

# SIRC

# Newsletter

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Southern India Regional Council ▶ THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA ▶ SET UP BY AN ACT OF PARLIAMENT

## Teachers' Day Celebrations & Faculty Meet - September 6, 2016



SIRC has organised Faculty Meet as part of Teacher's Day Celebrations. SIRC Chairman, Central Council Members, Regional Council Members, Chairman-SICASA and Past President have graced the occasion.



Faculty Members associated with SIRC coaching classes were honoured at the meeting.

## Teachers' Day Celebrations with a theme "My Principal – My Teacher" – September 8 and 9, 2016



CA. P. S. Kumar, Past Chairman-SIRC of ICAI addressing the students gathering. Chennai DCO Head Dr. P.T. Giridharan, Joint Director, SIRC of ICAI Head Dr. T. Paramasivan, Joint Director (Tech.) along with SIRC Coaching Class Faculty Member Dr. P. R. Vittal are also seen.

## Resource Persons of CPE Study Circle Meetings – September 2016, Chennai

September 7



CA. D.K. Giridharan  
Chennai

September 8



CA. Subhashini Ganapathy  
Chennai

September 14



CA. Prasad Sivarama Krishnan  
Chennai

September 21



CA. T.V. Balasubramanian  
Chennai

September 28



Adv. Aparna Nandakumar  
Chennai

## Two Days Seminar on GST – September 9 and 10, 2016, Chennai



CA. Madhukar N Hiregange  
Bangalore



CA. Prasanna Krishnan V  
Chennai



CA. Sampath Kumar V V  
Chennai



Adv. Aparna Nandakumar  
Chennai



CA. Hari Ganesh V  
Chennai



CA. Rajendra Kumar P  
Chennai



CA. Ganesh Prabhu  
Chennai



CA. Purushothaman J  
Chennai

## Resource Persons of One Day Seminar on Ind AS – September 3, 2016



CA. M.P. Vijay Kumar  
Chennai



CA. Chinnasamy Ganesan  
Chennai



CA. L. Muralidharan  
Chennai

## Half Day Seminar on E-filing under MCA 21 September 10, 2016



CS. Ashish Golecha  
Chennai

## Teachers' Day Celebrations with a theme "My Principal – My Teacher" – September 8 and 9, 2016 Winners of the Debate Competition receiving trophies from the Chief Guest



**First Prize** Ms. Vidhya Lakshmi V  
(SR0048996)



**Second Prize** Ms. Poornima K  
(SR00317394)



**Third Prize** Ms. Sabitha K  
(SR00402144)

## Chairman Writes...

**Dear Professional Colleagues,**

**Live life to the fullest:** Life is like a Camera.... Focus on what is important, Capture the good times, Develop from the negatives and if things don't work out, Take another Shot. Life is about finding yourself, Life is about creating yourself. If you truly love life, don't waste time because time is what life is made of. Don't cry over the past, it's gone. Don't Stress about the future, it hasn't arrived. Live in the present and make it beautiful. Always believe that something wonderful is about to happen. I earnestly appeal our Members and Students to live the life to its fullest because you only get to live it once. Don't just exist...Live... Live positively.

**Activities September 2016:** As September is the month of Tax Audit, we at SIRC have planned and conducted programmes focussing on Tax Audits. CPE Programmes were conducted with trending topics of interest like Ind AS – 10 & 38 Property, Plant and Equipments & Intangibles, E-filing and Practical issues on Form 15CA and 15CB, Ind AS-23 Borrowing Costs, Ind AS-17 – Leases & Ind AS-19 - Employee Benefits, Input Tax Credit under GST, etc. with active and noteworthy participation of our members. A Half Day Seminar on E-filing under MCA 21, Two Days Seminar on GST were conducted and well received by our members.

**Teachers' Day Celebrations:** As part of Teacher's day Celebrations, SIRC has arranged a Faculty Meet in association with Students Committee of SIRC of ICAI on 6th September 2016. Central Council Members, Regional Council Members, Past President, Chairman SICASA have graced the occasion. Faculty Members associated with SIRC coaching classes were honoured at the meeting.

SIRC of ICAI has also celebrated Teachers Day with a theme "My Principal – My Teacher" along with Board of Studies of Chennai office on Friday 9th September 2016. Earlier on 8th September 2016, a debate competition was conducted on the following topics:

- Principal is Mentor (or) Monitor?
- Articleship Training – Merely a Process (or) March towards Progress?
- CA Curriculum Vs Articleship Training – A Match (or) Mismatch?

Appreciable number of students have participated in the above debate competition enthusiastically and three students were selected as winners. Chief Guest CA. P.S. Kumar, Past Chairman-SIRC distributed the prizes. In his special address, he emphasized the need for articleship training and how the articled assistants should support their principal. The programme was attended by more than 200 students on both the days.

### **Forthcoming Programmes**

**48th Regional Conference of SIRC of ICAI:** We are happy to inform that 48th Regional Conference of SIRC of ICAI is being planned on 6th and 7th December 2016 at Tirupati, Andhra Pradesh. The registration for the Conference has opened online and the encouraging response being received from our members across the region is one of the motivating factors for us to provide you the best of service and feast of knowledge.

The Conference Committee has chosen the theme of the 48th Regional Conference of SIRC of ICAI as "**Abhignya**" which means knowledgeable. With this impressive beginning, we have finalised the topics and resource persons, details of which are chartered

out in this Newsletter. I request all our members whole heartedly to support us to unveil this grandeur of SIRC's Mega Annual Event to get the bliss of knowledge. Complete details and registration can be had from SIRC website <http://www.sircofcai.org/regional-conference.aspx>



**Tirupati Balaji Darshan:** We have received several requests from our members for arranging special darshan of Tirupati Balaji in the sidelines of the Regional Conference. Accordingly few Tirupati based members volunteered to help the delegates and their family members to have special darshan as per the policy of TTD. As a service to such delegate members, details of such volunteers are given in the announcement itself. Interested members may avail the service.

**Five Days Workshop on Basics in Transfer Pricing:** Five Days Workshop on Basics in Transfer Pricing has been planned from Monday to Friday, 17th to 21st October 2016. Eminent Resource persons will be handling the technical sessions. After attending the said workshop, I hope that you will be enlightened not only the basics but also the nuances of Transfer Pricing.

**ICAI International Conference 2016 - Jnana Yajna:** ICAI is organising its annual International Conference themed as "Jnana Yajna" which means quest for excellence on 22nd and 23rd October 2016 at Hyderabad International Convention Centre, Hyderabad. This Conference would be an apt platform for ideas exchange and interactive dialogues amongst the global and local accounting fraternity for espousing Public Interest. This Conference will be "Window to Future" to acclimatize the accounting fraternity to demands of a market driven economy; while being the Trustee of Public Interest and is a "must attend" for all our members who wish to create a mark for them in times of change.

**Annual Regional Residential Conference:** 3rd Annual Regional Residential Conference of SIRC of ICAI is being organised from 16th to 18th December 2016 at MGM Beach Resort, Muttukadu near Chennai. Complete details will be published in next issue of SIRC Newsletter and will be hosted in SIRC website. Hope our members will join the conference and make it a grand success.

**International Study Tour to Dubai:** SIRC of ICAI is organising an International Study Tour to Dubai from 3rd January 2017 to 8th January 2017. Indicative Itinerary is given in this Newsletter. Members desirous of joining the Tour may give their Contact details to SIRC office at [sirc@icai.in](mailto:sirc@icai.in). Further details regarding the Tour and Costs will be intimated in due course. I seek the participation of our members in appreciable numbers.

