [sirc@icai.in](mailto:sirc@icai.in), Website: <http://www.sirc-icai.org/>

**Designed by:** Rajkumar, 9445802341, S.P. Kovil, Chengalpattu. **Editor:** CA. Geetha A B, Chairperson, SIRC of ICAI.

Registered – RNI Reg. No. 28192/1975

# CORPORATE LAW

Contributed by: **CA. M. Asir Raja Selvan, Chennai**

The following is the important update in SEBI LODR from 25<sup>th</sup> November 2024 to 24<sup>th</sup> December 2024.

SECURITIES AND EXCHANGE BOARD OF INDIA (LISTING OBLIGATIONS AND DISCLOSURE REQUIREMENTS) (THIRD AMENDMENT) REGULATIONS, 2024

**No. SEBI/LAD-NRO/GN/2024/218 :-** In exercise of the powers conferred by section 11, sub-section (2) of section 11A and section 30 of the Securities and Exchange Board of India Act, 1992 (15 of 1992) read with section 31 of the Securities Contracts (Regulation) Act, 1956 (42 of 1956), the Board hereby makes the following regulations to further amend the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015, namely:-

These regulations may be called the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) (Third Amendment) Regulations, 2024.

They shall come into force on the date of their publication in the Official Gazette i.e. **12<sup>th</sup> December 2024**:

Provided that sub-regulations VI and XX of regulation 3 of these regulations shall come into force with effect from December 31, 2024.

## Key Changes are

In the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015 –

**in regulation 2**, in sub-regulation (1) – i. clause (k) **shall be omitted**;

ii. in clause (zc), in the first proviso,

in clause (b) the words “by the listed entity” appearing after the words “the following corporate actions” and before the words “**which are uniformly applicable**” shall be omitted;

after clause (c), the following new clauses **shall be inserted**, namely,-

“(d) acceptance of current account deposits and saving account deposits by banks in compliance with the directions issued by the Reserve Bank of India or any other central bank in the relevant jurisdiction from time to time:

**Explanation:** For the purpose of clauses (c) and (d) above, acceptance of deposits includes payment of interest thereon.

(e) retail purchases from any listed entity or its subsidiary by its directors or its employees, without establishing a business relationship and at the terms which are uniformly applicable/offered to all employees and directors:”

iii. the existing clause (zf) shall be substituted with the following clause, namely,-

“(zf) “**securities laws**” means the Act, the Securities Contracts (Regulation) Act, 1956, the Depositories Act, 1996 and the rules and regulations made thereunder and the general or special orders, guidelines or circulars made or issued by the Board thereunder and the provisions of the Companies Act, 2013 or any previous company law and any subordinate legislation framed thereunder, which are administered by the Board;”

iv. after clause (zl), the following new clause (zla) **shall be inserted**, namely,-

“(zla) “**SR equity shares**” means the equity shares of a listed entity having superior voting rights compared to all other equity shares issued by that listed entity;”

**in regulation 5,**

- the symbol “.” appearing after the words “under these regulations” shall be substituted with the symbol “:”;
- after the existing regulation, the following new proviso shall be inserted, namely,-

“Provided that the **key managerial personnel, directors, promoter, promoter group or any other person dealing with the listed entity shall disclose to the listed entity all information** that is relevant and necessary for the listed entity to ensure compliance with the applicable laws.”

**in regulation 6,**

- in sub-regulation (1), the symbol “.” appearing after the words “as the compliance officer” shall be substituted with the symbol “:”;
- after the existing sub-regulation (1) the following new proviso shall be inserted, namely,-

“Provided that the Compliance Officer shall be an officer, who is in whole time employment of the listed entity, not more than one level below the board of directors and shall be designated as a Key Managerial Personnel.”

- after sub-regulation (1A) and the proviso thereto, the following new-sub-regulation shall be inserted, namely,-

“(1B) Any vacancy in the office of the Compliance Officer of such listed entity in respect of which **a resolution plan under section 31 of the Insolvency Code** has been approved, shall be **filled within a period of three months** of such approval:

Provided that, in the interim, such listed entity shall have not less than one full-time key managerial personnel managing its day-to-day affairs.”

**in regulation 7, sub-regulation (3) shall be omitted;**

**in regulation 10,** after sub-regulation (1), the following new sub-regulation shall be inserted, namely,-

“(1A) The Board may enable integrated filing of periodic reports, statements, documents and any other information required to be filed by a listed entity under the Act or the regulations made thereunder in the format and within the timelines as may be specified.”

**in regulation 13,** sub-regulation (3), **shall be substituted** with the following sub-regulation, namely,-

“(3) The listed entity **shall file** with the recognised stock exchange(s) **on a quarterly basis a statement detailing the redressal of investor grievances** in such form and within the timelines as may be specified by the Board.”

**in regulation 15,**

i. in sub-regulation (2),

a) after the numerals and symbol “26,” and before the numerals “27”, the numerals, letter and symbol “26A,” **shall be inserted;**

in clause (a), in the second proviso,

- the words “above regulations” shall be substituted with the words, numerals and symbols “corporate governance provisions as specified in regulations 17 to 27, clauses (b) to (i) and (t) of sub-regulation (2) of regulation 46 and para C, D and E of Schedule V”;
- the words “or” appearing after the words “equity share capital” and before the words and symbol “the net-worth of such entity”, shall be substituted with the word “and”

**in sub-regulation (2A),**

a) in the existing proviso, the symbol “.” shall be substituted with the symbol “:”;

b) after the existing proviso, the following new proviso **shall be inserted,** namely,-

“Provided further that such listed entity shall ensure compliance with regulation 17 within a period of three months of approval of resolution plan under section 31 of the Insolvency Code.”

in sub-regulation (2B),

c) in the existing proviso, the symbol “.” shall be substituted with the symbol “:”;

d) after the existing proviso, the following new proviso shall be inserted, namely,-

“Provided further that such listed entity **shall ensure compliance** with regulations 18, 19, 20 and 21 **within a period of three months** of approval of resolution plan under section 31 of the Insolvency Code.”

**in regulation 16**, in sub-regulation (1),

- in clause (c), the word “income” wherever appearing shall be substituted by the word “turnover”;
- in clause (d) the words “Company Secretary and the Chief Financial Officer” shall be substituted by the words and symbols “persons identified and designated as key managerial personnel, other than the board of directors, by the listed entity”

**in regulation 17**,

i. in sub-regulation (1A),

a) the symbol “.” shall be substituted with the symbol “:”;

b) after the existing sub-regulation (1A), the following new proviso shall be inserted, namely,-

“Provided that the **listed entity shall ensure compliance** with this sub-regulation at the time of appointment or re-appointment or any time prior to the **non-executive director attaining the age of 75 years.**”

the existing sub-regulation (1C) and the provisos thereto **shall be substituted** by the following subregulation, namely,-

“(1C). (a) The listed entity **shall ensure that approval of shareholders** for appointment or reappointment of a person on the board of directors or as a manager is taken **at the next general meeting or within a time period of 3 months from the date of appointment, whichever is earlier:**

Provided that if such appointment or re-appointment of a person to the board of directors or as a manager is subject to approval of regulatory, government or statutory authorities, then the time taken to receive such approvals shall be excluded for the purposes of this clause:

Provided further that a **public sector company shall ensure that the approval** of the **shareholders for appointment** or re-appointment of a person on the board of directors or as a Manager is taken **at the next general meeting:**

Provided further that the requirements specified in this clause shall not be applicable to appointment or re-appointment of a person nominated by a financial sector regulator, Court or Tribunal to the board of the listed entity.

(b) The appointment or a re-appointment of a person, including as a managing director or a whole-time director or a manager, **who was earlier rejected by the shareholders** at a general meeting, shall be done **only with the prior approval of the shareholders:**

Provided that the statement referred to under sub-section (1) of section 102 of the Companies Act, 2013, annexed to the notice to the shareholders, for considering the appointment or re-appointment of such a person earlier rejected by the shareholders shall contain a detailed explanation and justification by the Nomination and Remuneration Committee and the board of directors for recommending such a person for appointment or re-appointment.”

### in sub-regulation (1D),

in the second, third and fourth provisos, the word "regulation" appearing after the words "specified in this" and before the words "shall not be applicable", shall be substituted with the words and symbol "sub-regulation";

### in sub-regulation (1E),

- a) after the words "from the date" and before the words "such vacancy", the word "of" shall be inserted;
- b) in the existing first proviso,

1. after the word "provided" and before the word "that", the words "further" shall be inserted;

2. after the words and symbols "under sub-regulation (1) of this regulation," and before the words "due to expiration of the term of office", the words and symbols "sub-regulation (1) of regulation 18, sub-regulation (1) or (2) of regulation 19, sub-regulation (2) or (2A) of regulation 20 or sub-regulation (2) or (3) of regulation 21," shall be inserted;

- c) before the existing first proviso, the following new proviso shall be inserted, namely,-

"Provided that if the vacancy in the office of a director results in non-compliance with the provisions of sub-regulation (1) of regulation 18, sub-regulation (1) or (2) of regulation 19, sub-regulation (2) or (2A) of regulation 20 or sub-regulation (2) or (3) of regulation 21, the listed entity shall ensure compliance at the earliest and in any case not later than three months from the date of such vacancy:"

d) in the existing second proviso, after the words and symbols "under sub-regulation (1) of this regulation," and before the words "without filling the vacancy", the words and symbols "sub-regulation (1) of regulation 18, sub-regulation (1) and (2) of regulation 19, sub-regulation (2) and (2A) of regulation 20 and sub-regulation (2) and (3) of regulation 21" **shall be inserted**;

### in regulation 23,

i. in sub-regulation (2), in the second proviso, after clause (d) and the Explanation thereto, the following new clauses and the proviso shall be inserted:

"(e) remuneration and sitting fees paid by the listed entity or its subsidiary to its director, key managerial personnel or senior management, **except who is part of promoter** or promoter group, **shall not require approval of the audit committee** provided that the same **is not material in** terms of the provisions of sub-regulation (1) of this regulation.

