

**The Institute of Chartered Accountants of India**

(Set up by an Act of Parliament)



# Bangalore Branch of SIRC Newsletter

English Monthly

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ಕನ್ನಡ ರಾಜ್ಯೋತ್ಸವದ  
ಶುಭಾಶಯಗಳು

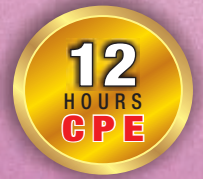
Two Day CPE Conference

*Jnana Sangama*

A CONFLUENCE OF KNOWLEDGE



Saturday **15th** &  
Sunday **16th November 2014**



**Jnana Jyothi Convention Centre**  
Near Mysore Bank Circle, Bangalore



**07.11.2014 & 08.11.2014**  
National Conference on  
**International Taxation**



**05.12.2014 & 06.12.2014**  
Two Day Workshop on  
**New Regime of Companies Act**  
& Relevant aspects of  
**KVAT & VAT Audit**

CPE - November 2014  
**56**

# Chairman's Communique . . .



**ಅತ್ತೀಯ ಗೆಳೆಯರೇ,**

ಕನ್ನಡ ರಾಜ್ಯೋತ್ಸವವು ಪ್ರತಿ ವರ್ಷದ ನವೆಂಬರ್ 1 ರಂದು ಆಚರಿಸಲಾಗುತ್ತದೆ. ಕನ್ನಡಿಗರ ರಾಜ್ಯ ಅಸ್ತಿತ್ವಕ್ಕೆ ಬಂದಿದ್ದು 1956ರ ನವೆಂಬರ್ 1 ರಂದು ಭಾರತ ಸರ್ಕಾರ ಭಾಷೆಗಳ ಆಧಾರದ ಮೇಲೆ ರಾಜ್ಯಗಳನ್ನು ಮರುವಿಂಗಡನೆ ಮಾಡಿದ್ದರಿಂದ ವಿಶಾಲ ಮೈಸೂರು ರಾಜ್ಯ ಉದಯವಾಯಿತು. ಮುಂದೆ ರಾಜ್ಯದ ಹೆಸರು ಕರ್ನಾಟಕ [ನವೆಂಬರ್ 1, 1973ರಲ್ಲಿ] ಎಂದಾಯಿತು. ಕನ್ನಡ ಒಂದು ದಕ್ಷಿಣ ದ್ರಾವಿಡ ಭಾಷೆ.

ಸಾರ್ವಜನಿಕವಾಗಿ ರಾಜ್ಯೋತ್ಸವವನ್ನು ಒಂದು ಸುಂದರ ಹಬ್ಬದ ಸಂಭ್ರಮವಾಗಿ ಆಚರಿಸಿಕೊಂಡು ಬಂದಿದ್ದೇವೆ. ಕನ್ನಡದ ಸಾಹಿತಿಗಳಾದ ಕುವೆಂಪು, ದ.ರಾ.ಬೇಂದ್ರೆ, ಚಂದ್ರಶೇಖರ ಕಂಬಾರ, ಮಾಸ್ತಿ ವೆಂಕಟೇಶ್ ಅಯ್ಯಂಗಾರ್, ಯು.ಆರ್. ಅನಂತಮೂರ್ತಿ, ಗಿರೀಶ್ ಕಾರ್ನಾಡ್, ಶಿವರಾಮ ಕಾರಂತ, ವಿನಾಯಕ ಕೃಷ್ಣ ಗೋಕಾಕ್, ಈ ಕಾವ್ಯ ಸಾಹಿತಿಗಳು, ಕಾವ್ಯ ಸಾಹಿತ್ಯದಲ್ಲಿ ಕನ್ನಡ ಭಾಷೆಗೆ 8 ಜ್ಞಾನಪೀಠ ಪ್ರಶಸ್ತಿಗಳನ್ನು ದೊರಕಿಸಿಕೊಟ್ಟಿದ್ದಾರೆ. ಇದು ಕನ್ನಡ ಭಾಷೆಗೆ ಹೆಮ್ಮೆಯ ವಿಷಯ. ಹಲ್ಮಿಡಿ ಕನ್ನಡ ಭಾಷೆಯಲ್ಲಿ ಪ್ರತ್ಯೇಕವಾಗಿ ಪರಿಚಿತ ಉತ್ತಮ ಪುರಾತನ ಶಾಸನ. ಡಾ|| ಡಿ.ವಿ. ಗುಂಡಪ್ಪ 1943ರಲ್ಲಿ ಬರೆದ “ಮಂಕುತಿಮ್ಮನ ಕಗ್ಗ” ಎಂಬ ಕೃತಿಯು ಉತ್ತಮ ಕನ್ನಡ ಪ್ರಮುಖ ಕೃತಿಗಳಲ್ಲಿ ಒಂದು ಮೇರುಕೃತಿ ಎಂದು ಭಾವಿಸಲಾಗುತ್ತದೆ ಮತ್ತು ಕನ್ನಡದ “ಭಗವದ್ಗೀತೆ” ಎಂದು ಕರೆಯಲಾಗುತ್ತದೆ.

ಹಲವು ಮಹಾಸಾಮ್ರಾಜ್ಯಗಳು ಹಾಗೂ ರಾಜವಂಶದವರು ಕರ್ನಾಟಕವನ್ನು ಆಳಿದರು ಮತ್ತು ಕರ್ನಾಟಕ ಇತಿಹಾಸ, ಸಂಸ್ಕೃತಿ ಹಾಗೂ ಬೆಳವಣಿಗೆಗೆ ಕಾರಣರಾಗಿದ್ದಾರೆ. ಕರ್ನಾಟಕ ಮೂಲದ ಸಾಮ್ರಾಜ್ಯಗಳ ಪ್ರಭಾವ ಭಾರತದ ಎಲ್ಲಾ ಭಾಗಗಳಲ್ಲೂ ಮಾಡಲಾಗಿದೆ. ಕನ್ನಡ ರಾಜ್ಯೋತ್ಸವ ಆಚರಣೆ ಕನ್ನಡಿಗರಿಗೆ ಭಾವನಾತ್ಮಕ ಸಂದರ್ಭ. ಕನ್ನಡ ಕೀರ್ತಿಯನ್ನು ರಾಷ್ಟ್ರಮಟ್ಟದಲ್ಲಿ ಮೆರೆಸಬೇಕು. ಇದೇ ನಮ್ಮ ದೇಶ ಸೇವೆ.

**“ಸಿರಿಗನ್ನಡಂ ಗೆಲೈ, ಸಿರಿಗನ್ನಡಂ ಬಾಳ್ಗೆ”**

**ಕನ್ನಡ ರಾಜ್ಯೋತ್ಸವದ ಶುಭಾಶಯಗಳು.**

## **The Month to Remember – October 2014**

3<sup>rd</sup> October 2014– **Ayudha Pooja** was performed at the Branch and Members and many students participated.

**An awareness programme on advantages of LLP over Pvt Ltd Companies** conducted on 9<sup>th</sup> Oct 2014, was well received by the members. We sincerely thank Sri Keethi Tej and Susheel Kumar ROC Officials who have taken time off from their office to share their expertise in the above programme. I also thank **CA Venkatesh Babu** past Chairman of Bangalore Branch who has taken initiative to conduct this awareness programme.

**Two day National Conference on New Companies Act** held on 17<sup>th</sup> & 18<sup>th</sup> Oct 2014 was also a grand success. We always remain grateful to the renowned speaker and CA Ravi Prasad co-ordinator of the programme with whose support the programme was conducted in most befitting manner. We appreciate all our members for their active participation.