Yours in professional service  
With warm Regards

**CA. E. Phalguna Kumar**  
Chairman, SIRC of ICAI

Contact: Dr. T. Paramasivan, Joint Director (Tech.), ICAI – Phone: 044 – 30210320 / 321 – E-mail: [sircce@icai.in](mailto:sircce@icai.in)

Sl.No	Programme Date	Programme Name	Resource Persons	Timings	Venue	CPE Credit	Delegate Fee *		Page No.
							For PreRegn.	For Spot Regn.	
1	October 5, 2016 Wednesday	CPE Study Circle Meeting on <b>Ind AS-40- Investment Property &amp; Ind AS- 24 Related Party Disclosures</b>	<b>CA. S. Ganesh</b> Chennai	6.15 pm - 8.30 pm	P. Brahmayya Memorial Hall	2	180	200	-
2	October 6- 7, 2016 Thursday – Friday	Two Days Seminar on <b>GST</b>		10.00 am - 5.00 pm	P. Brahmayya Memorial Hall	12	1800	2000	-
3	October 15, 2016 Saturday	One Day Seminar on <b>Service Tax</b>	<b>Details Inside</b>	10.00 am - 5.00 pm	P. Brahmayya Memorial Hall	6	900	1000	12
4	October 17- 21, 2016 Monday – Friday	Five Days Workshop on <b>Basics in Transfer Pricing</b>	<b>Details Inside</b>	4.30 pm- 8.30 pm	P. Brahmayya Memorial Hall	20	2700	3000	12
5	October 21, 2016 Friday	V. Sankar Aiyar Memorial Lecture on <b>Fiscal Reforms in a Federal Framework</b>	<b>Dr. Vijay Kelkar</b>	6.15 pm - 8.30 pm	ICAI Bhawan Chennai	2	No Delegate Fee		11
6	October 26, 2016 Wednesday	CPE Study Circle Meeting on <b>Ind AS-2 - Inventory</b>	<b>CA. K. Shanmuganathan</b> Chennai	6.15 pm - 8.30 pm	P. Brahmayya Memorial Hall	2	180	200	-
7	October 31 & November 1, 2016 Monday & Tuesday	Two Days Seminar on <b>FEMA</b>	<b>Details Inside</b>		P. Brahmayya Memorial Hall	9	1350	1500	14
8	November 3, 2016 Thursday	One Day Seminar on <b>Transfer Pricing - Made Easy</b>	<b>Details Inside</b>	10.00 am - 5.30 pm	P. Brahmayya Memorial Hall	6	1350	1500	14
9	November 9, 2016 Wednesday	CPE Study Circle Meeting on <b>Ind AS- Financial Instruments</b>	<b>CA. Chinnasamy Ganesan</b> Chennai	6.15 pm - 8.30 pm	P. Brahmayya Memorial Hall	2	180	200	-
10	December 6 & 7, 2016 Tuesday & Wednesday	<b>Abhignya - 48th Regional Conference of SIRC of ICAI</b>	<b>Details Inside</b>		Sri Venkateswara Veterinary University Grounds, Tirupati	12	3500	3500	16
11	December 16 - 18, 2016 Friday - Sunday	3rd Annual Regional Residential Course on <b>International Taxation</b>	Further Details will be published in December 2016 issue of SIRC Newsletter			14	Residential Delegate: 12500 Non-Res. Delegate: 9000		-

**\*Delegate Fee: Pre-regn. will be considered upto immediate preceding day of the programme only.**

Online enrolment through <http://sircoficai.org/CPEcalendarnew.aspx?id=forth> is requested.

Otherwise specified, the Delegate Fee for SIRC Programmes may be paid by way of Cash or by Cheque / DD drawn in favour of 'SIRC of ICAI' payable at Chennai and shall be sent to SIRC of ICAI, 'ICAI Bhawan', No. 122, Mahatma Gandhi Road, Nungambakkam, Chennai - 600034. Phone: 044-30210320; Fax: 044-30210355; Email: [sirc@icai.in](mailto:sirc@icai.in) sufficiently in advance.

**Members are requested to avoid SPOT Registration and Cash Payment.**

# Updates

## Direct Taxes

Contributed by: **CA. V.K. Subramani**, Erode  
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- Extension of time for uploading Form 15G/15H received from 01.04.2016 onwards:** The Government through Notification No.10 of 2016 dated 31.08.2016 has extended the 'due date' for uploading of Form No.15G /15H. The extended due dates are (i) for the declarations received during the period from 01.10.2015 to 31.03.2016, the original due date was 30.06.2016, which is now extended upto 31.10.2016; (ii) for the declarations received during the period from 01.04.2016 to 30.06.2016, the original due date was 15.07.2016, which is now extended up to 31.10.2016; and (iii) for the declarations received from 01.07.2016 to 30.09.2016 the original due date was 15.10.2016, which is now extended up to 31.12.2016.
- Consequence of search under section 132 / survey under section 133A vis a vis IDS:** The CBDT in Circular No.32 of 2016 dated 01.09.2016 has clarified that wherever in the course of search under section 132 or survey under section 133A, any document is found as a proof for having filed a declaration under IDS, no enquiry would be made by the Income-tax Department in respect of sources of undisclosed income or investment in movable or immovable property which was declared in a valid declaration filed under Income Declaration Scheme, 2016.
- Extension of 'due date' for filing tax audit report and ITRs:** The CBDT in order [F.No.225/195/2016-ITA II] dated 09.09.2016 has extended the 'due date' for filing of income-tax returns by the taxpayers whose accounts are audited under section 44AB and who are required to furnish their returns of income for the assessment year 2016-17 by 30th September, 2016. The 'due date' has now been extended to 17th October 2016.
- Clarifications on Direct Tax Dispute Resolution Scheme, 2016:** The CBDT vide Circular No.33 of 2016 dated 12.09.2016 has clarified Direct Tax Dispute Resolution Scheme, 2016 and the highlights of the Circular are as under: (i) Where the appeal is pending before CIT (Appeals) on 29.02.2016 and has been disposed off before making the declaration, the benefit of the scheme cannot be availed; (ii) Where the appeal is pending as on 29.02.2016 the benefit of the scheme could be availed. Further the CIT (Appeals) have been instructed to keep the matter in abeyance where the appellants have expressed their intention to avail the scheme vide CBDT Letter F.No.279/Misc. / M-30/2016 dated 30.03.2016; (iii) Where the disputed tax is more than Rs.10 laths the declaring has to pay the disputed tax, interest and 25% of minimum penalty leviable. Where the disputed tax is less than Rs.10 lakhs, the declarant has to pay only the disputed tax and interest and there is no requirement for the payment of any amount in respect of penalty leviable; (iv) Where the assessment has the effect of reducing the loss but penalty under section 271(1)(c) has been initiated, since there is no disputed tax, the assessee cannot avail the scheme. However, in respect of appeal relating to penalty, the declarant may file a declaration in respect of such penalty order; (v) The Scheme is not available for assessment or reassessment made consequent to a survey conducted under section 133A of the Act; and (vi) Where the assessee has already paid the penalty amount in full or in part while the appeal is pending before CIT (Appeal), the assessee can opt for the scheme and be eligible for refund. However, he shall not be eligible for interest on refund under section 244A of the Act. ■

## Tamil Nadu VAT

Contributed by: **CA. V.V. Sampath Kumar**, Chennai  
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**Tax Adjustment:** When there is no specific Rule providing the manner in which the petitioner had to be assessed to tax, it is not open to the Assessing Authority to contend that the particular mode should be adopted or that the procedure adopted by the assessee is not rational and that the Assessing Authority cannot insist on the assessee adopting a particular method which would deny them the benefit of utilization of the balance available tax deferment in its entirety. Under Section 18 of the TNVAT Act, no procedure has been prescribed with regard to the method of preference of Set-off of ITC. Therefore, prima-facie, the procedure adopted is favourable to the assessee. **XOMOX SANMAR LTD Vs THE AC (C.T), MYLAPORE ASSESSMENT CIRCLE, CHENNAI (MAD) W.P.Nos.24402 to 24404 of 2014 etc of 2014 DATE: 01.08.2016**

**Assessment:** The assessee inflated the income in the balance sheet for income tax to avail bank loan and produced relevant records before the Assessing officer to establish that there is no sales suppression. In a writ petition filed in this regard, the Court held that the petitioner's right to establish before the Assessing Officer by producing records to show that there was no sales suppression, cannot be foreclosed merely on the ground that he had reported higher turnover in the income tax returns and observed that the Assessing Officer is entitled to consider the records independently de hors the fact as to what was reported before the Income Tax. **SAI PETRO PRODUCTS Vs THE AC (MAD) W P Nos.24216 to 24219 of 2015 Dated: 14.06.2016**

**Input Tax Credit:** When the Input tax credit was reversed by the Assessing Officer for the reason of the fact of cancellation of registration of the selling dealer retrospectively, the Court held that a purchasing dealer is entitled by law to rely upon the certificate of registration of the selling dealer and to act upon it. Whatever may be the effect of a retrospective cancellation upon the selling dealer, it can have no effect upon any person who has acted upon the strength of registration certification when the registration was valid. Whatever be the effect of retrospective cancellation upon the selling dealer, it can have no effect upon any person, who has acted upon the strength of a registration certificate, when such certificate was alive. **THE AC (CT), BROADWAY ASSESSMENT CIRCLE, CHENNAI. Vs M/s BHAIKAV TRADING COMPANY (MAD) W A Nos. 946, 947, 948, 949 of 2016, 2123 of 2013 etc., DATED: 01.09.2016**

**CST Act, Filing forms belatedly:** When the declaration forms were filed belatedly the Court held that reading of Section 9(2) of the CST Act shows that it is exhaustive and clearly specifies that the Authorities under the State Law can exercise all or any of the functions under the State for assessment, review, revision, re-convey measures, etc., for the purpose of assessment and recovery of tax due under the Central Act. Therefore, the respondent has power to invoke Section 84 of the TNVAT Act and revise the assessment under the CST Act. **M/s PADMAVATHI ELECTRICALS Vs THE CTO, CHENNAI (MAD) W P No.22537 of 2016 of 2016 DATED: 30.06.2016** ■