(f) The members of the audit committee, who are independent directors, may ratify related party transactions within three months from the date of the transaction or in the immediate next meeting of the audit committee, whichever is earlier, subject to the following conditions:

- i) the value of the ratified transaction(s) with a related party, whether entered into individually or taken together, during a financial year **shall not exceed Rs.1 Cr**;
- iii) the transaction is not material in terms of the provisions of sub-regulation (1) of this regulation;
- iii) rationale for inability to seek prior approval for the transaction shall be placed before the audit committee at the time of seeking ratification;
- iv) the details of ratification shall be disclosed along with the disclosures of related party transactions in terms of the provisions of sub-regulation (9) of this regulation;
- v) any other condition as specified by the audit committee:

Provided that failure to seek ratification of the audit committee shall render the transaction voidable at the option of the audit committee and if the transaction is with a related party to any director, or is authorised by any other director, the director(s) concerned shall indemnify the listed entity against any loss incurred by it."

**In regulation 24A,**

i. the existing sub-regulation (1) **shall be substituted** by the following sub-regulation, namely,-

“(1) (a) **Every listed entity and its material unlisted subsidiaries** incorporated **in India** shall **undertake Secretarial Audit** by a Secretarial Auditor who shall be a **Peer Reviewed Company Secretary** and shall annex a Secretarial Audit Report in such form as specified, with the annual report of the listed entity.

**Explanation:**

- i. “Secretarial Auditor” means a Company Secretary in Practice or a firm of Company Secretary(ies) in practice appointed to conduct the Secretarial Audit.
- ii. “Peer Reviewed Company Secretary” means a Company Secretary in practice, who is either practicing individually or as a sole proprietor or as a partner of a Peer Reviewed Practice Unit, holding a valid certificate of peer review issued by the Institute of Company Secretaries of India.

(b) On the basis of recommendation of board of directors, a listed entity shall appoint or re-appoint:

- i. **an individual** as Secretarial Auditor for **not more than one term of 5 consecutive years**; or
- ii. a **Secretarial Audit firm** as Secretarial Auditor **for not more than two terms of five consecutive years**,

**with the approval of its shareholders in its Annual General Meeting:**

Provided that-

- i. an **individual** Secretarial Auditor who has completed his or her term under sub-clause (i) of this clause **shall not be eligible for re-appointment** as Secretarial Auditor in the same entity for **five years from the completion of his or her term**;
- ii. a **Secretarial Audit firm** which has completed its term under sub-clause (ii) of this clause, **shall not be eligible** for re-appointment as Secretarial Auditor in the **same entity for five years from the completion of such term**:

Provided further that as on the date of appointment no Secretarial Audit firm having a common partner or partners to the other Secretarial Audit firm, whose tenure has expired in the listed entity immediately preceding the financial year, shall be appointed as Secretarial Auditor of the same listed entity for a period of five years:

Provided further that, nothing contained in these regulations shall prejudice the right of the entity to remove Secretarial Auditor with the approval of its shareholders in its Annual General Meeting or the right of the Secretarial Auditor to resign from such office of the listed entity.

(c) The **casual vacancy arising out of resignation, death or disqualification** of a Secretarial Auditor **shall be filled by the board of directors** of the listed entity **within a period of three months** and the secretarial auditor so appointed shall hold office till the conclusion of the next annual general meeting.”

**after sub-regulation (1),** the following new sub-regulations shall be inserted, namely,-

“(1A) **Eligibility, Qualifications and Disqualifications of Secretarial Auditor:**

- a. A person **shall be eligible** for appointment as a Secretarial Auditor of the listed entity only if such person is a **Peer Reviewed Company Secretary** and has not incurred any of the disqualifications as specified by the Board:

Provided that a firm whereof majority of partners practising in India are qualified for appointment as aforesaid may be appointed by its firm name to be Secretarial Auditor of the listed entity.

- a. Where a firm including a limited liability partnership is appointed as Secretarial Auditor of the listed entity, only the partners who are Peer Reviewed Company Secretaries shall be authorised to act and sign on behalf of the firm.
- b. Where a person appointed as Secretarial Auditor of the listed entity incurs any of the disqualifications as specified by the Board, after appointment, such person shall vacate the office as Secretarial Auditor and such vacation shall be deemed to be a casual vacancy in the office of the Secretarial Auditor.

**(1B) Secretarial Auditor not to render certain services:**

A Secretarial Auditor appointed under these regulations shall provide to the listed entity only such other services as are approved by the board of directors, but which shall not include any services as specified by the Board in this behalf.

(1C) With effect from April 1, 2025, every listed entity shall ensure compliance with sub-regulation (1), (1A) and (1B) for appointment, re-appointment or continuation of the Secretarial Auditor of the listed entity:

Provided that **any association** of the individual or the firm as the Secretarial Auditor of the listed entity **before 31<sup>st</sup> March 2025 shall not be considered for the purpose of calculating the tenure** under clause (b) of sub-regulation (1)."

**in sub-regulation (2),**

- a. the symbol "." shall be substituted with the symbol ":";
- b. after sub-regulation (2), the following new proviso shall be inserted, namely,-

"Provided that the listed entity shall ensure that **with effect from 1<sup>st</sup> April 2025**, the **Secretarial Compliance Report** submitted to the stock exchange(s) on annual basis is **signed only by the Secretarial Auditor or by a Peer Reviewed Company Secretary** who satisfies the conditions mentioned in sub-regulations (1A) and (1B) of this regulation."

**in regulation 42,**

- i. in sub-regulation (2),
    - a) the word "seven" shall be substituted with the word "**three**";
    - b) in the proviso,
      - i. the words "rights issues" shall be substituted with the words and numerals "corporate actions through schemes of arrangement covered under regulation 37";
      - ii. the word "three" shall be substituted with the word "**seven**";
  - ii. sub-regulation (3) shall be omitted;
  - iii. in sub-regulation (4), the word "thirty" shall be substituted with the words "**five working**";
- in Schedule II, in Part E,

**"F. Independent Directors**

The independent directors of top 2000 listed entities as per market capitalization shall endeavour to hold at least two meetings in a financial year, without the presence of non-independent directors and members of the management and all the independent directors shall endeavour to be present at such meetings.

**G. Risk Management**

Listed entities ranked from 1001 to 2000 in the list prepared by recognized stock exchanges in terms of sub-regulation (2) of regulation 3 may constitute a risk management committee with the composition, roles and responsibilities specified in regulation 21."

Members may refer the notification for the full details of the amendments in LODR.



# FEMA

Contributed by: **CA. G. Murali Krishna, Hyderabad**

## Updates:

### A. Prompt response of clarifications sought in respect of Registration / Renewal / Prior Permission applications under the Foreign Contribution (Regulation) Act, 2010 (FCRA)

Ministry of Home Affairs has issued a Public Notice dated December 13<sup>th</sup>, 2024, wherein it has been reiterated that the applications of registration, renewal and prior permission under the Foreign Contribution (Regulation) Act, 2010 are processed completely online in the FCRA portal. While processing the applications, wherever any deficiency in information/document is observed, relevant information/document is sought from the applicant association by raising queries/clarifications in the FCRA portal. A system generated e-mail is also sent to applicant associations informing them that a clarification has been requested and they need to log on to <https://fcraonline.nic.in> and to see the details and take necessary action and provide response on portal itself. As complete processing of applications is done only on electronic mode on FCRA portal, no paper mode communication is sent or entertained.

It has been observed that some applicant associations do not respond to queries/clarifications sought by this Ministry of Home Affairs. Not responding to clarifications or uploading incomplete information/documents in response to queries/clarifications leads to denial of their application. In view of this, the applicant associations are advised to regularly log on to their FCRA portal account (<https://fcraonline.nic.in>) & e-mail account and promptly respond to the queries/clarifications to avoid denial of their applications.

### B. Extension of validity of registration under Foreign Contribution (Regulation) Act, 2010 (FCRA).

The Ministry of Home Affairs, vide its Public Notice dated December 27, 2024, extended the validity of registrations under FCRA 2010 till March 31, 2025, for those who made their renewal application within six months from the date of expiry of validity of their previous registration.