On 19<sup>th</sup> October, supporting our **Hon'ble Prime Minister Sri Narendra Modi ji, Swachh Bharat-** the clean India Drive, as a corporate social responsibility of CAs, we Bangalore branch organised a clean India Campaign, near by our branch wherein more than 200 CA students & members participated and was well appreciated by the public. Our beloved **president K Raghu** also participated in this campaign, despite his busy schedule.

## **The Month ahead November 2014**

**CA Exams** – The students will be appearing for examination in November. On behalf of Bangalore Branch and my colleagues in the Managing committee, I wish them all the best. Hope these young budding CAs will become members of our glorious profession very soon.

Apart from study circle meeting we have organised many programmes for the benefit of our members and thus we can say an eventful month ahead.

## **National Conference on International Taxation on 7<sup>th</sup> & 8<sup>th</sup> November 2014 at Taj Vivanta, Bangalore**

As we know, because of liberalization of Indian Economy, we have attracted multinational corporates to India and hence the cross border transactions resulted in greater complexity in taxation laws. The International Taxation, being one of the core competent areas of professional practice, this conference is being organised which will be of immense value to our members.

## **CPE Conference –Jnana Sangama A Confluence of Knowledge on 15<sup>th</sup> & 16<sup>th</sup> November 2014 at Jnana Jyothi Convention Centre, Palace Road, Bangalore**

To sustain the quality of any professional updation is inevitable and as we CAs play a pivotal role in the domestic and international business environment for the economic growth of our great nation. we have to continuously enhance our professional skills. Hence this Jnana Sangama will be a Sangama of knowledge by the deliberations by our eminent speakers at the conference. Hence members are requested to make use of the great event and get benefited.

**National Summit on Networking for the Practioners of SMPs**, the hall mark of true professional is updation of knowledge and networking will enable us to exchange our views and ideas for the improvement of our profession. Hence this National Summit on Networking for the practioners of SMPs organised by committee for capacity building for CA Firms and SMPs will pave way in enlightening many areas of our practice. We thank Dr. Sambit Kumar Sharma who is instrumental in conducting the said Summit at Bangalore. We also thank CA N Venkatachalam, the co-opted member who has come forward to assist us to conduct this programme.

We are happy to inform you that a Research Committee has been formed to gear up for the implementation of new areas by SIRC of ICAI and a subgroup has been formed at Bangalore with the support of our expert resource persons of Bangalore on Indirect Taxes, Direct tax and companies Act. We have planned to conduct a series of study circle to have deliberations and inviting the views/suggestions/comments of the members on the topics of research

It is the ardent endeavour of Bangalore branch to disseminate the knowledge amongst the Members to improve the quality of our profession. I sincerely request all members to participate in all the programme to be abreast with the recent amendments in different fields of our profession. **I also would like to remind the members to acquire CPE credit as per the guidelines of ICAI before 31<sup>st</sup> Dec 2014** In this era of rapid changes in technology trade and industrial environment, we members should consider updation of knowledge as supreme, maintaining high standards of professional services, upholding the quality of our glorious profession.

With Best Wishes,

**CA. Babu K Thevar**  
Chairman

## CALENDAR OF EVENTS - NOVEMBER & DECEMBER 2014

Date/Day	Topic /Speaker	Venue/Time	CPE Credit
31.10.2014 Friday to 02.11.2014 Sunday	<b>Second Residential Seminar on International Taxation</b> <i>Hosted by Bangalore Branch of SIRC of ICAI</i> <i>Organised by International Taxation Committee of SIRC</i>	The Golden Palms Hotel & Spa, Golden Palms Avenue, Makali, B'lore	<b>14 hrs</b>
05.11.2014 Wednesday	Applying Audit Professional Judgement <b>CA Ramachandran M</b>	Branch Premises 6:00pm to 8:00pm	<b>2 hrs</b>
07.11.2014 Friday & 08.11.2014 Saturday	<b>National Conference on International Taxation</b> <i>Delegate Fees : Members: ₹ 4,000/- upto 6th Nov 2014</i> <i>Spot Registration: ₹ 5,000/- On 7th Nov 2014</i> <i>Non Members: ₹ 10,000/- + Service Tax</i> <i>Details at Page No: 5</i>	Taj Vivanta, MG Road, Bangalore 09:30am to 5:30pm	<b>12 hrs</b>
12.11.2014 Wednesday	KVAT Audit -Changes in Form 240 - Changes & Issues <b>CA Annapurna Kabra</b>	Branch Premises 6:00pm to 8:00pm	<b>2 hrs</b>
14.11.2014 Friday	<b>CFO Meet</b>  <i>Details at Page No: 4</i>	Le Meridian Sankey Tank Road, Bangalore 5.30pm to 8.30pm	<b>2 hrs</b>
15.11.2014 Saturday & 16.11.2014 Sunday	<b>CPE Conference Jnana Sangama - A Confluence of Knowledge</b> <i>Delegate Fees: Members: ₹ 2,200/- upto 14th Nov 2014</i> <i>Spot Registration: ₹ 2,500/- On 15th Nov 2014</i> <i>Non Members: ₹ 6,000/- +Service Tax,</i> <i>Details at Page No: 11</i>	Jnana Jyothi Convention Center, Palace Road, Bangalore	<b>12 hrs</b>
19.11.2014 Wednesday	Emerging opportunities under Companies Act 2013 <b>CA P. R. Suresh</b>	Branch Premises 6:00pm to 8:00pm	<b>2 hrs</b>
26.11.2014 Wednesday	Place of provision of Service Rules 2012 <b>CA Madhur Harlalka</b>	Branch Premises 6:00pm to 8:00pm	<b>2 hrs</b>
29.11.2014 Saturday	<b>National Summit on Networking for the practioners of SMPs</b> <i>Organised by Committee for Capacity Building for CA Firms &amp; SMPs</i> <i>Hosted by Bangalore Branch of SIRC of the ICAI</i> <i>Delegate Fees : Members: ₹ 850/- upto 28th Nov 2014</i> <i>Spot Registration : ₹ 1000/- on 29th Nov 2014</i>	API Bhawan, Millers Tank Bed Area Next to PTI, Near by Bangalore Branch, 9:30am to 5:30pm	<b>6 hrs</b>
29.11.2014	<b>Analysis of Karnataka Commercial Tax, Entry Tax, Luxuries Tax, Professional Tax and other Acts and Companies Act 2013 audit action points</b> <i>Delegate Fees: ₹ 250/-</i> <i>Details at Page No: 25</i>	TDCAA Building, Near Sreeraj Theater, Srinagar, Tumkur. 9.30am to 5.30pm	<b>6 hrs</b>
02.12.2014 Tuesday	GST - Transition provisions - Discussion on Service Tax & Excise Law, VAT & Entry Tax Law	Branch Premises 6:00pm to 8:00pm	<b>2 hrs</b>
03.12.2014 Wednesday	ESOP Scheme - Accounting and disclosure as per ICAI Guidance Note <b>CA Suresh Balachandran</b>	Branch Premises 6:00pm to 8:00pm	<b>2 hrs</b>

**Note: For all programmes High Tea shall be provided 30 minutes prior to the start of the programme at the respective venue.**

### Advertisement Tariff for the Branch Newsletter

Colour full page		Inside Black & White	
Outside back	₹ 30,000/-	Full page	₹ 15,000/-
Inside back	₹ 24,000/-	Half page	₹ 8,000/-
		Quarter page	₹ 4,000/-

**Advt. material should reach us before 22nd of previous month.**

Editor : **CA. Babu K. Thevar**  
Sub Editor : **CA. Pampanna B.E.**

Disclaimer: The Bangalore Branch of ICAI is not in anyway responsible for the result of any action taken on the basis of the articles and advertisements published in the newsletter. The views and opinions expressed or implied in the Branch Newsletter are those of the authors and do not necessarily reflect that of Bangalore Branch of ICAI.