## Andhra Pradesh VAT

Contributed by: **CA. Ambati Chinna Gangaiah**, Hyderabad  
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### GST – Steps taken for implementation

- President of India had given assent to 122 Constitutional Amendment after accepting by 16 State Assemblies on 8.9.2016 enabling to replace VAT, Central Excise and Service Tax by GST

2. Central Cabinet approves on 12.9.16 creation of GST Council to make recommendations to the Union and the States on important issues related to GST, like the goods and services that may be subjected or exempted from GST, model GST Laws, principles that govern Place of Supply, threshold limits, GST rates including the floor rates with bands, special rates for raising additional resources during natural calamities/disasters, special provisions for certain States; with a) Union Finance Minister as Chairperson b) Union Minister of State, in-charge of Revenue of finance as Member c) The Minister In-charge of finance or taxation or any other Minister nominated by each State Government as Members and its Secretariat, First Meeting of the GST Council; held on 22nd and 23rd September, 2016 – decisions to exempt from GST dealers having turnover < Rs. 20 Lakhs and to collect entire GST by States if turnover < Rs.1.5 Corers. Other decisions may be taken in forthcoming meetings.
3. Overview of GST and GST Model Law kept in apct.gov.in
4. Commercial Tax Department advertised for identification Consultant to study Goods and Services Tax and its implementation in AP

### Supreme Court

1. Commissioner of Central Excise Vs Addison & Co AC 7906/02 dt 29.8.2016 – reduction of sale price by issuing credit note and passing central excise duty on reduction of price to buyer – eligible to claim refund of duty paid ( same analogy was used by SC in IFB Industries AC 2516-17/12 dt 27.2.12 (49 VST 1) in VAT issues) – reduction of sale price is to be reduced from sale price if reduction in the same year (CIT Vs Lakshmi Machine Tools 290 ITR 667) – other wise to claimed as deduction U/s 37(1) of IT if the reduction is crystallized in succeeding years – Target incentives do not fall under Business Auxiliary Services (CESTAT Mumbai Bench in Sharyu Motors in ST 213/2009 dt 29.9.215 2016 (43) STR 158)
2. Larsen & Toubro AC 2956/07 5.9.16 - value of the work entrusted to the sub-contractors or payments made to them shall not be taken into consideration while computing total turnover for the purposes of Section 6-B of the Karnataka Act (identical provision in AP and Telangana also)
3. A.R. Thermosets AC 2650/16 dt 6.9.16 clarification given by Commissioner - bitumen emulsion is an unclassified commodity – HC allowed appellants appeal – on revenue appeal; SC specified there is no change in the characteristics or identity of bitumen so as to transform bitumen into a new product having an identity, characteristic and use

### High Court

1. Smt. Kothamasu Nasamma WP 9629/15 dt 23.8.2016 - surety given limited to tax on estimated turnover specified at time of registration and tax dues in excess of surety may be recovered from partnership or partners in accordance with law.
2. Mohammadiya Educational Society YSR Kadapa Dist WP 31371/15 dt 20.4.16 [(2016) 4 ALD 44 “29.....To exercise such extraordinary remedy, the Court expects the person coming before it to be fair and frank in stating the facts which constitute cause of action to ventilate his grievance, leaving it to Court to decide whether relief can be granted and if so, what relief. Thus, the minimum that is required by petitioner, knocking the doors of the High Court under Article 226 of the Constitution, is to state the true and correct facts and project the grievance.....”

### GOs issued

G.O.MS.No.437 dt.19-09-16 - Amendments to the APVAT Rules - 17C. Treatment of Dealers who sells High Speed Diesel (HSD) and Furnace Oil to the foreign going International Ships - Declaration and Undertaking in Form VAT 501F, Copy of marine delivery receipt or bunker delivery note with other particulars in Register in Form VAT 501G, “18A. Manner of deduction of tax at source by the notified person/authority and other insertion in the rules

### Commissioner’s Circulars

1. CCT’s Ref.No. CCW/CS(1)/35/2016 dt 03-09-16 – DCTOs instead of CTOs are authorised to conduct advisory visits of dealers dealing in Hypersensitive and Sensitive commodities with effect from 30-08-2016.
2. CCT’s Ref.No. AI(1)/187/2016 dt:09-09-16 - Modification of format of existing Box 5 in VAT,CST and Advanced CST eWaybills – VAT way bill - 1 After Sale 2 After Purchase 3. From shop or godown or branch to another shop or godown or branch 4. To an agent 5. To his Principal 6. Imports from Airport/Seaport within the State 7. For Exports through Airport/Seaport within the State 8. Sending for Job work/Repair 9. Receiving after Job work/repair 10 Purchase returns 11.Sales returns 12.Van Sales CST way bill – 1. Interstate Sale 2.To the agent/nonresident principal 3.To the Branch 4.To Airport/Seaport in other State for export 5.Sending for Job work/Repairs/Service 6..Purchase returns Advance Way Bill 1.Interstate Purchase 2.From Branch outside the state 3.From nonresident Principal/ Agent outside the state 4.Import from Airport/Seaport in other State 5.Receiving goods for/after job work 6.Export returns 7..Sales returns

### DC Orders

1. R.D. Constructions & General Traders - Rc.No.179/2016, A9 dt 27.8.16 (DCO 393/16) – revised assessment to tax the goods purchased interstate and incorporated in works contract at normal rate not at the rate of composition – Incorporation of goods purchased interstate or imported (predetermined not to be taxed in Local VAT Act as per SC judgment in ABB Ltd – AC 2989-3008 of 2016 dt 5.4.16)
2. DCs revising the assessment orders accepting H Forms subsequent to assessment specifying H forms are to be filed up to assessment [arguable case exists (due to SC judgment in Hyderabad Asbestos Cement Production Limited (94 STC 410) – “We are unable to agree with the Revenue’s contention that because r. 12(7) speaks of “upto the time of assessment by the first assessing authority”-or for that matter the proviso to the said sub-rule-it excludes, by necessary implication, the appellate authorities.” )(additional evidence can be produced before Tribunal as per Tribunal regulations)]

### Punjab & Haryana HC

Om Shanti Steel Industries 92 VST 430 - VATAP No. 18/16 dt 16.3.16 - Transport of goods without proper documents- Goods receipt and invoices carried with goods- Finding that essential requirement that bill and goods receipt should accompany goods at the time of transport fulfilled and that goods covered by proper and genuine documents – Deletion of penalty by Tribunal justified

### Bombay HC

1. Neulife Nutrition System VAT Appeal 2/16 in 931/14 dt 6.5.16 (2016) 93 VST 132 Construction of taxing statutes – No outside interpretation when entry clear and equivocal. Construction of taxing statutes- Residuary entry to be resorted only when specific entry cannot cover goods in question ■

## Telangana VAT

Contributed by: **CA. Satish Saraf**, Hyderabad  
satish.saraf@icai.org

### Supreme Court

1. Ravi Prakash Refineries AC 4760/16 dt 3.5.16 (93 VST 441) The assessing officer in assessment allowed the concessional rate of tax under notification after verifying and accepting the C-Forms. Reassessment of tax at higher rate holding the goods are not covered by the notification. Mere change of opinion of the assessing officer is not permissible.
2. Indo Burma Petroleum Corporation AC 5103/16 dt.13.5.16 (93 VST 1) - The provisions to be given the normal and natural meaning keeping in mind the context, object and reasons for its enactment and incorporation

### High Court

GVPR Engineers Limited WP 17944/15 dt.21.4.16 (93 VST 258) Consequent upon the bifurcation of the State, any tax paid by the petitioner to the Government of Andhra Pradesh cannot be adjusted against the tax due to the Government of Telangana pursuant to an order of assessment passed under the Telangana Value Added Tax Act. .... The statutory obligation to file return and pay tax on value of goods at stage of incorporation in execution of works contract. The liability has no relation to receipt of consideration for the goods sold. The provision enabling the dealer to pay difference between tax as computed under rule 17(1)(e) and tax determined under rule 17(1)(d) at the time of finalization of accounts and it does not mean after completion of work.