### C. Interest Rates on Foreign Currency (Non-resident) Accounts (Banks) [FCNR(B)] Deposits

RBI vide its circular no. DoR.SPE.REC.No.51/13.03.00/2024-2025, dated 6<sup>th</sup> December, 2024 in terms of clause (g) of the above sections of the MDS, *ibid*, interest rates on FCNR(B) deposits are subject to ceilings of Overnight Alternative Reference Rate (ARR) for the respective currency/swap, plus 250 basis points for deposits of 1 year to less than 3 years maturity and overnight ARR plus 350 basis points for deposits of 3 years and above and up to 5 years maturity. It has been decided to increase the interest rates ceiling on fresh FCNR(B) deposits raised by the banks with effect from December 06, 2024 as under:

Period of Deposit	Ceiling Rate
1 year to less than 3 years	Overnight Alternative Reference Rate for the respective currency/ Swap plus 400 basis points
3 years and above upto and including 5 years	Overnight Alternative Reference Rate for the respective currency/ Swap plus 500 basis points

## II. Case Law:

### TIMES INTERNET LIMITED, BENNET COLEMAN AND CO. LTD. VERSUS DIRECTORATE OF ENFORCEMENT THROUGH ITS DIRECTOR & ORS

#### Facts of the case:

- Both the Petitioner companies are Indian entities and are classified as “*person resident in India*” in terms of Section 2 (b) (ii) of the **Foreign Exchange Management Act, 1999 [“FEMA, 1999”]**.
- Between 2006 and 2015, Petitioner companies invested a total of USD 30.90 million in the foreign entity in multiple tranches through its Authorized Dealer under the Automatic Route for **Overseas Direct Investment [“ODI”]**, as per the extant regulations of **Reserve Bank of India [RBI]**. For these transactions, a **Unique Identification Number [“UIN”]** was duly allotted, and they assert that they have consistently complied with requisite reporting and filing requirements, as mandated under FEMA Act, 1999 and the associated rules and regulations.

Contd. at Page 42

3. In 2021, both the Petitioner companies received summons under Section 37 (1) of FEMA, from the ED, seeking certain documents and information. The Petitioners assert that they duly complied with the summons, providing the requisite information, and emphasize that no proceedings under FEMA were initiated against them by the ED thereafter.
4. Against this backdrop, when the need arose to make additional investments in their WOSs in 2023, the Petitioners, as a matter of good governance and abundant caution, applied for NOCs under Rule 10 of the new FEMA OI Rules, 2022. These applications were rejected by the ED through the impugned communications prompting the Petitioners to approach the High Court of Delhi through the writ petitions.
5. Pertinently, after the rejection of NOC, ED issued fresh summons to the Petitioner to appear before them in terms of an ongoing investigation. This was the second summons issued to the petitioners after two years of the first summons.
6. The counsel for Petitioner provided a reference to the comparisons between the old and new provisions under FEMA dealing with overseas investments as under.

Overseas Investment Regime-Before 2022	Overseas Investment Regime-Post 2022
<p>Under the earlier regime, Regulation 6(2)(iii) barred Indian entities who were on the RBI's caution list or under investigation by an investigating agency, from obtaining such permissions for overseas investments.</p> <p>In fact, Section D of Form ODI requires a categorical declaration from Indian entities and their directors, disclosing any ongoing investigations.</p>	<ul style="list-style-type: none"> <li>• One of the significant changes in the new FEMA OI Rules, 2022, is the requirement of obtaining an NOC in certain cases, before any financial commitment or undertaking disinvestment can be allowed.</li> <li>• Rule 10 of FEMA OI Rules, 2022, stipulates the condition for obtaining a No Objection Certificate (NOC) under specific circumstances such as - the person resident in India being under investigation by any financial regulators or investigative agencies such as the ED, CBI, or SFIO.</li> <li>• The agency is required to either furnish the NOC or state its objection within 60 days of receiving the application. In the absence of a response within this timeframe, the Rules provide for a presumption of no objection, facilitating the proposed transaction.</li> </ul>

7. As per Petitioners, mere issuance of summons under Section 37 (1) of FEMA, without any material to support the allegations of contravention of Section 13 of FEMA or non-compliance under Sections 131 or 132 of the Income Tax Act, 1961, does not amount to an 'investigation' in terms of FEMA, 1999. Further, the Petitioners are neither classified as 'defaulters' nor as 'non-performing assets' under Rule 10 of the FEMA OI Rules, 2022.
8. FEMA, 1999 does not define the term 'investigation' and in any case, the purported investigation under the FEMA, 1999 would only amount to civil offence, which cannot be equated with investigations carried out by agencies like CBI, SFIO or ED under the PMLA or other Acts having penal consequences involving arrest, detention, etc.
9. It was further contended that the rejection of the NOC by ED merely on the basis of an 'ongoing investigation', without evidence of wrongdoing, contradicts the spirit and purpose of FEMA, 1999, which is to encourage liberalization in foreign trade and investment.
10. As per the counsel of respondents, the denial of the NOC stems from a strong suspicion of violations under Section 4 of FEMA, 1999, specifically regarding foreign exchange held abroad by the Petitioners. The investigations conducted by the ED revealed significant irregularities in the Petitioners' overseas investments.
11. As per counsel of respondents, ED initiated investigation under Section 37 of FEMA, 1999 along with the process of attachment of equivalent amount of property under Section 37A of FEMA, 1999. On a scrutiny of the details furnished by the petitioner companies, it was found that the majority of assets had no value indicating petitioner companies did not have the requisite funds in India for adequate attachment in lieu of the proposed investment abroad.
12. Therefore, the ED deemed it appropriate to issue summons to the parent company of the petitioner companies, calling upon them for recording of statement and submission of their financial accounts. This investigation is currently ongoing, parent company has submitted the information and the same is under scrutiny for further necessary action. Further, ED is suspicious of the valuation of overseas entities and claims them to be overvalued.

13. In light of the above, since a substantial sum of foreign exchange has been dubiously taken out of the country by the petitioner companies, and itself has admitted that it has not earned any money on the ODI made, the NOC sought for remitting further money abroad was rightly denied by ED. Any attempt to further take foreign exchange out of the country by the Petitioners would prejudice the ED's rights of attachment under Section 37A of FEMA, 1999.

**Held that:**

- i. In sum, mere issuance of summons under Section 37 (1) of FEMA, 1999, without any finding of contravention under Section 4 of FEMA, 1999, and the alleged non-compliance with the provisions of Section 131 and 132 of the Income Tax Act, 1961, cannot be a valid ground for denial of the NOC.
- ii. The impugned communications of ED do not disclose any substantive reason for rejecting the NOC. A rejection of such import, devoid of any rationale or justification, is arbitrary and falls afoul of the principles of natural justice. The refusal to grant an NOC must be predicated on clear, cogent, and rational reasons.
- iii. Substantial delay in initiating formal proceedings by ED against the summons issued three years ago raises serious questions. Investigations lingering in limbo for such an extended period cannot serve as a tool to indefinitely impede a company's legitimate business activities
- iv. Accordingly, the present writ petitions are allowed and impugned rejection letters are hereby quashed. Petitioner Companies are free to approach the Authorized Dealer for remittance of investment abroad. The said remittance shall be processed on its own merits, as per the applicable rules and regulations under FEMA, 1999.

**III. Summary Information on Compounding Orders issued under FEMA Regulations:**

**Sriram Sivaram**

Regulation	Rule 5 read with Paragraph 1 of Schedule III of Foreign Exchange Management (Current Account Transactions) Rules, 2000 notified vide Notification No. G.S.R. 381(E) dated May 03, 2000, as amended from time to time
Contravention	Failure to obtain prior approval of Reserve Bank for withdrawal of foreign exchange in excess of the limits prescribed for the individuals
Date of Order	15-10-2024
Compounding Fee	₹ 51,111/-

**Jewels International**

Regulation	Regulation 15(1)(i) of Foreign Exchange Management (Export of Goods & Services) Regulations, 2015, notified vide Notification No. FEMA 23(R)/2015-RB dated January 12, 2016, as amended from time to time
Contravention	Failure to send shipment of goods by the exporter within one year from the date of receipt of advance payment against exports
Date of Order	25-10-2024
Compounding Fee	₹ 17,709/-

**BDO Rise Private Limited**

Regulation	Regulation 3 of Foreign Exchange Management (Foreign Currency Accounts by a Person Resident in India) Regulations, 2015, notified vide Notification No. FEMA 10(R)/2015-RB dated January 21, 2016, as amended from time to time
Contravention	Failure to comply with the provisions of opening or holding or maintaining a foreign currency account by a person resident in India
Date of Order	14-08-2024
Compounding Fee	₹ 6,30,000/-

# GOODS & SERVICES TAX

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

## Highlights of recommendations made at 55<sup>th</sup> GST Council Meeting held on 21<sup>st</sup> December 2024

### 1. Changes in GST Rates

#### Goods:

- 1. Fortified Rice Kernel (FRK):** GST rate reduced to 5%.
- 2. Gene Therapy:** Fully exempted from GST.
- 3. LRSAM System Components:** IGST exemption extended for components, tools, and software used in their assembly/manufacture.
- 4. Food Inputs for Government Schemes:** Concessional 5% GST extended for food preparations distributed under welfare programs.
- 5. Merchant Exporters:** Compensation cess reduced to 0.1% for parity with GST rates.
- 6. IAEA Inspection Equipment:** IGST exemption granted for equipment imports under specific conditions.

#### Services:

- 1. Sponsorship Services by Body Corporates:** Moved to Forward Charge Mechanism.
- 2. Third-Party Motor Insurance Contributions:** Exempted from GST when contributed to the Motor Vehicle Accident Fund.
- 3. Hotel Services:** GST for restaurant services linked to preceding financial year's *value of supply* instead of Declared tariff. Optional 18% GST with ITC effective from April 1, 2025.
- 4. Rental of Immovable Property:** Exempted from reverse charge mechanism for certain composition levy taxpayers.