## CALENDAR OF EVENTS - DECEMBER 2014

Date/Day	Topic /Speaker	Venue/Time	CPE Credit
05.12.2014 Friday & 06.12.2014 Saturday	<b>Two Day Workshop on New Regime of Companies Act &amp; Relevant aspects of KVAT &amp; VAT Audit</b> <i>Delegate Fees: Early bird ₹ 1,000/- upto 4th Dec 2014, Spot Registration ₹ 1500/- on 5th Dec 2014 Delegate Fee for One day - ₹ 600/- Spot Registration for one day ₹ 750/-</i> Details at page No: 6	Branch Premises 9:30am to 5:30pm	<b>12 hrs</b>
09.12.2014 Tuesday	GST - Transition provisions - Discussion on Service Tax & Excise Law, VAT & Entry Tax Law	Branch Premises 6:00pm to 8:00pm	<b>2 hrs</b>
10.12.2014 Wednesday	Post Search Assessment Alternative Mechanism for Post search Assessment through Settlement Commission <b>CA R Ramakrishnan</b>	Branch Premises 6:00pm to 8:00pm	<b>2 hrs</b>

The Institute of Chartered Accountants of India

### 8th Corporate Accountants Meet at Bangalore

On **Friday, 14th November 2014** at 6.30 pm to 9.30 pm

at **Hotel Le Meridien**, Sankey road, Bangalore

Organised by **Committee for Members in Industry of ICAI**

Hosted by **Bangalore Branch of SIRC of ICAI**

CHIEF GUEST

**CA K Raghu**

Hon'ble President, ICAI

**2 hrs  
CPE**

**Members on Changing Role and Challenges of CFO  
in Current scenario of CA Profession**

Addressed by

**CA Rostow Ravanan**

Executive Director and CFO Mind Tree Ltd

Followed by *Dinner*

**CA. Tarun Ghia**

Chairman

CMII, ICAI, New Delhi

**CA S Prakash Chand**

Co-opted Member, CMII, ICAI, New Delhi

Co-ordinator

**CA Babu K Thevar**

Chairman

Bangalore Branch of SIRC of ICAI

**CA Pampanna BE**

Secretary

Bangalore Branch of SIRC of ICAI

**Registration restricted to 200 Members on First Come First Serve Basis**

**NO FEES**

For Registration Contact:

**Mr. Jagadish Kumar N.S.**, Assistant Secretary

**080 - 30563541 / 42, Email – [dcobangalore@icai.org](mailto:dcobangalore@icai.org) / [blrprogrammes.icai.org](http://blrprogrammes.icai.org)**



# National Conference on International Taxation

On 7th and 8th November, 2014

Venue: **Taj Vivanta**, M G Road, Bangalore

12 hrs  
CPE

Organized by  
Committee on International Taxation, ICAI

Hosted by  
Bangalore Branch of SIRC of ICAI

DAY 1 – FRIDAY 7TH NOVEMBER, 2014	
08.30 am	Registration
09.00 am	INAUGURATION
10.15 am	Tea Break
10.30 am	Global Trends in Tax Policy and Tax Administration <b>Dr. Parthasarathi Shome</b> <i>Chairman, Tax Administration Reforms Commission, New Dehli</i>
12.00 noon	Case Studies in International Taxation <b>CA. Pinakin Desai</b> , <i>Mumbai</i>
01.30 pm	Lunch Break
02.15 pm	Highlights of Research Paper on Fees for Technical Services <b>CA. H. Vishnumurthy</b> , <i>Bangalore</i>
02.30 pm	Taxation of Non-Corporate Entities <b>CA. H. Padamchand Khincha</b> , <i>Bangalore</i>
4.00 pm	Tea Break
4.15 pm	Tax and Financial Reporting Requirements for US Citizens <b>CA. P. V. Srinivasan</b> , <i>Bangalore</i>

DAY 2 – SATURDAY 8TH NOVEMBER, 2014	
09.30 am	Taxation of Digital Commerce <b>Mr. Arvind Datar</b> , <i>Chennai</i> <i>Senior Advocate, Supreme Court</i>
11.00 am	Tea Break
11.15 am	Challenges in International Taxation - 'Is BEPS the Game Changer' <b>Shri. Pramod Kumar</b> <i>Member, ITAT</i>
12.45 pm	Highlights of Research Paper on Transfer Pricing <b>CA. Gurunath N Kanathur</b> , <i>Bangalore</i>
1.00 pm	Lunch Break
1.45 pm	Divergence in Judicial Trend in International Taxation <b>CA. K K Chythanya</b> <i>Advocate, Bangalore</i>
3.15 pm	Tea Break
3.30 pm	Transfer Pricing-Economic Adjustments <b>CA. Narendraj Jain</b> , <i>Bangalore</i>

Conference Chairman:

**CA. K. Raghu**

*President, ICAI*

Conference Co-Chairman:

**CA. Nihar N. Jambusaria**

*Chairman, Committee on International Taxation, ICAI*

Conference Director:

**CA. Babu K. Thevar**

*Chairman, Bangalore Branch of SIRC of ICAI*

Conference Coordinator:

**CA. Gurunath N. Kanathur**

## DELEGATE FEES:

Members: ₹ 4,000/- upto 6th Nov 2014,

Spot Registration: ₹ 5,000/- on 7th Nov 2014,

Non Members: ₹ 10,000/- + Service Tax

Cash / Cheque in favour of

**"Bangalore Branch of SIRC of ICAI"**

For further details please contact: **Ms. Geetanjali D.**

Tel: 080-30563500 / 3513, Email: [blrregistrations@icai.org](mailto:blrregistrations@icai.org)

**"Online Registration Available"**

Visit our website: [www.bangaloreicai.org](http://www.bangaloreicai.org)



## Two Day Workshop on

# New Regime of Company's Act Relevant Aspects of KVAT & VAT Audit

on Friday, 5<sup>th</sup> December 2014 & Saturday, 6<sup>th</sup> December 2014  
at **Bangalore Branch of SIRC of the ICAI**  
16/O, "ICAI Bhawan", Miller Tank Bed Area, Vasanthnagar, Bangalore -560052

**12 hrs**  
**CPE**

DAY 1 FRIDAY 05.12.2014	
Timings	Topics / Speakers
9.30am	OVERVIEW OF THE PROGRAM
10.00am	I TECHNICAL SESSION Issues & Approach to Depreciation – Revised Paradigm <b>CA Gururaj Acharya, Bangalore</b>
11:30am	TEA BREAK
11:45am	II TECHNICAL SESSION Private Limited companies-A new regime <b>CA Sripriya Kumar, Chennai</b>
1:15pm	LUNCH BREAK
02:00pm	III TECHNICAL SESSION Revision Warranted in Guidance Notes and Other Publications of ICAI Post Companies Act 2013 <b>CA Ravi Prasad, Bangalore</b>
03:30pm	TEA BREAK
3:45pm	IV TECHNICAL SESSION Professional Opportunities in Companies Act 2013 <b>CA Jomon K George</b> <i>Chariman - SICASA, SIRC, Chennai</i>