### Tribunal

1. Usha Shiram (India) 29 TTR 13 - The Law is very clear that unless there is a specific plea of fraud etc., Corporate Veil cannot be lifted by the courts as a matter of routine. There was no allegation made before the lower authorities that the assessee had played fraud and there was a case for lifting corporate veil.
2. M+W Zander (S) Pte. Ltd 29 TTR 1 Assessment was made by the ACCT (Int.) and no officer below the rank of the ACCT has jurisdiction to undertake the reassessment. Since in this case the CTO (subordinate to AC (CT)) has made reassessment, it is evidently not valid

### Commissioner's Circulars

1. TSCCT's Ref Enft/B3/75/16 dt 10.6.16 – Circular Instructions in respect of inspection, audit and assessment given
2. CCT's Ref. No. CS(1)/18/2015, dt 29-06-16 - online monitoring tool is created to track all dealer requests/ queries

### JC Orders

Novo Agritech Limited - CCT's Ref.No.LIII(2)/117/2016 dt 2.9.16 JCO 106/16 – revised ADC orders accepting H Forms in appeal specifying H forms are to be filed up to assessment (against SC judgment in Hyderabad Asbestos Cement Production Limited (94 STC 410) – “We are unable to agree with the Revenue's contention that because r. 12(7) speaks of "upto the time of assessment by the first assessing authority"-or for that matter the proviso to the said sub-rule-it excludes, by necessary implication, the appellate authorities” )

### DC orders

Univercell Telecommunications - RR.No.D6/25` /2015 dt 3.9.16 – DCO 519/16 - Government vide Memo No. 10427/CT-II(1)/2013-5, dt. 20-09-2014 withdrew the Government Memo 10427/CT-II(1)/2013-14-4, dt. 17-05-2014 on clarification that mobile phones are taxable @4% / 5% - DC revised assessment orders imposing tax @14.5% creating demand of Rs43,42,80,309 (Mobile Phones fall in Transmission apparatus item no.39 of IV Schedule – arguable case exists) ■

## Kerala VAT

Contributed by: **CA. C. Seshadri Nadan**, Vadakkencherry  
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- ❖ W.P.(C). No.21576 of 2016: Honourable High Court had held that there is no mandate on the part of the assessing authority to accept compounding in all offences.
- ❖ W.P. (C) No. 19006 of 2016: Main contention in the appeal filed was the issue of limitation and the dealer was granted a conditional stay. In the writ petition filed against the order granting only a conditional stay, Honourable High Court held that when it is clear that the question of limitation is of primary importance and is liable to be considered, petitioner should not have been called upon to deposit any amount.
- ❖ WP (C). No. 15544 of 2016 (P): - Honourable Court had held that the stand of the Officer that the assessment would have become barred by limitation is not a sufficient ground to deny an opportunity to the petitioner and that in such an event, steps should have been taken much earlier to the date when the limitation occurs.
- ❖ WP(C). No. 31686 of 2013 (I), it is held that invoice in Form 8 may be raised for effecting sales on registered and unregistered dealers who purchase goods for resale and that authorities shall not detain the goods merely for the reason that the invoice form used is either Form 8 or Form 8B, as far as unregistered dealer is concerned.
- ❖ Circular 17 of 2016 is issued to implement the amnesty scheme for dealers holding PIN. Dealers who have not registered under the KVAT Act can also avail the scheme. Dealers eligible to opt for the scheme have to file their option on or before 30-11-2016. The option has to be in Annexure – I attached to the circular.
- ❖ Circular 18 of 2016 is issued explaining the various amendments introduced by Finance Bill 2016. ■

## Karnataka VAT

Contributed by: **CA. C.R. Dhavalagi**, Hubli  
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NOTIFICATION : ADCOM(I&C)/D/Misc/CR-142/16-17

Section 38(1) of the Karnataka VAT act 2003 provides that every dealer shall be deemed to have been assessed to tax based on return filed by him under Sec 35, Except in cases where the Commissioner may notify the dealer of any requirement of production of books of accounts before the prescribed authority in support of a return filed for any period and such authority shall proceed to assess such dealer-

- a) On the basis of the return filed, where he is satisfied that the return filed is correct and complete, or
- b) to the best of its judgment, where the return filed appears to be incorrect or incomplete, after giving the dealer an opportunity of showing cause against such assessment in writing & any additional tax assessed shall be paid within 30days from the date of service of such assessment on the dealer. Different industrial policies of the Govt. provide for incentives & concessions in the form of tax based loan or re-imburement of tax paid to new industrial units and also for additional investments made for expansion/ diversification/ modernization. Such industrial policies and certificates issued also provide that the industrial unit shall submit all the documents, accounts to the local VAT officer for audit particular period, will be considered for re-imburement from the dept.

The Commissioner of commercial taxes notified that every registered dealer who is an industrial unit claiming tax including tax exemption or tax based loan or re-imburement of tax paid under any of the industrial policies of the State Govt. shall be required to produce accounts of the return filed by him for all the tax periods during which he is claiming such tax incentives.

In exercise of the power conferred under Sec 38(1) of the Karnataka VAT Act 2003 read with Rule 45(a) of the Karnataka VAT Rule 2005, notified that the dealer listed in the table below is required to produce accounts, before the prescribed authority mentioned against the name of the dealer, in support of a return filed for any period of assessment by such authority:

Sl. No.	Name & Address of the Dealer	TIN	Prescribed authority
01	M/s. Fortune cotton and agro Industries, R/S 64/C, Gourampur Village, Haveri-581110	29480573212	ACCT, LVO-340,HAVERI

**NOTIFICATION :** ADCOM(I&C)/D.Sec/CR-134/16-17

In exercise of the power conferred under Sec 38(1) of the Karnataka VAT Act 2003 read with Rule 45(a) of the Karnataka VAT Rule 2005, notified that the dealer listed in the table below is required to produce accounts, before the prescribed authority mentioned against the name of the dealer, in support of a return filed for any period of assessment by such authority:

Sl. No.	Name & Address of the Dealer	TIN	Prescribed authority
01	M/s. Kalburgi Cement Pvt. Lts., (Formerly Vicat Saar Cements Pvt. Ltd.) Chatrasala, Chincholi Tq, Kalburgi Dist.	29220870466	VSO-522, Sedam

## Banking and Insurance

Contributed by: **CA. P.S. Narasimhan**, Chennai  
jandsca@gmail.com

RBI has come out with a set of guidelines on the aspect of sale of stressed assets by banks.

Banks are expected to evolve policies, procedures and norms for the purpose of selling such stressed assets to Securitisation Companies (SCs)/Reconstruction Companies (RCs). The policy, inter alia, is expected to cover the following aspects:

- i. Financial assets to be sold;
- ii. Norms and procedure for sale of such financial assets;
- iii. Valuation procedure to be followed to ensure that the realisable value of financial assets is reasonably estimated;
- iv. Delegation of powers of various functionaries for taking decision on the sale of the financial assets; etc.

RBI expects the policy to detail the method to be adopted by banks in identifying assets beyond a specified threshold. The active participation of Senior Management is called for identifying such stressed accounts (which may include Special Mention Accounts as well) which are to be sold. An early identification of such assets before they become difficult to dispose off, is suggested from the angle of easy disposal and better realization. This exercise is to be made by the banks fairly early in the financial year.

For a start, Board or a committee got by the Board should review all the

doubtful assets from the angle of possible sale. The reason for identifying them for sale or the decision to continue their existence in the books should be well documented.;

The banks may not only look at SCs and RCs as potential buyers but may cast their net wide to include other banks, FIs, NBFCs etc so that larger participation would provide them with better price.

Recommendation is for inviting publicly solicited bids preferably through e-auction platforms so as to ensure transparency and to enable the product to fetch a better price. A board approved policy is considered necessary in this regard.

Banks are expected to provide sufficient time for the prospective buyers to conduct due diligence.

Policy guidelines on cases which can be valued internally and those which require external valuation should be clearly spelt out. However, where the exposure is Rs 50 cr and beyond valuation reports by two external valuations are a must. The cost incurred for such valuations would be to the bank's account as the idea is to protect its interests.

Banks are expected to review their policies time and again and fine tune them so that ultimately workable and appropriate policies govern these transactions.

Having enabled the banks to sell their stressed assets, the Regulator intends restricting them from picking up Security Receipts backed by assets which in the first place they were instrumental in selling. Such SRs will come under rigorous provisioning norms and would require detailed disclosure in the financials.

The Regulator has recommended the adoption of Swiss Challenge Method for sale of stressed assets whereby, prospective buyers who have interest in specific assets can out bid the SCs/RCs and the banks disposing off the stressed assets would be the gainer.

The guidelines also encourage banks to buy stressed assets which later become Standard but this option comes with a rider that such a move will not cover stressed asset which the bank originally disposed off. Buy backs can only be after a specific time period of stable performance. Such a buy back should also be governed by a board approved policy containing various aspects governing such take over viz., type of assets that may be taken over, due diligence requirements, viability criteria, performance requirement of asset, etc.