### 2. Other Changes Relating to Goods and Services

#### Clarifications:

- 1. Penal Charges:** Exempted from GST when levied by banks or NBFCs for loan term non-compliance.
- 2. Popcorn GST Rates:** Differentiated rates clarified (5%, 12%, or 18%) based on ingredients and packaging.
- 3. Pepper and Raisins by Agriculturists:** Exempted from GST.
- 4. AAC Blocks:** GST clarified at 12% for blocks with over 50% fly ash content.
- 5. Pre-Packaged Commodities:** Revised definition to include *all* retail goods of up to 25 kg/litre.
- 6. RBI-Regulated Payment Aggregators:** Exempted from GST for fund settlement but not for ancillary services.
- 7. Caramel Popcorn Classification:** Classified under sugar confectionery (18% GST).

### 3. Measures for Trade Facilitation

#### Taxability of Transactions:

- 1. Vouchers:** Treated as neither goods nor services. Principal-agent transactions, unredeemed vouchers, and ancillary services to be clarified through circular.
- 2. SEZ/FTWZ Warehousing Transactions:** Treated as neither goods nor service supply before clearance for export/domestic use.

Contd. at Page 45

### Circular Clarifications:

1. **E-Commerce Operators (ECOs):** No ITC reversal required for supplies where GST is paid under Section 9(5).
2. **Ex-Works Contracts:** ITC allowed for goods received at the supplier's location if ownership is transferred.

### Procedural Updates:

1. **GSTR-2B:** Generation linked to taxpayer actions in the Invoice Management System and recommendations made to amend sections 34, 38 and 39 of CGST Act and the rules.
2. **Track and Trace Mechanism:** Legal framework introduced for marking evasion-prone commodities by suitably amending section 148A.

## 4. Compliance and Procedural Measures

### Simplifications:

1. **Pre-deposit for Appeals:** Recommended to reduce from 25% to 10% for penalty-only cases under section 107(6) and 112(8).
2. **Late Fee Waivers for FORM GSTR-9C:**
  - Recommendations for Waiver of late fees beyond those payable at the date of FORM GSTR-9 filing for returns (2017–2023).
  - Applicable for filings made on or before March 31, 2025.
3. **Temporary Identification Numbers:** Introduced for unregistered individuals required to make GST-related payments.

### Amendments to CGST Act:

1. **Input Tax Credit (ITC):** Retrospective changes to align Section 17(5)(d) with its intent to replace the phrase "plant or machinery" with "Plant and machinery".
2. **Local/Municipal Funds:** Definitions added under Section 2(69) of CGST Act.
3. **Online Services Supply:** State of unregistered recipients to be recorded on invoices.

## 5. Sector-Specific Measures

1. **Old and Used Vehicles:** GST rates increased from 12% to 18% based on vehicle specifications; tax applies only to supplier margin.
2. **Hospitality Sector:** Option to be given to hotels to charge GST 18% with ITC by giving declarations at the beginning of the year.
3. **Merchant Exporters:** Clarified compensation cess parity for supplies.

## 6. Future Developments

1. **IGST Settlement Issues:** Group of Officers tasked with resolving state issues by March 2025.
2. **GSTAT Operationalization:** Took note of procedural rules awaiting law committee review.
3. **Compensation Restructuring:** Group of Ministers' timeline extended to June 30, 2025.

### Additional Provisions:

1. **FORM GSTR-3B Filing Sequence:** Allowed only after FORM GSTR-2B becomes available for the period.
2. **Amendments to ISD Mechanism:** Inter-state RCM transactions explicitly included.

# INCOME TAX

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

**I. Safe harbour rules for persons engaged in eligible business being sale of raw diamonds:** The CBDT in exercise of powers conferred by section 295 read with section 92CB(2) has inserted rules 10-TI, 10-TIA, 10-TIB and 10-TIC to Income-tax Rules, 1962. It is to provide safe harbour for income referred to section 9(1) (i) chargeable to tax under the head "Profits and gains of business or profession". Rule 10-TI deals with definition of certain terms which are given below:

- (a) "eligible assessee" means a foreign company engaged in the business of diamond mining which has exercised an option for application of safe harbour rules in accordance with rule 10-TIA;
- (b) "eligible business" means a business of selling raw diamonds in any notified special zone as referred to in clause (e) of Explanation 1 to clause (i) of sub-section (1) of section 9;
- (c) "gross receipts" means the aggregate of – (i) the amount paid or payable to the eligible assessee or to any person on his behalf on account of sale of raw diamonds by such eligible assessee; and (ii) the amount received or deemed to be received by the eligible assessee or by any person on his behalf on account of sale of raw diamonds by such eligible assessee;
- (d) "relevant previous year" means the previous year relevant to the assessment year in which the option for safe harbour is exercised;
- (e) "raw diamonds" means diamonds that are, – (i) uncut or unpolished; (ii) unassorted; (iii) unworked or simply sawn, cleaved or bruted; (iv) not conflict diamonds as defined by the Kimberley Process; (v) accompanied by Kimberley Process Certificate issued by the Kimberley Process authority in the exporting country; and (vi) falling under Tariff Heading 7102 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975).

**Safe harbour – Rule 10-TIA:** (1) The income-tax authorities shall accept the option for safe harbour exercised by an eligible assessee in any relevant previous year under rule 10-TIB, where the income declared by such assessee from an eligible business is in accordance with the circumstances as specified in sub-rule (2), unless such safe harbour is declared invalid under the provisions of sub-rule (3) of rule 10-TIB. (2) The circumstances referred to in sub-rule (1) in respect of the eligible business mentioned in column (1) of the Table below shall be as specified in column (2) thereof, namely:–

## TABLE

Eligible business (1)	Circumstances (2)
Selling of raw diamonds referred to in clause (b) of rule 10TI.	The profits and gains of the eligible business chargeable to tax under the head "Profits and gains of business or profession" shall be 4 per cent. or more of the gross receipts from such business.

- 3) Where the "eligible assessee" has exercised the option for safe harbour under rule 10-TIB in respect of the eligible business in any relevant previous year and such option is not declared invalid under the said rule, –
- a) any deduction allowable under the provisions of sections 30 to 38 shall be deemed to have been already given full effect to and no further deduction under those sections shall be allowed;
  - b) the written down value of any asset of such business shall be deemed to have been calculated as if the eligible assessee had claimed and had been actually allowed the deduction in respect of the depreciation for such previous year;
  - c) no set off of unabsorbed depreciation under sub-section (2) of section 32 or carried forward loss under sub-section (1) of section 72 shall be allowed to such assessee; and
  - d) no set off of loss from other business under sub-section (1) of section 70 or other head under subsection (1) or sub-section (2) of section 71 shall be allowed to such assessee for income chargeable to tax under the head "Profits and gains of business or profession" in respect of such business.

Contd. at Page 47

- 4) The provisions of sections 92D and 92E shall apply in respect of an international transaction, if the eligible assessee enters into such transaction while carrying on the eligible business.

**Explanation.** – For the purposes of this sub-rule, “international transaction” shall have the same meaning as assigned to in section 92B.

**Procedure. – 10-TIB.** (1) For the purposes of exercising option for safe harbour, the assessee shall furnish Form No.3CEFC, complete in all respects, to the Assessing Officer before furnishing the return of income under section 139 for the relevant previous year.

- 2) The income from eligible business shall be determined in accordance with the provisions of the Act without having regard to the provisions of sub-rule (2) of rule 10-TIA, where the assessee does not exercise option for safe harbour under sub-rule (1) of the said rule.
- 3) The Assessing Officer may declare the option for safe harbour as invalid by an order in writing, where the assessee has – (a) availed the safe harbour by furnishing incorrect facts; or (b) concealed facts related to his business.
- 4) The Assessing Officer shall afford a reasonable opportunity of being heard to the assessee before declaring the option for safe harbour invalid under sub-rule (3).
- 5) The Assessing Officer shall serve a copy of the order referred to in sub-rule (3) to the assessee and the other provisions of the Act shall apply accordingly.

**Mutual Agreement Procedure not to apply. – 10-TIC:** The assessee shall not be entitled to invoke mutual agreement procedure under an agreement for avoidance of double taxation as referred to in section 90 or section 90A in relation to an eligible business, if the assessee has exercised the option for safe harbour under rule 10-TIB in respect of such business and such option is not declared invalid under the said rule.

Form No. 3CEFC shall be the form for exercising the option of safe harbour in respect of selling raw diamonds for which the income chargeable to tax under the head “Profits and gains of business or profession” shall be 4 percent or more of the gross receipts from such business. It seems that the insertion of rule provides for presumptive income @4% of the gross receipts from the eligible business to be admitted by the eligible assessee. The insertion of the rule looks like a presumptive provision which is normally inserted in the Income-tax Act and seems amusing that it is inserted in the Income-tax rules.

## **II. Extension of due date for furnishing ITR in case of persons required to furnish report as per section**

**92E:** The CBDT vide Circular No.18 of 2024 dated 30.11.2024 in exercise of its powers under section 119 of the Income-tax Act, 1961 has extended the ‘due date’ of furnishing of return of income under sub-section (1) of section 139 of the Act for the assessment year 2024-25 in the case of assessee referred to in clause (aa) of Explanation 2 to sub-section (1) of section 139 of the Act, which is 30th November, 2024 to 15th December, 2024.