DAY 2 SATURDAY 06.12.2014	
Timings	Topics / Speaker
09:30am	INTRODUCTION SESSION
10.00am	I TECHNICAL SESSION Overview of VAT <b>CA Annapurna Kabra, Bangalore</b>
11:30am	TEA BREAK
11:45am	II TECHNICAL SESSION VAT Audit – 240 - Works Contracts issues <b>Mr. Maniyar, Bangalore</b>
1:15pm	LUNCH BREAK
2:00pm	II TECHNICAL SESSION VAT 240 –Forms, Certification and issues <b>CA N R Badrinath, Bangalore</b>
3:30pm	TEA BREAK
3:45pm	IV TECHNICAL SESSION Input Tax Credit – Special & Partial Rebating <b>CA Deepak Kumar Jain, Bangalore</b>

**CA Babu K Thevar**

*Chairman*

*Bangalore Branch of SIRC of ICAI*

**CA P R Suresh**

*Co-ordinator*

*Chairman-Research Committee of SIRC of ICAI*

**CA Pampanna B.E**

*Secretary*

*Bangalore Branch of SIRC of ICAI*

### DELEGATE FEES:

EARLY BIRD ₹ 1,000/- upto 4th Dec 2014, SPOT REGISTRATION ₹ 1,500/- on 5th Dec 2014  
Delegate Fees for One day - ₹ 600/- Spot Registration for one day - ₹ 750/-

*Cash / Cheque /DD in favour of "Bangalore Branch of SIRC of ICAI" payable at Bangalore*

*For Further details please contact*

**Ms. Geethanjali D. Tel: 080-30563500/511/512/513**

E-mail: [blrregistrations@icai.org](mailto:blrregistrations@icai.org)

[www.bangaloreicai.org](http://www.bangaloreicai.org)

# International CA Students Conference at Bangalore

## "PRARAMBH" - A Kickstart to Excellence

Organized by  
Board of Studies, ICAI

Hosted by  
Bangalore Branch of SIRC of ICAI &  
SICASA - Bangalore

On 27<sup>th</sup> & 28<sup>th</sup> December 2014 at Christ University Auditorium, Bangalore.

DAY 1 - 27 <sup>TH</sup> DECEMBER 2014, SATURDAY	
8:45am	REGISTRATION
10:00am	INAUGURAL SESSION <b>Chief Guest</b> <i>An eminent personality*</i> <b>Guest of Honour</b> <b>CA K Raghu</b> , <i>President, ICAI</i> <b>CA Manoj Fadnis</b> , <i>Vice President, ICAI</i>
11.30am	BREAK
11:45am	I Technical Session : <b>Service Tax</b> – <b>CA. Sunil Ghabawaala</b> , <i>Mumbai</i> ✧ Concept of Service, Definition, Inclusions and Exclusions ✧ Place of Provision of Service Rules
1:00pm	LUNCH BREAK
2:15pm	I Special Session : <b>Health Session</b>
3:00pm	II Technical Session: <b>Taxation</b> – <b>CA. Girish Ahuja</b> , <i>New Delhi</i> ✧ TDS-Section 194IA- Concept and Issues ✧ Taxation of Capital Gains and Issues Thereunder
4:15pm	BREAK
4:30pm	III Technical Session: <b>Accounting Standards</b> – <b>CA. M.P. Vijay Kumar</b> , <i>Chennai</i> ✧ Revenue based Accounting Standards - AS7 and AS9 ✧ SA700 (Rev) - Modified Audit Opinion - With case studies
6:15pm	CULTURAL PROGRAMMES
8:15pm	DINNER

(\*confirmation awaited)

DAY 2 - 28 <sup>TH</sup> DECEMBER 2014, SUNDAY	
8:15am	II Special Session : <b>Motivational Session</b> - <b>CA. Vinay Mruthyunjaya</b> ✧ <b>Rahul Dravid*</b> ✧ <b>IPCC First Rank Holder</b> ✧ <b>Final First Rank Holder*</b>
10:30am	IV Technical Session: <b>International Taxation</b> – <b>CA.T.P. Ostwal</b> , <i>Kolkata</i> ✧ International Taxation - Residence Principle vs. Source Principle ✧ Meaning of 'International Transaction' with regard to Transfer Pricing
11:45am	BREAK
12:00pm	III Special Session- <b>Interactive Session with BOS</b> <b>CA. Devraja Reddy</b> - <i>Chairman, BOS</i> <b>CA. Prafulla Premeek Chhajed</b> , <i>VC, BOS</i>
1:15pm	LUNCH BREAK
2:30pm	V Technical Session: <b>Companies Act (Debate)</b> – <b>CA. Vijay Raja</b> , <i>Bangalore</i> ✧ Is it better to be a partnership than a Company under the new Companies Act 2013 ✧ To be or not to be - An auditor in the company
3:45pm	BREAK
4:00pm	IV Special Session - <b>Quiz</b>
5:15pm	VALEDICTORY SESSION

<b>CA. M. Devaraja Reddy</b>	Conference Chairman
<b>CA. Prafulla Premeek Chhajed</b>	Conference Co-Chairman
<b>CA. Babu K Thevar</b>	Chairman – B'lore Branch
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# TAX UPDATES - SEPTEMBER 2014

CA. Chythanya K.K., B.Com, FCA, LL.B., Advocate



## VAT, CST, ENTRY TAX, PROFESSIONAL TAX

### PARTS DIGESTED:

- 73 VST – Part 4 & 5
- 74 VST – Part 1 & 2
- 19 KCTJ – Part 6

#### Reference / Description

**[2014] 73 VST 476 (Mad.): State of Tamil Nadu v. Lucky Dyeing Works-**

In the instant case the Honourable Madras High Court held that usage of dyes and chemicals purchased on inter-State transactions, in the job work of dyeing of yarn would amount to sale taxable under Section 3B of the Tamil Nadu General Sales Tax Act 1959.

*With respect, it is noted that if dyes and chemicals get consumed in the course of execution of works contract, there is no transfer of property in goods taking place. In such case, there is no warrant for levy of tax.*

## INCOME TAX

### PARTS DIGESTED:

- 366 ITR – Part 4 & 5
- 367 ITR – Part 1 to 3
- 224 Taxman – Part 6
- 225 Taxman – 1, 2 & 5
- 32 ITR (Trib.) – Part 5
- 33 ITR (Trib.) – 1 to 4
- 149 ITD – Part 4 & 6
- 46-A CAPJ – Part 6
- 11 International Taxation – Part 3

#### Reference / Description

**[2014] 367 ITR 1 (Delhi – HC):**

**Radials International v. Asst. CIT-** In the instant case the Assessing Officer held that the profit from sale of share invested through a portfolio management scheme is taxable as business income.

The Honourable Delhi High Court observed that the investment was undertaken by the Assessee with its own surplus funds and not from borrowed funds, secondly, nothing emerged from the terms of the agreement that the intention of investors was to make profits, thirdly, the holding period for a majority of the transactions was substantial.

In view of the above, the Court held that the profit from sale of share invested through a portfolio management scheme is not taxable as business income.

**[2014] 224 Taxman 203 (Guj. – HC)**

**(Mag.); 45 taxmann.com 159 (Guj. – HC): CIT v. Panorama Builders (P) Ltd.** - In the instant case the Honourable Gujarat High Court held that the provisions of Section 292BB is only confined to service of notice and does not apply to issuance of notice.

Further, the Court held that provisions of Section 292BB are prospective nature and not retrospective. In other words, the Court held that provisions

of Section 292BB do not apply to pending proceedings.

**[2014] 225 Taxman 8 (Delhi – HC);**

**46 taxmann.com 317 (Delhi – HC): CIT v. Cushman and Wakefield (India) (P.) Ltd.** - In the instant case the Honourable Delhi High Court held that the Transfer Pricing Officer does not have authority to state that Assessee did not benefit from the services rendered by the Associated Enterprises. It also held that the TPO cannot determine the existence or otherwise of a transaction which role is exclusively of the assessing officer.