## FEMA

Contributed by: **CA. G. Murali Krishna**, Hyderabad  
gmk@sbsandco.com

### I. Foreign Exchange Management (Transfer or Issue of Security by a Person Resident outside India) (Thirteenth Amendment) Regulations, 2016

In exercise of the powers conferred by clause (b) of sub-section (3) of Section 6 and Section 47 of the Foreign Exchange Management Act, 1999 (42 of 1999), the Reserve Bank of India hereby makes the following amendments in the Foreign Exchange Management (Transfer or issue of Security by a Person Resident outside India) Regulations, 2000 (Notification No. FEMA. 20/2000-RB dated 3rd May 2000) namely, by way of issuing RBI vide notification No.FEMA.375/2016-RB dated September 9th 2016.

#### 1. Short Title & Commencement:

- (i) These Regulations may be called the Foreign Exchange Management (Transfer or Issue of Security by a Person Resident



outside India) (Thirteenth Amendment) Regulations, 2016.

- (ii) They shall come into force from the date of their publication in the Official Gazette.

## 2. Amendment to Schedule 1

In Foreign Exchange Management (Transfer or Issue of Security by a Person Resident outside India) Regulations, 2000, (Notification No. FEMA 20/2000-RB dated 3rd May 2000), in Schedule 1, in Annex B, Paragraph F.8 shall be substituted by the following, namely:-

F.8	Other Financial Services		
	Financial Services activities regulated by financial sector regulators, viz., RBI, SEBI, IRDA, PFRDA, NHB or any other financial sector regulator as may be notified by the Government of India.	100 %	Auto-matic
F.8.1	Other Conditions		
	1. Foreign investment in 'Other Financial Services' activities shall be subject to conditionalities, including minimum capitalization norms, as specified by the concerned Regulator/Government Agency.		
	ii. 'Other Financial Services' activities need to be regulated by one of the Financial Sector Regulators. In all such financial services activity which are not regulated by any Financial Sector Regulator or where only part of the financial services activity is regulated or where there is doubt regarding the regulatory oversight, foreign investment up to 100% will be allowed under Government approval route subject to conditions including minimum capitalization requirement, as may be decided by the Government.		
	iii. Any activity which is specifically regulated by an Act, the <b>foreign investment limits</b> will be restricted to those levels/limit that may be specified in that Act, if so mentioned.		
	iv. Downstream investments by any of these entities engaged in "Other Financial Services" will be subject to the extant sectoral regulations and <b>provisions of Foreign Exchange Management (Transfer or Issue of Security by a Person Resident outside India) Regulations, 2000, as amended from time to time.</b> ■		

## Corporate Laws

Contributed by: **Dr. P.T. Girdharan**, Joint Director, ICAI, Chennai  
girdharan@icai.in

1. **Professional Opportunities:** The MCA vide its notification dated 9th September, 2016 has announced the rules called the Companies (Mediation and Conciliation) Rules, 2016. Accordingly, the MCA has empowered the Regional Directors(s) to prepare and maintain/update the Mediation and conciliation Panel of eligible experts in pursuance of rule 3 (1) of section 442 of the Companies Act, 2013 who are willing to be appointed as mediator or conciliator in the concerned Region. The Panel shall be placed on the website of the MCA until any other website is notified. The North Western Region, Ahmedabad, Gujarat invites applications from willing and eligible persons to be selected and included in the panel of experts as "Mediator or Conciliator" who may provide relevant services to parties as may be allowed by the Central Government or Tribunal (NCLT). Among list of experts, those who is or has been a professional for at least fifteen years of continuous practice as CA are eligible to apply. Application can be made online or in the physical

form on or before 8th November, 2016. For details please see MCA website ([www.mca.gov.in](http://www.mca.gov.in))

## 2. Companies (Management & Administration) Rules, 2014 amended to provide the following:

- All particulars relating to Register of Members maintained under the Companies Act, 1956 shall be transferred to the new register of the members in Form No. MGT- I.
- Every company which has which has listed its equity shares on a recognised stock exchange and every company having not less than one thousand members shall provide to its members facility to exercise their right to vote on resolutions proposed to be considered at a general meeting by electronic means. Nidhi or an enterprise or institutional investor under SEBI (ICDR) Regulations 2009 is not required to provide such facility to vote by electronic means.

3. **Relaxation of additional fees for filing Form IEPF - !:** As a onetime measure, for companies with due date for filing of the form- I – INV falling between the period 25th March, 2016 to 6th September, 2016, the companies may file the form IEPF – I without additional fees on or before 6th October, 2016.

4. **Designation of Special Court:** In exercise of the powers conferred by sub-section (1) of section 435 of the Companies Act, 2013 (18 of 2013), the Central Government hereby, with the concurrence of the Chief Justice of the High Courts of Chhattisgarh, Rajasthan, Punjab and Haryana, Madras and Manipur, designates the following Courts as Special Courts for the purposes of providing speedy trial of offences punishable with imprisonment of two years or more under the Companies Act, 2013.

5. **Schedule V amended:** The managerial remuneration payable by companies having no profit or inadequate profit without CG approval has been now revised in Schedule V of the Act, 2013 to provide the following:

Where the effective capital is	Limit of yearly remuneration payable shall not exceed (rupees)
(i) Negative or less than 5 crores	60 lakhs
(ii) 5 crores and above but less than 100 crores	84 lakhs
(iii) 100 crores and above but less than 250 crores	120 lakhs
(iv) 250 crores and above	120 lakhs plus 0.01% of the effective capital in excess of Rs. 250 crores.

The above limits shall be doubled if a special resolution passed by the shareholders.

6. Some more sections of the Act, 2013, notified: In exercise of the powers conferred by sub-section (3) of section 1 of the Companies Act, 2013 (18 of 2013), the Central Government hereby appoints 9th September, 2016 as the date on which the provisions of section 227, (Legal advisers and bankers not to disclose certain information), clause (b) of sub-section (1) of section 242, clauses (c) and (g) of sub-section (2) of section 242, (Powers of Tribunal (NCLT), section 246 (application of certain provisions to proceedings under section 241 or 245) and sections 337 to 341- Penalty for frauds by officers (to the extent of their applicability for section 6), of the said Act shall come into force. (vide notification dated 9th September, 2016. ■

## SEBI

Contributed by: **CA. VMV. Subba Rao**, Nellore  
vmvsr@rediffmail.com

CIR/IMD/DF1/69/2016

August 10, 2016

To All recognized Stock Exchanges

All Registrars to an Issue and Share Transfer Agents registered with SEBI All Depositories,

Dear Sir / Madam,

**Sub: Standardization and Simplification of Procedures for Transmission of Securities**

1. With a view to make the process of transmission of securities more efficient and investor friendly, Securities and Exchange Board of India had issued a circular no. CIR/MIRSD/10/2013 dated October 28, 2013.
2. Pursuant to various investors requests and complaints from the investors with regard to the clarification of certain points mentioned in clause 2 of the Annexure- A to the aforesaid circular dated October 13, 2013, SEBI decided to modify clause 2 of the said Annexure - A. The modified Annexure is enclosed with this circular.
3. All the stock exchanges are directed to make necessary amendments, wherever applicable, to the listing agreements for listing of various securities.
4. The depositories are directed to make necessary amendments, wherever applicable, to the relevant byelaws/ rules and regulations/ circulars in this regard.
5. The circular is issued in exercise of powers conferred under Section 11(1) of the Securities and Exchange Board of India Act, 1992, to protect the interests of investors in securities and to promote the development of, and to regulate the securities markets and shall be complied with at the earliest and not later than 45 days from the date of issue of the circular.
6. This circular is available on SEBI website (www.sebi.gov.in) under the categories "Legal Framework" and "Circulars".

Yours faithfully,

Medha Sonparote

Deputy General Manager

Tel.No: 022-26449312

E-mail id:medhad@sebi.gov.in

**ANNEXURE A**

**Documentary requirement for securities held in physical mode**

1. For securities held in single name with a nominee:
  - i. Duly signed transmission request form by the nominee.
  - ii. Original or Copy of death certificate duly attested by a Notary Public or by a Gazetted Officer.
  - iii. Self attested copy of PAN card of the nominee. (Copy of PAN card may be substituted with ID proof in case of residents of Sikkim after collecting address proof)
2. For securities held in single name without a nominee, the following additional documents may be sought:
  - a.) Affidavit from all the legal heirs made on appropriate non judicial stamp paper – to the effect of identification and claim of legal ownership to the securities.

Provided that in case the legal heir(s)/claimant(s) is named in the succession certificate or probate of will or will or letter of administration, an affidavit from such legal heir/claimant(s) alone would be sufficient.