**III. Guidance note on provisions of Direct Tax Vivad Se Vishwas Scheme, 2024:** The CBDT vide Circular No.19 of 2024 dated 16.12.2024 has given guidance note on the provisions of DTVSV which reads as under:

1. The Direct Tax *Vivad Se Vishwas* Scheme, 2024 (hereinafter referred as ‘DTVSV or ‘Scheme’) has been enacted *vide* Chapter IV of Finance (No.2) Act, 2024 to provide for dispute resolution in respect of pending income tax litigation. The objective of the Scheme is to, *inter-alia*, reduce pending income tax litigation, generate timely revenue for the Government and benefit taxpayers by providing them peace of mind, certainty and savings on account of time and resources that would otherwise be spent on the long-drawn and vexatious litigation process.
2. The commencement date of the said Scheme has already been notified as 1-10-2024, Further, Rules and Forms for enabling the Scheme have also been notified on 20-09-2024. After enactment of the DTVSV Scheme, 2024, several queries were received from the stake-holders seeking guidance in respect of various provisions contained therein.
3. Accordingly, under Section 97 of the DTVSV Scheme, 2024 which empowers the Board to issue directions or instructions in public interest, Guidance Note 1/2024 in the form of answers to the frequently asked questions (FAQs) was issued vide Circular No. 12 of 2024, dated 15-10-2024. However, several other queries have been received from the stake-holders for the clarification. Thus, Guidance Note 2/2024 in the form of answers to the frequently asked questions (FAQs) is hereby issued to provide further clarification. This will be helpful for the tax-payers for creating better awareness and understanding with respect to the provisions of the Scheme.
4. In the present Guidance Note 2/2024, FAQ No. 8 of the Guidance Note 1/2024 has been modified and incorporated as FAQ No. 36. Thus, FAQ No. 8 of the Guidance Note 1/2024 shall be considered as omitted.

No.	Issue	Comments
<b>Eligibility of cases</b>		
36.	Suppose a taxpayer is eligible to apply for DTVSV Scheme, 2024 as his appeal is pending as on 22-7-2024. But subsequently, before the taxpayer could file declaration under the DTVSV Scheme, 2024, his appeal has been disposed off on merits or dismissed as withdrawn for the purposes of the Scheme. Can such a taxpayer still file declaration under the Scheme?	Yes, such cases are eligible for settlement under the Scheme as appeal was pending as on 22-7-2024. Disputed tax will be calculated in the same manner as if the appeal pending on 22-7-2024 is yet to be disposed off.
37.	Suppose a taxpayer has Filed a declaration in Form-1. After the declaration, the appeal has been disposed off by the concerned authority. Whether such a case is eligible for settlement?	Yes, such a case is eligible for settlement.
38.	Time limit for filing of appeal has expired before 22nd July 2024 but an appeal alongwith application for condonation of delay has been filed after 22nd July, 2024. Whether the taxpayer can opt for the Scheme in such a case?	No. Appeal has to be pending as on 22nd of July, 2024 for a taxpayer to opt for the Scheme. Thus, where an appeal alongwith application for condonation is filed after 22nd July, 2024, it does not tantamount to pendency of appeal as on 22nd July, 2024. Accordingly, such cases shall not be eligible.
39.	Suppose an appeal has been filed before 22nd July, 2024 with an application for condonation of delay which is also filed before 22nd July, 2024. This appeal has been admitted by allowing condonation of delay prior to the date of filing of declaration under the Scheme. Whether such a taxpayer can opt for the Scheme?	Yes. In such cases where the appeal as well as condonation application have been filed on or before 22nd July, 2024. On admission of condonation application, such cases convert into an appeal pending on 22nd of July, 2024. Therefore, the taxpayer can opt for settlement under the Scheme in such cases.
40.	In the case of a search action carried out before 1-4-2021, assessments of previous years other than search year, have been made under section 153A or 153C of the Income-tax Act, 1961 ('the Act'), and assessment for the year of search has been made under section 143(3) of the Act. Whether any of these assessment order can be covered under the DTVSV Scheme, 2024?	No. Such cases are specifically barred under section 96(a)(i) of the DTVSV Scheme, 2024.
41.	Whether appeal filed against intimation u/s 143(1) of the Act and pending as on 22nd July, 2024 is eligible for DTVSV Scheme, 2024?	Yes. Any appeal filed against intimation u/s 143(1) of the Act and pending as on 22nd July, 2024 is eligible for settlement under the Scheme.
42.	Section 248 of the IT Act relates to appeal by a person denying liability to deduct tax in certain cases. As per the provisions of this section, no appeal can be filed where tax is paid to the credit of the Central Government on or after 1-4-2022. Whether appeal filed prior to 1-4-2022 under section 248 of the Act is eligible for DTVSV Scheme, 2024?	Yes.



No.	Issue	Comments
43.	Where information has been received under an agreement referred to in section 90 or section 90A of the Act; however, such information has not been 'used' for making additions in assessment/ reassessment order. In such cases, whether the assessee can opt for DTVSV Scheme, 2024?	Yes. Section 96 of the DTVSV Scheme, 2024 clearly states that the Scheme shall not apply where tax arrears relate to assessment or reassessment made on the basis of information received under section 90 or section 90A of the Act. Accordingly, where information received u/s section 90 or section 90A has not been used for making additions in assessment/ re-assessment order, assesses can opt for the Scheme for such orders.
44.	Where review petitions are pending before High Courts or Supreme Court, whether those cases be eligible for settlement under DTVSV Scheme, 2024?	No. Pendency of review petition does not tantamount to pendency of an appeal. Therefore, even if a review petition is pending as on 22nd July, 2024, it will not amount to pendency of an appeal.
45.	Whether DTVSV Scheme, 2024 can be availed in a case where proceedings are pending before Income Tax Settlement Commission (ITSC) or where writ has been filed against the order of ITSC?	No
46.	Whether cases where the taxpayer or the Department has filed declaration / application under section 158A /158AA/158AB are eligible under DTVSV Scheme, 2024?	Yes. In such cases, where declaration/application has been filed u/s 158A/158AA/158AB of the Act on or before 22nd July, 2024, the taxpayer can opt for settlement under the Scheme provided that if there is any appeal relating to the relevant year, it is also settled.

#### Set-aside appeal:

47.	Appeal has been set aside to ITAT/CIT(A)/DRP and was pending on 22-07-2024. Whether, in such cases the assessee can opt for the Scheme?	<p>Refer FAQ No. 24 of Guidance Note 1/2024. It was mentioned therein that—</p> <p>“According to the Scheme, an appeal which is pending as on 22.7.2024 shall be eligible for settlement. A set-aside matter to the AO is not an appeal pending as such. Therefore, set-aside matters to the AO, whether fully set-aside or partially set-aside are not covered under the Scheme.”</p> <p>However, where an appeal has been set-aside fully to ITAT/CIT(A)/DRP, such appeals will be eligible for settlement.</p> <p>Also, where an appeal has been partially set-aside to ITAT/CIT(A)/DRP, all the issues which have been set-aside will form a separate appeal and shall be eligible for settlement as such and disputed tax will be computed as if pending at the level to which it is set-aside.</p>
-----	---	--

#### Prosecution

48.	Where the prosecution proceedings have not yet been filed before a court of law, whether the assessee is eligible for the Scheme?	<p>Yes. Reference may be made to section 96 of the DTVSV Scheme, 2024. As per the provisions of section 96(a)(ii) of the said Scheme, the Scheme shall not apply in respect of tax arrears relating to an assessment year in respect of which prosecution has been instituted on or before the date of filing of declaration.</p> <p>Accordingly, where the prosecution proceedings have not yet been filed before a court of law, the taxpayer can opt for the Scheme.</p>
-----	---	---

No.	Issue	Comments
49.	If the prosecution is for a different assessment year and the appeal for a different one, would it debar the assessee from the benefit of this scheme?	No. Section 96(a)(ii) prohibits such cases relating to an assessment year in respect of which prosecution has been instituted on or before the date of filing of declaration. Thus, prosecution in one assessment year does not debar the assessee from filing declaration for any other assessment year, if it is otherwise eligible.
<b>Computation of Amount payable</b>		
50.	The DTVSV Scheme, 2024 provides for the different rates where declaration is filed on or before 31.12.2024 and where it is filed on or after 1.1.2025. Please clarify whether payment of disputed amount is also required to be made before 31-12-2024 for applicability of the lower rate?	Reference may be made to the provisions of the Scheme read with DTVSV Rules, 2024. As per Rule 3 of the DTVSV Rules, 2024, the amount payable is linked to the date of filing of declaration. Accordingly, where declaration is filed on or before 31-12-2024, the amount payable by the declarant shall be as mentioned in column (3) of the Table specified in section 90 of the Finance (No.2) Act, 2024. However, where a declaration is filed on or after 1-1-2025, the amount payable by the declarant shall be as mentioned in column (4) of the said Table. The payment of disputed amount is required to be made as per section 92(2) of the DTVSV Scheme i.e. within 15 days of the date of receipt of certificate in Form No. 2.
51.	Whether any additional ground filed in relation to an appeal is to be considered while computing disputed tax?	If any additional ground has been filed on or before 22nd July, 2024, it shall be considered for the purpose of computing disputed tax.
<b>Disputed Penalty</b>		
52.	Suppose penalty has been levied after the taxpayer has filed a declaration for the settlement of the associated quantum appeal. In such a case, whether on settlement of tax arrears of the quantum appeal, penalty in relation to such tax arrears would be waived off?	Reference may be made to the definition of tax arrears in section 89(1)(o) of the Scheme. Interest chargeable or charged and penalty leviable or levied are included in tax arrears. However, the settlement for quantum appeal is made as a percentage of disputed tax, where disputed tax means income-tax including surcharge and cess. Thus, penalty leviable or levied are not included in disputed tax for settlement of quantum appeal.  Accordingly, on settlement of quantum appeal, the Designated Authority will grant immunity from penalty leviable or levied in respect of tax arrears settled under the Scheme.
53.	Suppose in a case, the additions made in assessment have reached finality. There is no quantum appeal pending as on 22nd July, 2024. However, penalty appeal is pending as on 22nd July, 2024 which relates to the additions made in the said assessment order. Can a penalty appeal be settled independent of quantum appeal?	Penalties which are unrelated to quantum additions are clearly eligible for settlement where an appeal in respect of such penalty is pending as on 22nd July, 2024. These penalties are unrelated to quantum additions and therefore can be settled independently of quantum appeals.  Further, where the additions made in an assessment have reached finality and thus there is no quantum appeal pending as on 22nd July, 2024, there is no disputed income or disputed tax as on the specified, date i.e. 22nd July, 2024. Therefore, such penalty can be settled separately under the Scheme as per SI. No. (c) & (d) of the Table in section 90 of the Scheme.
54.	Whether appeal against penalties that are not related to quantum assessment like penalty u/s 27IB, 27 IB A, 27 IDA of the Act etc. are also waived upon settlement of appeal relating to disputed tax?	No, appeal against such penalty order is required to be settled separately.