However, the Court held that after considering the facts of the case the Transfer Pricing Officer has the authority to state that the arms' length price is 'nil' given that an independent entity in a comparable transaction would not pay any amount.

*With respect, it is noted that the aforesaid decision misses the reality. If the TPO cannot determine the existence or otherwise of a transaction, his action of determining ALP of such transaction is superficial. He would be carrying out FAR in respect of a transaction existence of which will hinge on what AO decides much later.*

**[2014] 225 Taxman 131 (Karn. –**

**HC); 43 taxmann.com 295 (Karn. – HC): CIT v. Bharatiya Samskruti Vidyapith Trust** - In the instant case



the Honourable Karnataka High Court dealing with the expression 'specific direction' under Section 11 of the IT Act, held as under:

- a) Though the words 'specific directions' is used, the legislature consciously has not used the word 'in writing'.
- b) In the absence of any writing, only means to find out as to what is the specific direction can be gathered by considering how the recipient of the amount has accounted for it.
- c) In the instant case the Assessee has accounted the receipt as the amount received towards building funds and thereafter a separate account is maintained for the said amount.
- d) From the above, it could be inferred that there is a 'separate direction' by the donor.

Further the Court held, it may be possible that, the aforesaid provision may be abused and unaccounted monies could be converted into corpus fund without furnishing the particulars of persons who are contribution and to avoid tax liability to have benefit of exemption, but that is a question of fact. The Court has to decide on the material available on record, whether the said provision is abused in the aforesaid manner or not.

**[2014] 225 Taxman 198 (All. – HC); 46 taxmann.com 447 (All. – HC): Rakesh Kumar Gupta v. UOI** - In the instant case Honourable Allahabad High Court held refund of tax cannot be denied to the Assessee on the ground that there was mismatch between details furnished by the

Assessee and details shown in Form 26AS uploaded by the deductor.

The Court found the deductor in the instant case was a Government Department. Further, it found that the Assessing Officer had not made any efforts to verify fact as to whether deductor had made payment of TDS in government account. Therefore, it held that it was the duty of the Assessing Officer to verify whether or not deductor had made payment of TDS in government.

Hence, the Court held that in the instant case, there was no fault on part of the Assessee and was eligible for refund along with interest, since delay in refunding amount was attributable solely with Income Tax Department.

**[2014] 225 Taxman 202 (Mad. – HC); 45 taxmann.com 559 (Mad. – HC): Dishnet Wireless Ltd. v. Asst. CIT** - In the instant case Assessee had been directed to deposit a certain sum as tax demand immediately by Commissioner (Appeals). Department hastily proceeded to recover said sum from assessee though time limit of 60 days to prefer appeal before Tribunal had not expired.

The Honourable Madras High Court held that the department should not take any coercive steps for recovery against assessee, till expiry of period of limitation for filing an appeal against the order of the Commissioner (Appeals).

**[2014] 32 ITR (Trib.) 652 (Ahmedabad): Motif India Infotech P. Ltd. v. Asst. CIT** - In the instant case the Honourable Ahmedabad Tribunal dealing with Section 92C(4)

of the IT Act held as under:

- a) Where the income derived from international transactions is exempt from tax in India, it cannot be alleged that the Assessee had arranged its affairs in such a manner so as to show lesser taxable income in India, but it can be alleged that the Assessee has arranged its affairs in such a manner so as to reflect more exempt income in India.
- b) In a case where international transaction entered into by assessee with AEs is giving rise to exempt income in hands of assessee, it is to be benchmarked with ALP determined in accordance with provisions of Transfer Pricing to ensure that no excess exempt income is disclosed by assessee and assessee is entitled for exemption under Section 10A of total income determined as per Transfer Pricing Provisions only
- c) Where assessee has claimed more exempt income, then exemption under section 10A shall be allowed in accordance with profit compared as per ALP only

Applying the aforesaid principles, the Tribunal observed that in the instant case Assessee's income from business was exempt under section 10A. When exempt income declared by Assessee was benchmarked with ALP determined in accordance with provisions of Transfer Pricing, it was found that Assessee had declared lesser exempt income.

In view of the above, the Tribunal held that since taxable base in India



was not eroded, any adjustment with exempt income of assessee should not be made as per provisions contained in Chapter X of Act.

**[2014] 149 ITD 339 (Chennai – Trib.); 41 taxmann.com 81 (Chennai – Trib.): Dr. K. Premraj v. Dy. CIT** - In the instant case as per Professional Collaboration Agreement, Assessee doctor ceased to carry on his profession under name and style of 'Prem's Eye Clinic'. A new entity was formed by name and style of 'Vasan Eye Care Hospital Associate Partner of Prem's Eye Clinic'. Assessee agreed to transfer his existing clientele to new entity. In lieu of transferring his reputation and goodwill, collaborator agreed to pay Rs. 3.50 crore to Assessee.

The Learned Assessing Officer treated the lumpsum receipt as capital receipts and determined long term capital gain after granting exemption under Section 54EC of the Act. The same was accepted by the Assessee also.

However, the point of difference between the contention of the Assessee and the view of the Assessing Officer was that the Assessee was treating the capital receipts, received in the course of profession different from the one received during business, whereas, the Assessing Officer was of the view that business and profession are one and the same and the capital receipts on the sale of goodwill to be taxable under the provisions of Section 55(2) of the IT Act.

The Honourable Chennai Tribunal held as under:

a) It could be safely construed that

business and profession are two different streams and treatment had to be given differently in case the statute provides for taxing any income under the head 'business' only.

- b) A perusal of section 55(2)(a) would show that the term used in the Act is business.
- c) Be that as it may, the income arising out of sale of goodwill in case of 'profession' relates to the personal competence of the 'professional'. In profession, goodwill is gained by an individual from his personal skill and experience which he gains over the period of time.
- d) The sale of goodwill in the present case resulted in generation of capital receipts in the hands of the assessee out of his profession and as such did not come within the ambit of the provisions of section 55(2)(a).

Thus, the Tribunal directed the Assessing Officer to delete the addition made on account of Long Term Capital Gains from goodwill.

**[2014] 149 ITD 357 (Mum. – Trib.); 42 taxmann.com 154**

**(Mum. – Trib.): Asst. CIT v. Nandlal Tolani Charitable Trust** - In the instant case the Honourable Mumbai Tribunal held that a charitable trust claiming exemption under Section 11(1)(a), it is only expenditure incurred to earn rental income, i.e. repairs, municipal taxes, etc. which has to be allowed as deduction. Therefore, it held that Assessee's claim for standard deduction under Section 24(a) cannot be allowed.

It further held that donation made by one charitable trust to another charitable trust would entitle donor-trust to claim exemption qua application of income under Section 11(1) even if donation is towards corpus of done-fund.