- b) For value of securities upto ` 2,00,000 (Rupees Two lakh only) per issuer company as on date of application, one or more of the following documents:
  - i. Succession certificate or probate of will or will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925.
  - ii. In the absence of the documents as mentioned at (i) above,
    - a. A No objection certificate [NOC] from all legal heir(s) executed by all the legal heirs of the deceased holder not objecting to such transmission (or) copy of Family Settlement Deed duly notarized and
    - b. An Indemnity bond made on appropriate non judicial stamp paper – indemnifying the STA/Issuer Company.
- c) For value of securities more than ₹2,00,000 (Rupees Two lakh only) per issuer company as on the date of application:

Succession certificate or probate of will or will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925. ■

## Central Excise and Service Tax

Contributed by: **CA. G. Saravana Kumar**, Madurai  
casaravanan.82@gmail.com

**1. Clarification regarding scope of exemption on "Renting of precincts of a religious place meant for General public"** Circular No 200/10/2016-ST dated 06th September, 2016

- SI.No. 5(a) of Mega exemption notification no 25/2016-ST dated 20.06.2012 exempts following service

"Services by any person by way of (a) renting of precincts of a religious place meant for general public, owned or managed by an entity registered as a charitable or religious trust under section 12AA of the Income-tax Act, 1961 (hereinafter referred to as the Income-tax Act), or a trust or an institution registered under sub clause (v) of clause (23C) of section 10 of the Income-tax Act or a body or an authority covered under clause (23BBA) of section 10 of the Income-tax Act;"

- The word precinct has not been defined in the notification and hence difficulty arises in interpreting the scope of the said exemption. The circular seeks to clarify the scope of the word precinct.
- Circular quotes two important judgments in support of its clarification.
- Decision of Bangalore CESTAT in the case of in the case of "CCE, Mangalore Vs. Dakshina Kannada Mogaveera Mahajana Sangha [2010 (17) S.T.R. 258 (Tri.- Bang.)]" has been quoted. It was held after perusing the photographs of the temple complex that since the entire temple complex and marriage hall were enclosed by a boundary wall, the marriage hall was within the precincts of the temple and thus eligible for benefit of Notification No. 14/2003-Service Tax.
- Hon'ble Supreme Court ruled in the case of "South Eastern Coalfield Ltd. Vs. Commissioner of Customs and Central Excise, Madhya Pradesh [2006 (200) E.L.T. 357 (S.C.)]", that the word 'precincts' has

to be given the broader meaning and not the narrower meaning. The word 'precinct' in the exemption notification No. 63/1995-Central Excise dated 16.03.1995 was interpreted by the Hon'ble Apex Court to mean the surrounding region or area, as defined in Collins English Dictionary or the surroundings or environs of a place as defined in the New Shorter Oxford English Dictionary.

- Besides the circular refers various dictionary meaning of the word "Precincts". "The area that surrounds a building or place, especially one with a wall around it."-Cambridge English dictionary. "The immediate neighborhood of a palace or court." – Black's Law dictionary.
- In view of above judgments, it is clarified in that field formations may not take a restricted view of the word 'precincts' and consider all immovable property of the religious place located within the outer boundary walls of the complex (of buildings and facilities) in which the religious place is located, as being located in the precincts of the religious place. The immovable property located in the immediate vicinity and surrounding of the religious place and owned by the religious place or under the same management as the religious place, may be considered as being located in the precincts of the religious place and extended the benefit of exemption under Notification No. 25/2012-Service Tax, Sl. No. 5(a) dated 20.6.2012. ■

## WORK DISPOSAL POSITION

The position of disposal of various matters relating to Members and Students of Regional Office, Chennai as on 27.09.2016 is as under:

Particulars	Disposal of records received up to 27.09.2016
<b>Members</b>	
Enrolment of Members	16.09.2016
Fellow Admission	22.09.2016
Grant of COP	22.09.2016
Restoration of Name	22.09.2016
Constitution of Firms	22.09.2016
Reconstitution of Firms	23.09.2016
Paid Assistant	23.09.2016
Change of Address – Members	22.09.2016
Change of Address – Firms	23.09.2016
<b>Students</b>	
Registration of Articles	12.09.2016
Re-registration of Articles	19.09.2016
Industrial Training	22.09.2016
Termination of Articles	19.09.2016
Completion of Articles	22.09.2016
Permission to pursue Other Courses	19.09.2016
Despatch of Materials – CPT	17.09.2016
Despatch of Materials – IPCC	15.09.2016
Despatch of Materials – ATC	15.09.2016
Despatch of Materials – Final	19.09.2016
Despatch of Materials – ITT	02.09.2016

## The Chairman & Members of the The Southern India Regional Council of The Institute of Chartered Accountants of India

*cordially invite you to the*

### 9th V.SANKAR AIYAR MEMORIAL LECTURE

on Friday the 21<sup>st</sup> October 2016 at 6:15 p.m.

at **P. Brahmaya Memorial Hall**  
"ICAI Bhawan", 122 Mahatma Gandhi Road  
Nungambakkam, Chennai – 600 034

### Dr. VIJAY KELKAR

**Chairman, National Institute of Public Finance and Policy**

*has kindly consented to deliver the Memorial Lecture on*

### FISCAL REFORMS IN A FEDERAL FRAMEWORK

CA. E. Phalgun Kumar

Chairman, SIRC of ICAI

CA. Jomon K. George

Secretary, SIRC of ICAI

CPE Credit: 2 Hours

High Tea: 05.30 pm

## IPCC & FINAL COACHING CLASSES

FOR MAY 2017 EXAMINATION

COMMENCES ON 18TH NOVEMBER 2016  
(DURATION – 4 MONTHS)

### TIMINGS

Days	Group-I	Group-II
Monday to Saturday	6.30 a.m. to 09.30 a.m.	5.30 p.m. to 8.30 p.m.
On Sundays and Holidays	6.30 a.m. to 5.00 p.m. (for both the batches) (There is no weekend batches)	

### FEES

Groups	IPCC	FINAL
Group I	Rs.7,500/-	Rs.10,500/-
Group-II	Rs.6,000/-	Rs.10,500/-
Both Groups	Rs.11,000/-	Rs.18,000/-

The application forms for IPCC & Final coaching classes are available at SIRC office.

Registration can be done through online at  
<http://sircofcaai.org/Batches/batches.aspx>

The registration will be on  
'first come first served basis'

**Last Date of  
Enrolment:  
17th November  
2016**

\* The batch will commence subject to minimum no. of enrolment

### For further information and registration

Please contact SIRC Office Phone: 044-30210380  
Email-id : [sircclasses@icai.in](mailto:sircclasses@icai.in), Website: [www.sircofcaai.org](http://www.sircofcaai.org)

### DISCLAIMER

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

## Five Days Workshop on Basics in Transfer Pricing

CPE Credit  
**20**  
Hours

Venue: P. Brahmayya Memorial Hall, ICAI Bhawan, Chennai-34

Date: October 17 – 21, 2016 Day: Monday - Friday Timings: 4.30 pm – 8.30 pm

**Delegate Fees : For Members: 3000; For Non-Members: 4500**

Topics	Resource Person
<b>Day 1- Monday 17.10.2016</b>	
Introduction to Transfer Pricing	CA. Vikram R, Chennai
Concept of Associated Enterprises	CA. Sriram, Chennai
<b>Day 2 – Tuesday 18.10.2016</b>	
Profit Split Method	CA. Srinivasan, Chennai
Resale Price Method	CA. Sriram, Chennai
<b>Day 3 – Wednesday 19.10.2016</b>	
Comparable Uncontrolled Price Method	CA. Guruprasad, Chennai
Cost Plus Method	CA. Hari Prasad, Chennai
<b>Day 4 – Thursday 20.10.2016</b>	
Transaction Net Margin Method	CA. Jatini, Chennai
Documentation Requirements for Transfer Pricing Study	CA. Soumitro, Chennai
<b>Day 5 – Friday 21.10.2016</b>	
How to analyse B/S and arrive at Comparables - Practical Transfer Pricing Study	CA. Yasser, Chennai
Safe Harbour Rules, Important Case Laws and Trends in Assessments	CA. Sivam S, Chennai
<b>Online Registration: <a href="http://www.sircoficai.org">www.sircoficai.org</a></b>	
CA. E. Phalguna Kumar Chairman, SIRC	CA. Cotha S Srinivas Chairman, International Taxation Committee, SIRC
	CA. Jomon K George Secretary, SIRC

### REPORT ON BLOOD DONATION CAMP CONDUCTED BY SIRC AND ITS BRANCHES

As part of CA Day Celebrations and Social Cause, SIRC and its branches have conducted Blood Donation Camp.

At SIRC, more than 170 volunteers have donated blood.

30 Branches of SIRC have conducted the Blood Donation Camps. More than 1297 volunteers have donated blood and around 1114 units of blood were collected.

SIRC continues to serve the humankind in all possible ways.....