No.	Issue	Comments
<b>APA/MAP cases</b>		
55.	In case of APA/MAP, can the Scheme be opted for settling disputes pertaining to non- APA/MAP adjustments?	The Scheme envisages settling dispute in full. The Scheme does not envisage settling issues in part. Therefore, whatever issues are there in a pending appeal are to be settled in full whether they pertain to APA/MAP adjustments or otherwise.
<b>Taxes paid before filing Declaration</b>		
56.	Whether credit for earlier taxes paid against disputed tax will be available against the payment to be made under DTVSV Scheme, 2024?	Yes. Credit for taxes paid against the disputed tax before filing declaration shall be available to the declarant.
57.	In such cases where Appeal is pending as on 22nd July, 2024 but disputed tax demands have been already fully paid before filing of declaration. Are such cases eligible to avail DTVSV Scheme, 2024?	Yes. Reference may be made to section 94 of the DTVSV Scheme, 2024. The situation mentioned is clearly covered in section 94(2) of the Scheme. Accordingly, such cases shall be eligible for the Scheme.
<b>TDS related queries</b>		
58.	In such cases where deductee has settled his appeal, whether TDS deductor would be relieved from its liability u/s 201(1) of the Act. Further, whether TDS deductor would be allowed to claim expense deduction u/s 40(a) of the Act?	Where a deductee has settled his tax liability, the deductor is relieved from his liability other than interest payable. However, consequential relief for expense deduction u/s 40(a) of the Act shall be available to such deductor.
59.	Whether appeals filed before the Appellate Authority against intimation passed u/s 200 A of the Act (regarding intimation on processing of TDS returns) can be settled under DTVSV Scheme, 2024?	Yes, if appeal in respect of intimation u/s 200A is pending as on 22nd July, 2024.
<b>Miscellaneous</b>		
60.	Whether Designated Authority can amend his order to rectify any patent errors?	Yes, the Designated Authority shall be able to amend his order under section 92 to rectify any apparent errors.
61.	Where appeal is pending in respect of primary assessee which is a foreign entity not having adequate business presence in India. Whether such foreign entity can file declaration and settle its dispute through its representative assessee having presence in India?	Yes. With proper authorisation, a representative assessee can opt for settlement under the Scheme. Even in the case of deceased tax-payer, the legal representative may also opt for settlement under the Scheme.
62.	If the taxpayer avails DTVSV Scheme, 2024 for Transfer Pricing adjustment, will provisions of section 92CE of the Act apply separately?	Yes, secondary adjustment under section 92CE will be applicable. However, it may be noted that the provision of secondary adjustment as contained in section 92CE of the Act is not applicable for primary adjustment made in respect of an assessment year commencing on or before the 1st day of April 2016. That means, if there is any primary adjustment for assessment year 2016-17 or earlier assessment year, it is not subjected to secondary adjustment under section 92CE of the Act.

# INFORMATION TECHNOLOGY

Contributed by: **CA. Deephika S, Chennai**

## 1. AI and Automation: Redefining the Accountant's Role

The rise of Artificial Intelligence (AI) and automation is one of the most significant developments in the accounting world today. With AI-driven tools becoming more powerful, Chartered Accountants are now able to automate routine tasks such as bookkeeping, tax preparation, and auditing. Software like **QuickBooks** and **Sage** use machine learning to streamline processes, reducing the time spent on administrative work and allowing accountants to focus on high-value advisory roles. Robotic Process Automation (RPA) is also transforming the sector by automating repetitive activities like data entry, invoice processing, and financial reporting, further enhancing productivity.

## 2. Blockchain: Revolutionizing Financial Transactions

Blockchain technology is making waves in the accounting world by providing a more secure, transparent, and efficient way to manage financial transactions. As a decentralized and immutable ledger, blockchain ensures that every transaction is recorded in a secure, tamper-proof manner, improving accuracy and reducing fraud. For Chartered Accountants, understanding blockchain is becoming a necessity as it impacts everything from auditing practices to compliance with financial regulations. Additionally, cryptocurrency accounting is emerging as a specialized service, with tools like **Koinly** and **CoinTracker** helping accountants manage crypto assets and tax reporting.

## 3. Cloud-Based Accounting: The Future of Real-Time Financial Management

Cloud technology has revolutionized the way Chartered Accountants interact with clients and manage financial data. Cloud-based accounting software such as **Xero**, **NetSuite**, and **Zoho Books** are enabling real-time monitoring of financial performance, making it easier for accountants to offer timely advice and insights. This technology also allows for seamless collaboration between accountants and clients, regardless of their location, promoting flexibility and enhancing the efficiency of day-to-day operations. With businesses increasingly opting for cloud solutions, Chartered Accountants must be equipped to navigate this digital ecosystem.

## 4. Data Analytics and Predictive Modelling: Turning Numbers into Insights

Data analytics tools are empowering Chartered Accountants to offer deeper insights into their clients' financial performance. Advanced tools like **Tableau** and **Power BI** allow accountants to analyze large datasets, identify trends, and predict future performance. By using predictive financial models, CAs can help businesses forecast potential risks and opportunities, enabling more informed decision-making. The ability to extract actionable insights from financial data is quickly becoming a competitive edge for accountants, allowing them to provide greater strategic value to clients.

## 5. Cybersecurity: Protecting Sensitive Financial Data

As the world becomes more digital, protecting sensitive financial data is of paramount importance. Chartered Accountants are increasingly required to adopt robust cybersecurity measures to safeguard their clients' financial information from data breaches and cyber-attacks. From encrypting transactions to using secure cloud platforms, accountants are embracing technology to bolster data protection. As cybersecurity threats evolve, staying up-to-date with the latest security protocols and best practices is essential for maintaining client trust and compliance with data protection regulations.

### DAX Updates in Excel's Data Model

Contd. at Page 53

DAX (Data Analysis Expressions) continues to evolve, enhancing Excel's **Data Model** capabilities with improved performance and new functions. Recent updates include **OFFSET**, **WINDOW**, and **INDEX** functions, enabling advanced row-level operations, dynamic filtering, and window-based aggregations. These additions empower users to perform complex calculations efficiently, bridging the gap between Excel and Power BI. With better support for conditional logic, faster execution for iterative functions, and seamless integration with Power Query, DAX ensures Excel remains a robust tool for modern data analysis. Staying updated on these changes helps users unlock new possibilities in data modelling and reporting.

#### **New DAX Functions (Available in Excel Data Model):**

- **OFFSET Function** (Preview in Power BI): Allows calculations that involve shifting rows forward or backward.
- **WINDOW Function**: Used to calculate aggregated values across a defined window of rows.
- **INDEX Function**: Fetches a specific row within a table.
- **TOCSV / TOJSON**: Converts table data into CSV or JSON text format

#### **Integration with Power Query and M:**

- Enhanced ability to combine Power Query and DAX calculations within Excel's Data Model.

#### **Lambda Functions in Excel:**

- While not a DAX feature, Excel introduced **Lambda Functions** that allow dynamic, reusable logic—complementing Data Model capabilities.

---

## **KARNATAKA COMMERCIAL TAXES INCLUDING VAT/ GST**

Contributed by: **CA. Annapurna D Kabra**, Bengaluru

The meeting is held on 21<sup>st</sup> December 2024 at Jaisalmer Rajasthan under the chairmanship of Union Minister of Finance & Corporate affairs. The objective of the meeting is to provide recommendations relating to change in GST rates and many other proposals... The following paras on discussion of the proposals for change in tax rates...

### **There are recommendations for changes in GST rates for goods and services**

#### **a. Reduction in Rate of Tax for FRK**

HSN code 1904: It refers to

- prepared foods made by swelling or roasting cereals or cereal products. or
- cereals other than maize(corn) in grain form, or
- in the form of flakes or other worked grains

The Fortified Rice Kernels (FRK) are the rice grains that have been enriched with vitamins and minerals to improve their nutritional value. It is recommended to reduce the GST rate on Fortified Rice Kernel classifiable under the above entry to 5%. The rate was reduced from 18% to 5% only for the scheme approved by central govt/state govt. It is recommended to reduce the rate of tax from 18% to 5% in all the cases....