**Advt.**

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**Day 1 : Saturday, 15th November 2014**

Time	Topics / Speakers
08:30 AM	Registration
09:00 AM to 10:00 AM	<b>INAUGURAL SESSION</b> <b>Chief Guest:</b> <b>Shri D. V. Sadananda Gowda</b> <i>Hon'ble Central Minister for Indian Railways, Government of India.</i> <b>Guest of Honour:</b> <b>CA. K. Raghu</b> <i>President, ICAI</i> <b>CA. P.V. Rajarajeswaran</b> <i>Chairman, SIRC of ICAI</i>
10:00 AM to 11:30 AM	<b>I TECHNICAL SESSION</b> <b>Recent Controversies in Assessment of Charitable Trust</b> <b>Dr. CA. N. Suresh, Bangalore</b>
11:30 AM	Tea Break
11:45 AM to 01:15 PM	<b>II TECHNICAL SESSION</b> <b>Domestic Transfer Pricing</b> <b>CA. K. K. Chytanya, Bangalore</b>
01:15 PM	Lunch Break
02:00 PM to 03:30 PM	<b>III TECHNICAL SESSION</b> <b>Assessment of builders and developers with reference to Capital Gains</b> <b>CA. Vimal Punmiya, Mumbai</b>
03:30 PM	Tea Break
3:45 PM to 5:15 PM	<b>IV TECHNICAL SESSION</b> <b>Joint Development Agreement - Precautions to be taken by CAs</b> <b>CA. A. Shankar, Bangalore</b>
	<b>ENTERTAINMENT PROGRAMME</b> <i>Followed by Theme Dinner with family</i>

**Day 2 : Sunday, 16th November, 2014**

Time	Topics / Speakers
09:00 AM to 10:00 AM	<b>SPIRITUAL SESSION</b> <b>Shri Vishvesha Tirtha Swamiji</b> <i>Udupi, Pejavar Mutt</i>
10:00 AM to 11:30 AM	<b>V TECHNICAL SESSION</b> <b>Service Tax - CENVAT Credit Rules, Amendments, Issues &amp; Case Studies</b> <b>Shri V. S. Datey, Pune</b> <i>Leading book Author</i>
11:30 AM	Tea Break
11:45 AM to 1:15 PM	<b>VI TECHNICAL SESSION</b> <b>Recent Developments in KVAT Act &amp; Precautions to be taken by CAs</b> <b>CA. S. Venkataramani</b> <i>Bangalore</i>
1:15 PM	Lunch Break
2:00 PM to 3:30 PM	<b>VII TECHNICAL SESSION</b> <b>Indian Economy - present scenario</b> <b>Dr. Subramanian Swamy</b> <i>Former Commerce Minister, Govt. of India &amp; National BJP Leader, Chennai</i>
3:30 PM	Tea Break
3:45 PM to 5:15 PM	<b>VIII TECHNICAL SESSION</b> <b>Importance of New Companies Act</b> <b>CA. P. V. Srinivasan</b> <i>Bangalore</i>

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# RECENT JUDICIAL PRONOUNCEMENTS IN INDIRECT TAXES



CA. N.R. Badrinath, Grad CWA, FCA & CA. Madhur Harlalka, B.Com., FCA

## SERVICE TAX

### 1. Main contractor remitted service tax - sub-contractor not liable to pay service tax:

The Tribunal has held that the assessee engaged in providing commercial construction service in the capacity of sub-contractor is not liable to pay service tax in the event the tax on the said transaction is remitted by the main contractor. Accordingly, dismissing the appeal filed by the Revenue, it is held that the assessee is entitled to refund service tax paid in terms of Notification No. 1/2006 dated 01.03.2006 on the service provided to main contractors. The Tribunal placed reliance on the decision in the case of Sunil Hi-Tech Engineers reported in 2014-TIOL-541-CESTAT-MUM. [Commissioner of Central Excise, Pune-III Vs. M/s Akruti Projects 2014-TIOL-1925-CESTAT-MUM]

## CUSTOMS

### 2. Show cause notice issued with closed mind is invalid:

Honourable High Court upon perusing the show cause notice issued by the Customs Department has held that the notice issued with closed mind is not valid. For arriving at such a conclusion Honourable High Court perused the notice which stated that a clear prima facie case

has been made out against the assessee and that if the assessee is allowed to continue to operate, it would be detrimental to the interest of revenue. The notice also contained the facts and the issues mentioned therein were such that the assessee had no scope to submit the reply. Reference was given to the judgment of Honourable High Court in the case of SBQ Steels Ltd., Vs. Commissioner of Customs, Central Excise and Sales Tax, Guntur reported in 2014 (300) E.L.T. 185 (A.P.). Accordingly, the writ petition filed by the assessee is allowed. [M/s Bharat Marine Co., Vs. The Commissioner of Customs (Seaport-Import) and Others 2014-TIOL-1703-HC-MAD-CUS]

## CENTRAL EXCISE:

### 3. Rebate of duty paid on export of goods - valuation - a consistent value based on a distinct principle is to be followed during the entire process:

The issue before the Honourable High Court pertains to valuation of the goods exported to claim rebate of duty. Revenue denied the rebate of duty claimed by the assessee on the grounds that the value adopted was excess and amount of rebate exceeds market value of the goods exported resulting in violation of condition "e" of

the Notification No 19/2004 CE(NT). Consequently, Revenue adopted the value as 110% of the cost of production as per Central Excise (Determination of Price of Excisable Goods) Rules, 2000. Honourable High Court allowing the petition filed by the assessee has held that, the approach of adopting higher price as per the market value of goods in the foreign market if at the time of payment of duty and a revision in value for the purpose of refunding will result in net positive for the Revenue. As such a consistent value based on a distinct principle is to be followed during the entire process. Further, the market value should be the value of goods prevailing in foreign market. Accordingly, assessee's writ petition is allowed. [Dr. Reddy's Laboratories Ltd Vs. Union of India & Others 2014-TIOL-1616-HC-DEL-CX]

### 4. Refund of duty paid erroneously - cannot be allowed in case the self assessment is not varied:

The refund claim of duty paid erroneously without utilising the benefit under Notification No. 6/2002-CE is held to be set-aside by the Tribunal on the grounds that the duty is paid on self-assessment and such an assessment is not varied or altered. Unless the self assessment





is altered the question of refund of duty does not arise. Reliance placed on the decision of Tribunal in the case of M/s Nicholas Piramal (I) Ltd 2014-TIOL-1716-CESTAT-MUM. Accordingly, the appeal filed by the Revenue is allowed. [*Commissioner of Central Excise, Ahmedabad Vs. M/s Parixit Industries Ltd., 2014-TIOL-1833-CESTAT-AHM*]

## CENVAT

### 5. Goods emerging in the process of manufacturing which are not liable to duty - CENVAT credit is not required to be reversed:

Assessee, a manufacturer of biscuits sold the floor sweepings emerged in the course of manufacturing as animal feed. Revenue contended that the assessee is liable to reverse the CENVAT credit of duty paid on inputs involved in the floor sweepings is liable to be reversed. On appeal before the Tribunal it is held that, floor sweepings are not liable to excise duty and also it cannot be said that the assessee is engaged in the manufacture of the same. Accordingly, assessee is not required to reverse the CENVAT credit attributable to generation of floor of sweeps. Reliance placed on the order of the Tribunal in the assessee's own case reported in 2014-TIOL-713-CESTAT-MUM. [*M/s Harinagar Sugar Mills Ltd., Vs. Commissioner of Central Excise, Mumbai - III 2014-TIOL-1904-CESTAT-MUM*]

### 6. Reversal of CENVAT credit on fifth of subsequent month instead at the time of clearances - not liable to interest: The contention of the Revenue that

the assessee is liable to pay interest on the clearance of inputs/capital goods for the reason that the debits were made on the fifth of subsequent month instead at the time of clearance is rejected by the Tribunal. Reliance placed on the judgment of Honourable High Court in the case of SS Lumax in CA No. 1418/2009 dated 10.01.2014. [*CCE, Chennai - IV Vs. International Flavours and Fragrances India Ltd., 2014-TIOL-1864-CESTAT-MAD*]