### SIRC ANNOUNCEMENT

SIRC is having a surplus banner cloth which was used for 66 km banner event held last year. NGOs, Philanthropic institutions and members of the Institute who would like to refer such institutions involved in serving the poor may approach SIRC office for getting the cloth at **free of cost** for the use of the poor people.

The persons interested may contact Mr. Rahman Ali, Sr. Executive Officer at Phone : 044 30210362 or email at [sircnewsltr@icai.in](mailto:sircnewsltr@icai.in)

CA. E. Phalguna Kumar  
Chairman SIRC

## One Day Seminar on Service Tax

CPE Credit  
**6**  
Hours

Venue: P. Brahmayya Memorial Hall, ICAI Bhawan, Chennai-34

Date: Saturday, October 15, 2016 Time: 10.00 am to 5.00 pm

**Delegate Fees : Pre-Registration: Rs.900; Spot Registration: Rs.1000**

Topics	Speakers
Definition of Service and its taxability, Point of Taxation & Place of Provision of Service with reference to GST	CA. Vijay Anand, Chennai
Negative List and Exemptions	CA. V. Alagappan, Trichy
Provisions and Rules relating to Construction & Works Contract	CA. G. Saravana Kumar, Madurai
Reverse Charge, Joint Charge Point of Taxation Rules	CA. J. Balasubramanian, Madurai
<b>Online Registration: <a href="http://www.sircoficai.org">www.sircoficai.org</a></b>	
CA. E. Phalguna Kumar Chairman, SIRC	CA. Adusumilli Venkateswara Rao Chairman, Indirect Taxes Committee, SIRC
	CA. Jomon K George Secretary, SIRC

CPE Credit  
**4**  
Hours

## International Study Tour to Dubai



Day & Date	Indicative Itinerary
Tuesday, January 3, 2017, Afternoon	Departure to Dubai & Arrival at Dubai, Check in at Hotel
Wednesday, January 4, 2017	<p><b>Panoramic city tour of Dubai</b></p> <p>Experience the historic sites and vibrant cosmopolitan life of Dubai on a comprehensive sightseeing tour. Your excursion begins with stop at Dubai's most famous landmark, the Burj Al Arab hotel. The unique billowing sail design of this world-renowned luxury hotel is a must-see for all visitors to Dubai. You'll then proceed to Jumeirah, Dubai's picturesque palace and residential area that's also home to the famous Jumeirah Mosque. The tour then continues to Al Bastakiya, Dubai's atmospheric old quarter by the Creek. Here, you'll visit Dubai's famous museum housed in the former Al Fahidi Fort.</p>
Thursday, January 5, 2017	<p><b>Desert Safari by 4WD including BBQ Dinner</b></p> <p>Later in the afternoon, take a drive of your lifetime, as you proceed on a Desert Safari tour. Drive in a 4x4 to the interiors of the desert, experiencing the unique thrills of a roller-coaster ride over the sand dunes. The tour takes a break at the sand dune to take in the breath-taking beauty of the setting sun. You can take camel rides, enjoy a Sheesha, feast on a true Arabic BBQ dinner, and scintillate your senses by watching belly dancing, a fascinating dance choreographed to the beats of Arabic music.</p>
Friday, January 6, 2017	<p><b>Shopping at Dubai!! Indulge in a full day of shopping.</b></p> <p>From the glitter of the world's largest gold souk to the most futuristic of malls the world has ever seen, Dubai's array of shopping opportunities is unparalleled. Branded as the 'shopping capital of the Middle East' and a bargain hunter's haven, the city attracts shopaholics from all over the globe</p> <p><b>CPE Programme of 4 Hours by Eminent Resource Person</b></p>
Saturday, January 7, 2017	<p><b>Embark on a unique sightseeing experience.</b></p> <p>A spectacular tour that takes you to the most exclusive waterfront developments in the region - The Palm Jumeirah - with attractions such as the unique residential areas, the Atlantis Hotel and more.</p>
Sunday, January 8, 2017	Departure to Chennai with Sweet Memories

**Members desirous of joining the Tour may give their Contact details to SIRC office at [sirc@icai.in](mailto:sirc@icai.in) / [sircppe@icai.in](mailto:sircppe@icai.in). Details regarding the Tour and Costs will be intimated later. Departure From & Arrival at Chennai International Airport. Tour itinerary may change. Participation fees and other details will be hosted in SIRC website : [www.sircoficai.org](http://www.sircoficai.org)**

### OBITUARY

S.No.	MRN	Name	Status	Place	Date of Death
1	003399	MR. SUBRAMANIAN RAMACHANDRA	FCA	SECUNDERABAD	23-07-2016
2	008348	MR. VAIDYANATHAN R	ACA	CHENNAI	21-12-2011
3	008908	MR. RANGA RAO R	FCA	CHENNAI	15-07-2016
4	008984	MR. RAMAKRISHNAN S	FCA	TIRUPUR	30-07-2016
5	009704	MR. DHANVANT PATIL	FCA	KALABURAGI	19-08-2016
6	010092	MR. RAMAMOORTHY L R S	FCA	MADURAI	03-05-2016
7	011188	MR. MUNNUR S KRISHNA BHAT	FCA	MANGALURU	10-06-2016
8	018233	MR. SESHAGIRI RAO V N	FCA	CHENNAI	27-06-2016
9	024440	MR. RAMANNA K	FCA	BENGALURU	27-04-2015
10	027952	MR. VENKATESWARA RAO K	FCA	CHENNAI	29-06-2016
11	032144	MR. MADHUSUDAN R	FCA	BENGALURU	10-06-2016
12	213610	MR. SRINIVASAN G	FCA	CHENNAI	16-06-2016

*May the Almighty Architect of the Universe rest the souls in peace.*

# TWO DAYS SEMINAR ON FEMA

CPE Credit

9

Hours

Under the Auspices of Committee on Banking, Insurance and Pension of SIRC, Professional Development Committee of SIRC, Continuing Professional Education Committee of SIRC and Committee for Members in Industry of SIRC.

Day & Date: Monday & Tuesday, October 31 & November 1, 2016

Venue: ICAI Bhawan, Chennai

Day -1 – Monday – 4.00 pm to 8.00 pm – Dinner 8.00 pm onwards

Day -2 – Tuesday – 3.30 pm to 8.30 pm – Dinner 8.30 pm onwards

Delegate Fees: 1500/-

Technical Sessions	Resource Persons
➤ Borrowing & Lending in FC & INR	CA. PVRS Prasad*, Hyderabad
➤ FDI - Real Estate Policy & Retail Trade	CA. Muralikrishna, Hyderabad
➤ Exports & Import of Goods & Services	CA. P. Venkatesan, Chennai
➤ eBiz – G2B Portal – Practical Issues	CA. Adv. K. Ramesh, Chennai
➤ FATCA – CRS Declaration – Practical Issues	CS. S. Dhanapal, Chennai
➤ Recent Developments under FEMA	Shri Venkatachalapathy, General Manager, RBI
➤ Q&A and Panel Discussion	Shri K. Ramesh*, Assistant General Manager, RBI

\* Confirmation Awaited.

Online Registration: [www.sircoficai.org](http://www.sircoficai.org)

CA. E. Phalgun Kumar Chairman, SIRC	CA. Gopal Krishna Raju Chairman, Committee on Banking, Insurance and Pension of SIRC	CA. Jomon K. George Secretary, SIRC
CA. China Masthan Thalakyala Chairman, Professional Development Committee of SIRC	CA. Dungan Chand U Jain Chairman, Continuing Professional Education Committee of SIRC	CA. K. Jalapathi Chairman, Committee for Members in Industry of SIRC

# ONE DAY SEMINAR ON TRANSFER PRICING - *Made Easy*

CPE Credit

6

Hours

Under the Auspices of International Taxation Committee of SIRC of ICAI

Day & Date: Thursday, November 3, 2016

Time: - 10.00 a.m. to 5.30 p.m.

Venue: ICAI Bhawan, Chennai

Delegate Fees: 1500/-

Technical Sessions	
Transfer Pricing documentation – “FAR” reaching Impact <ul style="list-style-type: none"> <li>• Functions, Assets and Risks for Taxpayer and Associated Entity</li> <li>• Understanding different types of ‘Characterisation’ and applicability while selecting Most Appropriate Method/Tested Party</li> </ul> Carrying out economic analysis (under TNMM method) <ul style="list-style-type: none"> <li>• Carry entire search process on one database (Prowess)</li> <li>• Discussion on use of quantitative and qualitative filters while selecting comparable companies, along with key comparability criteria</li> </ul>	CA. Tejas Dharwadkar, Pune
Transfer Pricing Methods – specific issues and benchmarking specific transactions <ul style="list-style-type: none"> <li>• Imports • Exports • Benchmarking of royalty • Management service charges</li> </ul> Transfer Pricing Litigation – Practical aspects, DRP experience, Use of safe harbor, APA Country by Country Reporting and BEPS	CA. Akshay Kenkre, Pune

Online Registration: [www.sircoficai.org](http://www.sircoficai.org)

Delegate fee by way of Cash or by Cheque / DD drawn in favour of ‘SIRC of ICAI’ payable at Chennai shall be sent to SIRC of ICAI, ICAI Bhawan, No.122, Mahatma Gandhi Road, Nungambakkam, Chennai – 600034.