### **b. To exempt GST on Gene Therapy**

Gene Therapy is a technique that uses genes to treat, prevent or cure diseases and medical disorders. There was no clarity on applicability of rate of tax on such therapy. So, it has been recommended to exempt from levy of tax on such therapy

### **c. To reduce the rate of Compensation Cess to 0.1% on supplies to merchant exporters at par with GST rate on such supplies.**

The merchant exporters can purchase goods from a registered supplier at a concessional rate of 0.1% GST for export. Similar provisions were missing under the Compensation Cess Act therefore it is recommended to reduce the rate of compensation cess to 0.1% on supplies to merchant exporters. It is made to align with GST rate for such supplies..

### **d. Concessional Rate on supply of food inputs or food preparations**

If there is supply of food inputs or food preparations under HSN 19 or HSN 21 which are intended for free distribution to economically weaker sections under government program then it is recommended to charge such supply at 5% subject to the fulfilment of the conditions.

### **e. Sponsorship Services**

By way of sponsorship by "any person" to any "body corporate or partnership firm" is covered under reverse charge mechanism. It has been recommended for the **supply of sponsorship services provided by the body corporates under the forward charge mechanism** in lieu of Reverse charge mechanism.

### **f. Motor vehicle fund**

Section 164B of the Motor Vehicle Accident Fund Act 1988 gives the power to the central Government to establish the Motor Vehicle Accident fund. The fund will be used for treating road accidents victims or will be given as compensation to victims. The **GST is exempted on the contributions made by general insurance companies from the third-party motor vehicle premium collected by them towards this fund.**

### **g. Restaurant in Hotels:**

It is recommended to **omit the definition of declared tariff** from the rate notification. The declared tariff includes charges for all amenities provided in the unit of accommodation like furniture, air conditioner, refrigerators or any other amenities, but without excluding any discount offered on the published charges for such unit. There was always interpretation on the applicability of rate of tax Vs declared tariff/ actual value of supply of services. Therefore, it was recommended to change the rate of tax based on value of supply of services. In the given financial year. if the value of supply for any unit of accommodation exceeds 7500/- in the preceding financial year then GST is applicable at 18% without ITC. If the value of supply for any unit of accommodation does not exceeds 7500/- in the preceding financial year then GST at 18% is applicable with ITC or 5% is applicable without ITC. To avoid the transitional issues , it is suggested to make it effective from 01.4.2025. Therefore, the declared tariff will be replaced by value of supply and will align with the entry of accommodation.

### **h. Tax rates on popcorn:**

It is recommended to levy the tax as the unpackaged salted/spiced popcorn is leviable at 5% GST, pre-packaged popcorn is leviable at 12% GST and caramel coated popcorn at 18% GST..

### **i. Fresh green or dried pepper and raisins**

It is recommended to exempt the levy the tax on **Fresh green or dried pepper and raisins** when it is supplied by agriculturist. If it is supplied by any other person then it is leviable to GST.

### **j. Exclusion of composition tax payers from RCM**

It is recommended to exclude the taxpayers who are registered under the composition scheme from the reverse charge on renting of commercial property.

## AMENDMENTS TO UPSI DEFINITION

### SEBI Proposal to Enhance Transparency & Align with LODR Regulations

#### 1. Introduction

On November 9, 2024, the Securities and Exchange Board of India (SEBI) released a consultation paper proposing a review of the definition of Unpublished Price Sensitive Information (UPSI) under the SEBI (Prohibition of Insider Trading) Regulations, 2075 (PIT Regulations). The proposals aim to enhance clarity, certainty, and uniformity in compliance for listed companies by aligning the UPSI definition with key events and thresholds outlined in Regulation 30 of the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2075.

#### 2. Background and Rationale

According to SEBI's observations, listed entities inconsistently classified events as UPSI. Many companies adhered strictly to Regulation 2(7)(n) of PIT Regulations, omitting potentially sensitive events outlined in Regulation 30 of the LODR Regulations that impact market prices. SEBI's study noted various gaps in defining UPSI, which affected uniform compliance and transparency. Therefore, the consultation paper proposes amendments to ensure compliance that aligns with PIT and LODR regulations.

#### 3. Current Definition of UPSI

PIT Regulations define UPSI as follows:

As per Regulation 2(7)(n) of SEBI (PIT) Regulations, 2075, unpublished price sensitive information" means any information, relating to a company or its securities, directly or indirectly, that is not generally available which upon becoming generally available, is likely to affect the price of the securities materially and shall, ordinarily including but not restricted to, information relating to the following: -

- financial results;
- dividends;
- change in capital structure;
- mergers, de-mergers, acquisitions, delistings, disposals and expansion of
- business and such other transactions;
- changes in key managerial personnel.

#### 4. Key Proposals from SEBI

The proposals put forth by SEBI's Working Group (WG) and informed by public feedback aim to update the UPSI list to include specific events and information types. These proposals cover material events categorized under Schedule III of LODR, ensuring they are addressed in the UPSI framework.

No.	Proposed Inclusion	(Clause/Para/Schedule of LODR)	Comments
1	Inclusion of 'Change in Rating(s)'	Clause 3 of Para A of Part A of Schedule III of LODR Regulations	New ratings are assigned to instruments issued by a listed entity. Such issuance would be covered either in the current UPSI definition as 'change in capital structure' or under the proposed inclusion 'fund raising proposed to be undertaken'. Regarding revision in ratings, only significant rating changes (upward/downward) should be included in the UPSI list, as revaluations often don't impact share prices.
2	Inclusion of 'fundraising proposed to be undertaken'	Clause 4 of Para A of Part A of Schedule III of LODR Regulations	The decision on proposed fundraising is currently excluded from the UPSI definition; thus, it is proposed for inclusion in the illustrative list of UPSI events, as these may be price-sensitive.

No.	Proposed Inclusion	(Clause/Para/ Schedule of LODR)	Comments
3	Inclusion of 'Agreements, by whatever name called, impacting the management and control of the company'	Clause 5 and 5A of Para A of Part A of Schedule III of LODR Regulations	The SEBI's Working Group believes that only agreements impacting the company's management and control and are known to the company should be considered price-sensitive and included in the UPSI events list.
4	Inclusion of 'Fraud or defaults by a listed entity, its promoter, director, key managerial personnel, senior management, or subsidiary or arrest of key managerial personnel, senior management, promoter or director of the listed entity, whether occurred within India or abroad'	Clause 6 of Para A of Part A of Schedule III and Clause 9 of Para B of Part A of Schedule	Fraud or default by key personnel or affiliates erodes investor trust and often impacts share prices. The update aligns with SEBI's goal of promoting transparency and protecting shareholders by disclosing key information that might impact their investments.
5	Amendment in definition of UPSI to include the change in key managerial personnel, other than due to superannuation or end of term, and the resignation of a Statutory Auditor or Secretarial Auditor	-	It has been proposed that the definition of UPSI be amended under regulation 2(7)(n)(v) of the PIT Regulations. Specifically, the amendment would include any changes in the KMP, except those due to superannuation or the completion of the term, as well as the resignation of a Statutory Auditor or Secretarial Auditor. This amendment informs investors about leadership changes that could impact the company's stability.
6	Inclusion of 'Resolution plan/Restructuring/one-time settlement in relation to loans/borrowings from banks/financial institutions'	Clause 9 and 70 of Para A of Part A of Schedule III of LODR Regulations	Loan restructuring reflects a company's financial health, impacting stock valuation and investor confidence. Further, this proposal aims to enhance transparency regarding critical financial restructuring activities, aiding stakeholders in assessing the company's fiscal health.
7	Inclusion of 'Admission of winding-up petition filed by any party/creditors, admission of application by the corporate applicant or financial creditors for initiation of corporate insolvency resolution process (CIRP) of a listed corporate debtor and its approval or rejection thereof under the Insolvency Code'	Clause 77 and 76 of Para A of Part A of Schedule III of LODR Regulations	These filings indicate significant risks to business continuity and shareholder value. Further, this will enable investors to make well-informed decisions regarding corporate solvency and potential outcomes in cases of winding up or insolvency.
8	Inclusion of 'Initiation of forensic audit (by whatever name called) by the company or any other entity for detecting misstatement in financials, misappropriation/siphoning or diversion of funds and receipt of final forensic audit report'	Clause 77 of Para A of Part A of Schedule III of LODR Regulations	Forensic audits signal potential internal issues, directly impacting investor confidence and share value. This proposal aims to enhance transparency by disclosing any investigations affecting the company's financial reporting.