### 7. CENVAT Credit cannot be denied on the grounds that vendor has not procured the goods from the manufacturer:

CENVAT credit was denied and the demand was raised along with interest on the grounds that CENVATable invoices issued by the vendor were not valid inasmuch as they have not procured goods from manufacturers. It was relying on the Circular No. 01/2006 dated 22.06.2006 the credit was denied. The Tribunal observed that invoice issued by the vendor in question were also the subject matter of other appeals and as such the First Appellate Authority in such other case has allowed the CENVAT credit. Further, the Revenue upon filing an appeal in such other case CCE, Kanpur Vs. M/s. Juhi Alloys Ltd. - 2013-TIOL-1310-CESTAT-DEL before the Tribunal, dismissed the appeal by taking into consideration the Board Circular No. 776/82/03-CX dated 15.12.2003. Accordingly, in the present case it is held that the assessee is entitled to claim CENVAT credit. [*M/s Paramarth Iron Ltd., Vs. Commissioner*

*of Central Excise, Meerut-I 2014-TIOL-1912-CESTAT-DEL*]

### 8. CENVAT credit cannot be denied on the grounds that activity undertaken by the assessee does not amount to manufacture:

The Tribunal has allowed the appeal filed by the assessee wherein the Revenue denied the CENVAT credit on the grounds that the activity does not amount to manufacture. It was held that duty paid for clearance of the allegedly manufactured goods is to be treated as reversal of CENVAT credit on inputs. Reliance placed on the judgment of Honourable High Court in the case of Ajinkya Enterprises reported in 2012-TIOL-578-HC-MUM-CX. [*Polyrub Extrusions (I) Pvt Ltd., Vs. Commissioner of Central Excise Belapur 2014-TIOL-1867-CESTAT-MUM*]

### 9. Job-worker is entitled to claim CENVAT credit relating to machines supplied by principal:

The assessee a job-worker supplying certain intermediary goods to the principal had availed CENVAT credit on the machines supplied by the principal for use in manufacture of such intermediary goods. Such machines were exclusively put to use for manufacture of intermediary goods. Revenue denied the CENVAT credit relating to machines. Honourable High Court held that assessee is entitled to claim CENVAT credit in order to prevent the cascading effect. [*Commissioner of Central Excise, Noida Vs. M/s Samsung India Electronic Ltd and Others 2014-TIOL-1708-HC-ALL-CX*]



**10. CENVAT credit on inputs can be claimed even otherwise the job-worker clears the intermediate goods by remitting the duty:** The assessee was denied the CENVAT credit of duty paid on inputs on the grounds that the job-worker has cleared the goods on payment of appropriate duty by including the value of inputs. The Tribunal held that There is no condition in Rule 4(5)(a) of the CCR, 2004 that job worker should necessarily avail of full duty Exemption under Notification No. 214/86-C.E. The job-worker may decide to pay duty on intermediate goods by adopting the judgment of Honourable Supreme Court in the case of Ujagar Prints v. Union of India, reported in 1989 (39) E.L.T. 493 (S.C.) wherein the duty has to be paid on the cost of inputs plus job charges etc., It is accordingly held that the assessee is entitled to claim CENVAT credit. [M/s Thermax Ltd., Vs. Commissioner of Central Excise, Vadodara-I 2014-TIOL-1832-CESTAT-AHM]

#### VAT

**11. Revenue recovery proceedings - improper when the matter is pending before revisional authority:** Honourable High Court giving the appropriate directions to conclude the proceedings has held that revenue recovery proceedings initiated by the Revenue in respect of the liability which is subject matter of revision before the another authority is not proper. [M/s New Holland Fiat (India) Pvt Ltd., Vs. The Assistant Commissioner (CT), Trichy and Another 2014-TIOL-1711-HC-MAD-VAT]

**12. Assessee is entitled for**

**adjudication of its matter on merits which was earlier dismissed for non-payment of pre-deposit:** The Tribunal dismissed the appeal filed by the assessee on the grounds that pre-deposit tax along with interest is not remitted. Subject to such dismissal, assessee pre-deposited the tax and interest. Accordingly, Honourable High Court in view of the interests of justice, set aside the orders of the Tribunal and restored the same for deciding on merits. [Karnavati Steel Vs. State of Gujarat and 1 2014-TIOL-1734-HC-AHM-VAT]

**13. Air time charges and licence fees collected by the assessee engaged in sale of pagers - not liable to sales tax:** Honourable High Court has held that the assessee collecting the air time charges and licence fees besides the price of the radio pagers is not liable to sales tax Bombay Sales Tax Act, 1959. Accordingly, the tax was payable on the sales of pagers and not on the charges collected in lieu of provision of services attached to sale of pagers. [The Commissioner of Sales Tax Vs. M/s Page Point Service (P) Ltd., 2014-TIOL-1697-HC-MUM-CT]

**14. High Court can grant additional time for paying tax arrears:** The assessee filed the appeal before the Honourable High Court against the authorities rejecting the request of the assessee for giving the extension in time for remittance of huge tax dues in arrears. Honourable High Court observing that assessee has agreed to pay the dues and not disputing the liability. In such circumstances, indulgence can be

granted to the assessee, subject to certain conditions. Accordingly, the directions were issued to the concerned authorities to keep the matter in abeyance subject to the assessee satisfying certain conditions. [M/s Solamalai Automobiles Pvt Ltd., Vs. The Commercial Tax Officer (FAC), Madurai 2014-TIOL-1702-HC-MAD-VAT]

#### ENTRY TAX:

**15. Notice issued without giving time as prescribed under the law to submit the details is invalid - assessments concluded based on such invalid notice are void:** The assessee after concluding the proceedings has challenged the notice issued by the authority to appear or cause to produce the books of accounts giving the time less than thirty days as prescribed in terms of Section 9C(2) of Orissa Entry Tax Act, 1999. Revenue contended that as per the notice the assessee appeared and produced the books of accounts without raising any objection to the validity of notice. Honourable High Court, upon analysing Section 9C(2) held that when the statute requires to do certain thing in certain way, the thing must be done in that way. Not following the procedure as prescribed under Section 9C(2) is a case of clear violation/infraction of the mandatory provision. As such the proceedings initiated by the authority in pursuance of such invalid notice would be illegal and void. Accordingly, the writ petition filed by the assessee was allowed. [M/s Patitapabana Bastralaya Vs. The Sales Tax Officer 2014-TIOL-1726-HC-Orissa-CT]



# RECENT CASE LAWS IN INTERNATIONAL TAXATION

CA. Rekha.K.R & CA. Rani.N.R

1. *Citation: Excellence Data Research (P.) Ltd. v. Income-tax Officer, Ward 2(1), Hyderabad [2014] 49 taxmann.com 409 (Hyderabad Trib.)*

**a) Questions:**

- Whether a company which had 50 times high turnover as compared to assessee and had big brand value, had to be excluded from comparables list
- Whether a company engaged in providing full range of geospatial services could not be compared to a company in ITES field
- Whether a company involved in diverse nature of services, in absence of segmental data for diversified service portfolio, could not be compared to company in ITES segment
- Whether company involved in engineering design services or pay roll activities was functionally not comparable to ITES service provider
- Whether a company where extraordinary events took place in relevant year, namely, acquisition of various companies, cannot be selected as comparable

**The Hyderabad Tribunal ruled “ Yes” and in favour of the assessee for all the above questions.**

**b) Whether as risk profile of each assessee differs depending on its own business activity when compared to that of comparable company, and in each case separate risk profile has to be analysed in FAR analysis, allowing deduction of 1 per cent towards risk profile uniformly cannot be adopted as a norm as claimed by assessee**

**The Tribunal ruled that a separate risk profile has to done and a uniform deduction of 1% would not suffice.**

2. *Citation: Apollo International Ltd.v. Additional Commissioner of Income-tax, Range -2, New Delhi [2014] 50 taxmann.com 321 (Delhi - Trib.)*

**As long as expenses are incurred by AE under instructions from and on behalf of assessee, and assessee has reimbursed cost to AE without any mark up, arm's length price of said transaction cannot be taken at zero. ALP of advertisement expenses reimbursed to foreign AE couldn't be taken at nil if it was incurred for Indian affiliate**

3. *Citation: Bitwise Solutions (P.) Ltd. v. Assistant Commissioner of Income-tax, Circle-1 (1), Pune [2014] 49 taxmann.com 532 (Pune - Trib.)*

TPO rejected comparables given by assessee on ground that annual report of those companies were not available . However, assessee filed financial summaries of those 9 companies and annual reports in case of 7 companies out of 9 companies.