Phone: 044-30210320; Fax: 044-30210355; Email: [sirc@icai.in](mailto:sirc@icai.in)

CA. E. Phalgun Kumar Chairman, SIRC	CA. Cotha S. Srinivas Chairman, International Taxation Committee, SIRC	CA. Jomon K. George Secretary, SIRC
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# 48th Regional Conference of SIRC of ICAI

Tuesday & Wednesday - December 6th & 7th, 2016

Venue: Sri Venkateswara Veterinary University Grounds, Tirupati-517502

## SPONSORSHIP OPPORTUNITIES

### Facilities offered to EVENT SPONSOR in Lakhs 25.00

Event Sponsorship will give visibility to your organization, your product and to services offered by you. Your organization will be named as the primary sponsor of the 48th Regional Conference of SIRC of ICAI at Tirupati. You can display your company logo in the prominent place of the Conference. The inaugural session of the Conference is expected to be widely covered by both print and electronic media and will give cutting edge for your brand and organization.

1. Backdrop sponsorship of the main stage at conference hall.
2. Premium Exhibition stall at the venue
3. Two full page colour advertisement in the souvenir.
4. Three banners outside the conference hall.
5. Permission to distribute pamphlets and brochures to the delegates on both days.
6. Complementary registration of 10 delegates for the Conference.
7. Company promotional literature can be placed in the Conference Kits.

### Facilities offered to JOINT EVENT SPONSOR in Lakhs 20.00

Joint event Sponsorship will give visibility to your organization, your product and to services offered by you. Your organization will be named as the Joint sponsor of the 48th Regional Conference of SIRC of ICAI at Tirupati. You can display your company logo in the prominent place of the Conference. The inaugural session of the Conference is expected to be widely covered by both print and electronic media and will give cutting edge for your brand and organization.

1. Side backdrop sponsorship of the main stage at conference hall.
2. Premium Exhibition stall at the venue
3. Two full page colour advertisement in the souvenir.
4. Two banners outside the conference hall.
5. Permission to distribute pamphlets and brochures to the delegates on both days.
6. Complementary registration of 5 delegates for the Conference.
7. Company promotional literature can be placed in the Conference Kits.

### Facilities offered to PLATINUM SPONSOR in Lakhs 15.00

Your organization will be named as one of the special sponsors of the 48th Regional Conference of SIRC of ICAI at Tirupati. The inaugural session of the Conference is expected to be widely covered by both print and electronic media and will give cutting edge for your brand and organization.

1. Sponsorship at the bottom portion of the stage facing delegates of the conference hall.
2. Premium Exhibition stall at the venue
3. One full page colour advertisement in the souvenir.
4. Two banners outside the conference hall.
5. Permission to distribute pamphlets and brochures to the delegates.
6. Complementary registration of 5 delegates for the Conference.

### Facilities offered to DIAMOND SPONSOR in Lakhs 10.00

Your organization will be named as one of the special sponsors of the 48th Regional Conference of SIRC of ICAI at Tirupati. Your logo will feature prominently at the site of the Conference. The inaugural session of the Conference is expected to be widely covered by both print and electronic media and will give cutting edge for your brand and organization.

1. Backdrop sponsorship at the main stage Cultural evening.
2. Exhibition stall at the venue
3. One full page colour advertisement in the souvenir.
4. One banners outside the conference hall.
5. Permission to distribute pamphlets and brochures to the delegates.
6. Complementary registration of 3 delegates for the Conference.

Event Sponsor Opportunities	In lakhs
1st Day Lunch	10.00
1st Day Dinner	10.00
1st Day Cultural Programme	10.00
2nd Day Breakfast	5.00
2nd Day Lunch	5.00

Other Sponsor Opportunities	In lakhs
Delegates Pen drive 8 GB	7.00
Delegates Folder	3.00
Delegates Pad	2.00
Delegates Pen	2.00
Delegates Memento	15.00

Advertising Opportunities in Souvenir	In Cms	In lakhs
Back Cover - Colour	28x21	3.00
Inside Cover - Colour - Front	28x21	1.00
Inside Cover - Colour - Back	28x21	1.00
Inside Cover - Colour - Full	28x21	0.20
Inside Cover - Colour Half Page	28x21	0.10

Exhibition Stalls at the Venue	In lakhs
Premium Stall	2.5x2.5 m 1.00
Banners 6' x 2.5' - in the Dining hall	Per Banner 0.10

### ENQUIRIES:

In view of a Mega event happening at the most happening place – TIRUPATI, we would like to bring to your notice a perfect opportunity for Brand showcasing. A sea of professionals (minimum 3000 Chartered Accountants are anticipated) getting together on a single forum will definitely be the choice of any dynamic enterprise to showcase its brand image. Be part of the Conference to get the maximum mileage.

Further details about Sponsorship Opportunities can be obtained from:

**CA.E. Phalguna Kumar**  
Chairman, SIRC  
Mobile: 9441886303  
E-mail: sircchairman@icai.in  
ephalguna@gmail.com

**CA. Adusumilli Venkateswara Rao**  
Regional Council Member, SIRC  
Mobile: 9246539689, 970323397  
E-mail: adusumilli\_v@yahoo.com  
cmd@adusumilligroup.com

**Dr. T. Paramasivan**  
Joint Director (Tech.)  
Mobile: 8056011449  
E-mail: tparamasivan@icai.in



## 48<sup>th</sup> REGIONAL CONFERENCE OF SIRC OF ICAI

CPE Credit  
**12**  
HRS

Hosted by: **Tirupati Branch of SIRC of ICAI**

Tuesday & Wednesday - December 6th & 7th, 2016

Venue: Sri Venkateswara Veterinary University Grounds, Tirupati-517502

### PROGRAMME SCHEDULE

#### Day - 1 - Tuesday, December 6, 2016

<b>8.00 am</b>	<b>Registration</b>	
<b>10.00 am</b>	<b>Inaugural Session: Inaugural Address by Eminent Dignitary</b>	
<b>11.00 am</b>	<b>Technical Session - 1</b> Ind AS- Transition & Implementation Challenges	<b>CA. P.R. Ramesh</b> Secunderabad
<b>1.00 pm</b>	<b>Lunch</b>	
<b>2.00 pm</b>	<b>Special Session</b> Stress Management for Professionals	<b>Pujya Gnanavatsal Swami</b> Bochasanwasi Akshar Purushotham Swaminarayana Sanstha
<b>3.00 pm</b>	<b>Technical Session - 2</b> India's Resilience to sail through Global Turbulence	<b>CA. T.N. Manoharan,</b> Past President, ICAI
<b>4.00 pm</b>	<b>Technical Session - 3</b> Transfer Pricing Law- Recent Changes	<b>CA. Padam Chand Khincha</b> Bangalore
<b>6.00 pm</b>	<b>Entertainment Session</b>	
<b>8.30 pm</b>	<b>Dinner</b>	

#### Day - 2 - Wednesday, December 7, 2016

<b>8.00 am</b>	<b>Breakfast</b>	
<b>10.00 am</b>	<b>Technical Session - 4</b> GST- New Taxation Regime	<b>Shri. Parthasarathi Shome*</b> Former Adviser for Finance Minister, Govt. of India
<b>1.00 pm</b>	<b>Lunch</b>	
<b>2.00 pm</b>	<b>Technical Session-5</b> Companies Act 2013 - Practical Approach	<b>Shri. Kushroo B Panthaky</b> Mumbai
<b>3.30 pm</b>	<b>Technical Session - 6</b> Real Estate Development Agreements	<b>CA. Dr. Girish Ahuja</b> New Delhi
<b>5.00 pm</b>	<b>Thanks Giving Session</b>	

\* Confirmation Awaited

**Delegate Fee: Members - Rs.3500/- Non Members - Rs.5250/-**

**PLEASE AVOID SPOT REGISTRATIONS**

**For Complete Details and Online Registration**

**Please visit : [www.sircoficai.org](http://www.sircoficai.org)**

**Note: Optional Tirumala Balaji Special Darshan has been arranged through a few CA Volunteers at Tirupati. Registered Delegates may approach them at Mobile Nos.: 9014981271, 8465847697; E-mail: [ca.pradeepgv@gmail.com](mailto:ca.pradeepgv@gmail.com) for details**