No.	Proposed Inclusion	(Clause/Para/ Schedule of LODR)	Comments
9	Inclusion of 'Action(s) initiated or orders passed by any regulatory, statutory, enforcement authority or judicial body against the listed entity or its directors, key managerial personnel, senior management, promoter or subsidiary, in relation to the listed entity'	Clause 79 and 20 of Para A of Part A of Schedule III of LODR Regulations	Regulatory actions or judicial orders may indicate compliance risks, impacting share prices and market sentiment. This proposed amendment aims to enhance transparency regarding key stakeholders' regulatory or judicial status, thereby influencing investor sentiment.
10	Amendment in definition of UPSI to include 'award or termination of order/contracts not in the normal course of business and such other transactions	-	It has been proposed that the definition of UPSI be amended under Regulation 2(7)(n)(iv) of PIT Regulations. Specifically, this amendment will include the award or termination of orders/contracts outside the normal course of business and other transactions, in addition to already existing 'mergers, de-mergers, acquisitions, delistings, disposals and expansion of business'. Major contracts substantially impact revenue and profitability, influencing market perception. In the future, this amendment would provide shareholders with insights into notable business developments that could affect revenue streams and valuations.
11	Inclusion of 'outcome of any litigation(s) or dispute(s) which may have an impact on the listed entity'	Clause 8 of Para B of Part A of Schedule III of LODR Regulations	Litigation outcomes directly affect operational stability, financial results, and share value. This inclusion will ensure transparency, allowing investors to assess potential financial and legal implications.
12	Inclusion of 'Giving of guarantees or indemnity or becoming a surety, by whatever named called, for any third party'	Clause 77 of Para B of Part A of Schedule III of LODR Regulations	Such provisions may result in contingent liabilities that impact a company's financials. This proposal aims to ensure market participants are informed of any potential financial obligations affecting the company's financial position.
13	Inclusion of 'granting, withdrawal, surrender, cancellation or suspension of key licenses or regulatory approvals'	Clause 72 of Para B of Part A of Schedule III of LODR Regulations	Regulatory changes can have significant operational and financial implications, influencing share prices. This proposed amendment aims to ensure timely disclosure of changes in regulatory status, which can directly impact share value.

## 5. Conclusion

The proposed amendments to the UPSI definition under SEBI's PIT Regulations represent a proactive step toward achieving greater clarity and consistency in regulatory compliance for listed entities. By aligning UPSI events with the material events outlined in Schedule III of the LODR, SEBI aims to enhance transparency, protect investor interests, and establish a standardized compliance framework across industries.

# GST RULINGS

Contributed by: **CA. V.V. Sampath Kumar, Chennai**

**No reply:** Petitioner has not chosen to file its reply and hence impugned assessment order came to be passed. Petitioner submit that impugned order came to be passed without affording an opportunity of hearing and therefore the same is in violation of principles of natural justice and therefore prays to set aside the same. This Court has not accepted the submissions. This Writ Petition stands dismissed, with liberty to the Petitioner to file an Appeal, challenging the impugned order before the Appellate authority, within a period of thirty days from the receipt of the copy of this order. **M/s. Sri Balaji Pharma Surgicals Vs STO, Dharmapuri Assessment Circle, W.P.No.29409 of 2024 Dated: 14.10.2024**

**Notice u/s 73 AND order 74:** It is an admitted fact that though the notice in Form DRC-01 was issued under Section 73 of the GST Act, the impugned order was passed under Section 74 of the GST Act. If at all if there is an intention to pass any assessment order u/s 74 of the GST Act, the respondent is supposed to have issued a notice by fulfilling the conditions narrated u/s 74 of the GST Act. In this case, it is apparent that no such notice was issued u/s 74 of the GST Act. When such being the case, no order can be passed by the respondent u/s 74 of the GST Act and hence, the impugned order passed by the respondent is not only in violation of principles of natural justice but also against the provision of law. **Tvl.Rajaa Offset Vs.STO (FAC), Mannargudi Assessment Circle, W.P.No.30189 of 2024 Dated: 15.10.2024**

**Request for Rectification:** WP filed by the petitioner to consider the rectification application filed u/s 161 of the GST Act on 03.05.2024 for the Assessment Year 2017-18. Considering the submissions made by the learned counsel appearing for the Petitioner as well as the Respondent, this Court directs the 1st Respondent to pass orders on the rectification petition filed by the Petitioner on 03.05.2024, on merits and in accordance with law, after affording an opportunity of hearing to the Petitioner, within 3 months from the date of receipt of a copy of this order. **M/s.Ganesh Constructions Vs.1. DSTO, Ayanavaram Assessment Circle 2. CGM, BSNL, Chennai Telephones, Chennai-10. W.P.No.29351 of 2024 Dated: 14.10.2024**

**Refund of GST:** Petitioner has made application claiming refund of the tax u/s 54 of CGST Act, 2017 followed a reminder letter dated 29.03.2019, but the respondent has not processed the same, but after a lapse of more than one year, issued a Deficiency Memo on 12.04.2019 calling upon the petitioner to rectify certain deficiencies mentioned therein. According to the petitioner, they had not received the said Deficiency Memo and they came to know only when they received a letter dated 26.5.2023 from the respondent. Therefore, since the petitioner has made the application claiming refund of the tax within the time, which was not processed by the respondent more than a year, the Hon'ble Court was of the view that it would be appropriate to direct the respondent to process the application without insisting limitation aspect and pass orders therein and issued directions. **M/s.Regal Engineers & Contractors P Ltd Vs AC of CGST & CE, Pallavaram Divn, Chennai-18. W.P.No.29256 of 2024 Dated: 14.10.2024.**

**Cancellation of GST registration :** GST registration of the petitioner was cancelled. According to the petitioner, since their turn over had never crossed a sum of Rs.20,00,000/-, they are under the impression that they are not required to file their returns. Under these circumstances, the GST Registration of the petitioner was cancelled for non-filing of returns for 6 months. The reason provided for non-compliance with the relevant provisions of the Act within the prescribed time, in the considered opinion of the Hon'ble Court, appears to be genuine. This Court revoked the impugned order cancelling the GST registration of the petitioner, subject to the fulfillment of the conditions. **M/s.AVR Traders Vs. Supdt of GST and CE, Villupuram I Assessment Circle, W.P.No.30731 of 2024 Dated: 24.10.2024**

**Delay condonation:** Due to the demise of the petitioner's father, petitioners preferred an appeal against the said assessment order with a delay of 44 days. In such case, the reason provided for non-filing of appeal within the prescribed time appears to be genuine. Therefore, being satisfied with the reasons assigned by the petitioner and also considering the submission made by the petitioner, this Court has condoned the delay. **M/s. Nithya Cotton Mills Vs.1.DC (ST)(GST)(Appeal), Erode and Salem, Erode-1. 2. STO, Tiruppur Assessment Circle, W.P.No.30500 of 2024 Dated : 18.10.2024**

**GST Refund** : As per the Notification No.13/2022 dated 05.07.2022, the last date for filing the refund claim for 2019-20 is 29.02.2024, but the learned counsel for the Petitioner submitted that the effect of the above mentioned notification is that the period from 01.03.2020 to 28.02.2022 shall be excluded, which means that the 2 years exclusion period shall be added to the original time-limit of 31.03.2022 which stands extended to 31.03.2024. It appears that due to some confusion whether the limitation ends on 29.02.2024 or 31.03.2024, the Petitioner filed the rectification application with a delay of 7 days. Considering the submissions made by the learned counsel for the Petitioner as well as the Respondent and in view of the settled proposition of law that when substantial justice is pitted against technical consideration, credence should be given to the substantial justice, this Court has condoned the delay of 7 in filing the refund application before the Respondent. **M/s.Trisula Engg and Trading P Ltd, Vs. AC, Cuddalore GST & C.E., Cuddalore 607001 W.P.No.28614 of 2024 Dated : 17.10.2024**

**GST Tax not paid and claim of ITC**: In the absence of material evidences with regard to the remittance of tax amount by the supplier, the respondent had rightly arrived at the conclusion to reverse the ITC availed by the petitioner and passed the impugned order dated 23.04.2024. In such case, the Hon'ble Court also does not find any merits in the present petition. Therefore, this Court dismissed this petition by granting liberty to the petitioner to file an appeal against the impugned order. **Tvl.Green Star Traders Vs. CTO, Room No.224, Farnpet, Chennai-35. W.P.No.29741 of 2024 Dated: 15.10.2024**

**No findings** If the respondent is intending to reject the reply filed by the petitioner, they have to state as to why they are rejecting the reply and provide a due consideration with regard to the submission made by the petitioner. However, in this case, no reason has been stated with regard to the rejection of reply filed. Therefore, it is clear that the impugned order came to be passed by the respondent in violation of principles of natural justice and the same is set aside with conditions. **Tvl.Coira Media Enterprises Vs. DCTO-2, Pollachi (West), Assessment Circle, W.P.No.30091 of 2024 Dated : 15.10.2024**

**GST Registration and its Suspension**: It is the fundamental right of the petitioner to trade and carry on the business in the country and the State can impose reasonable restrictions. However, in the present case, the respondent without resorting to take legal action invoking penal provisions, suspended the GST registration of the petitioner and deprived the petitioner from carrying on the business, which amounts to violation of fundamental right of the petitioner and prevented the petitioner, which, cannot be sustained. **M/s. A.V.Traders Vs. CTO, Thiruvallikeni Assessment Circle, Chennai South-I, W.P.No.31285 of 2024 Dated: 29.10.2024.**

**Personal Hearing**: No opportunity of personal hearing was provided to the Petitioner prior to the passing of impugned order. Hence, this Court is of the view that the impugned orders are passed in violation of principles of natural justice and it is just and necessary to provide an opportunity to the Petitioner to establish their case on merits. **M/s. Sky Moon Sea Foods Vs. AC(ST)(FAC), Chintadripet Assessment Circle W.P.No.32061 of 2024 Dated: 28.10.2024**