**The ITAT directed the Assessing Officer to re-examine ALP as assessee had filed annual reports of comparables rejected by TPO**

4. *Citation: Mathewsons Exports & Imports (P.) Ltd v. Assistant Commissioner of Income-tax, Circle -1(3), Ernakulam [2014] 50 taxmann.com 378 (Cochin - Trib.)*

Income deemed to accrue or arise in India. The Assessee exported goods to Maldives for which it hired a vessel owned by a Dubai based company on basis of a time charter agreement. The said vessel operated only between India and Maldives in international traffic/waters. The question was whether profit arising to non resident company on charter of the vessel had to be taxed only in UAE in view of relevant DTAA between India and UAE, more particularly, Article 8(1) of said DTAA and also whether merely because

there was a clause that vessel would be delivered at Tuticorin Cochin Range after expiry of charter period in agreement, that cannot justify for application of Explanation 5(c) to section 9(1) (vi).

The Tribunal ruled in favour of the assessee stating that the income can only be taxed in the UAE and Section 9(1)(vi) cannot be applied just because there was a clause in the Agreement that the vessel would be delivered at Tuticorin Cochin range.

5. *Citation: Additional Director of Income-tax (International Taxation v Valentine Maritime (GULF) LL [2014] 49 taxmann. com 408 (Mumbai - Trib.)*

The Assessee was a non-resident company which entered into a sub-contract agreement with Indian party as turnkey contract for installation of pipeline in India for a lump sum consideration. The question before the Tribunal was whether the said consideration in lieu of execution of turnkey contract

would fall under section 44BB. Also, whether, since it could not be pointed out which part related to fees for technical services, the sum received could be treated as fee for technical services

**The Tribunal ruled that Section 44BB would apply to the consideration and that since the turnkey contract could not distinguish which part of the fees related to fee for technical services, the sum received could not be treated as Fees for Technical Services.**

### Bangalore Branch of SIRC of ICAI

Organises,

Jointly with **Karnataka State Chartered Accountants Association**

## SPORTS AND TALENT MEET

On **21st December 2014, Sunday**

Timings : **9:00 am - 6:00 pm**

Venue: **KGS Club** (opp to MS Bldg) Cubbon park, Bangalore.

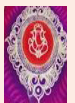
#### Events CA'S

Shuttle Badminton (Doubles)  
Chess  
Table Tennis (Single)  
Carrom  
Tennis



#### Family Members & Children

Shuttle Badminton (Doubles)  
Singing Competition  
Musical Chair  
Drawing Competition for Children  
Rangoli/ Flower Decoration  
Instrumental /Dance



**Events Fees:** For CA's : ₹ 100/- For Each Event, Family Members & Children : ₹ 50/- For Each Event

**Registration closes on 15th December 2014.**

## CRICKET CHALLENGE

Date : **14th December, Sunday 2014.**

Time : **8:00 am – 6:00 pm**

Venue : **Bangalore University Ground**

Fees : **₹ 3000/- Per Team**

#### Tournament Format

8 to 10 Overs per side,

Tennis Ball

Restricted to 10 Teams only.

**Registration closes on 5th December 2014.**

*Participants are requested to contact & send their details to*

**Ms. Geetanjali - 30563500 / 513, Email: [blrregistration@icai.org](mailto:blrregistration@icai.org)**

**KSCAA office: Tel - 080-2222155, 22274679, Email: [info@kscaa.com](mailto:info@kscaa.com)**

**CA. Babu .K. Thevar**

Chairman, Bangalore Branch

**CA. Ravindra .S.Kore**

President, KSCAA, 990246884

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Secretary, Bangalore Branch  
998675242

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Secretary, KSCAA  
9632245475

**CA. Raghavendra Shetty**

Chairman, Public Relations  
& Sports Committee KSCAA, 9900214030



## SECTION 133A – POWER OF SURVEY

CA. R. Ramakrishnan, B.Com, B.L, FCA



### INTRODUCTION:

The powers under provisions of survey, though not very wide as powers of search, are wide enough to effectively detect evasion of tax on income earned. The preconditions which need to be satisfied by the Income Tax Authority before exercising the power of survey are limited.

The object of a survey is to find out, gather information, verify and collate information so as to apprehend a tax dodger or a tax evader. Survey is basically a

Surprise inspection carried out by the officers of the Income-tax department to verify co-related information, check the cash balance with the books, verify the position of stocks as compared to the position thereof in the books etc.

### SUMMATION

- Survey can be either General Purpose Survey u/s 133A(1) (or) Special Purpose Survey u/s 133A(5).

In the case of Survey u/s 133A(1), An Income Tax Authority, having jurisdiction over the case, can enter during the business hours, the place where the business or the profession of the concerned person is carried on.

Sub-section (5) of section 133A of the Income-tax Act, 1961 empowers an Income-tax

authority to make enquiries and collect information in respect of expenditure incurred by a person in connection with any function, ceremony or event. The Income-tax authority is empowered to record statements of the person concerned or other persons, who are likely to possess information with regard to the expenditure incurred, after the function, ceremony or event is over.

- Proviso to 133A - No action u/s 133A(1) can be taken by an Assistant Director or Deputy Director or an Assessing officer or a Tax recovery officer or an Inspector of Income tax **without obtaining the previous approval** from Joint Director (or) Joint Commissioner of Income Tax.
- Authorization for survey under sub section (1) of Section 133A of the Income tax Act, 1961 will contain the following Information. **“In exercise of the powers conferred by section 133A of the Income tax Act, 1961 (43 of 1961), I hereby authorize Sarva Shri/Smt./ Km.----- Inspector(s) of Income tax to enter the premises at --- which is a place within the limits of the area assigned to me/ which is the place occupied by Shri./Smt./Km. ----- in respect of whom I exercise jurisdiction and at which**

**place a business or profession is carried on, and require any proprietary, employee or any other person who may at that time and place be attending in, the carrying on of such business or profession to afford the said Inspector(s) of Income tax the necessary facility to inspect such books of account or other documents as he/ they may require and which may be available at such place.”**

- The evidences and material collected during survey provide a basis for assessment u/s 143(3) rws 133A.
- If there is no valid authorization, the proceedings u/s 133A shall become bad in law, as without jurisdiction. However, material (or) evidence in possession of Department shall be used determination of income of the person concerned.
- Board circular No: 7D (LXIII-7 of 1967), dated 3 May, 1967 - As per 133A – Income Tax Officer (or) Inspector authorized by him may enter any place which is within limits of area under the jurisdiction of ITO (or) any place occupied by a person in respect of whom ITO exercises jurisdiction, where business (or) profession is carried on business on residential premises



of third parties, including a CA, of whom the assessee may be a client, are not places which could be entered for the purpose of Section 133A.

- But if client states that his books of accounts/documents/records are kept in his office of his Chartered Accountant/Lawyer/Tax Practitioner, then ITO has power to enter business premises/office of CA/Lawyer/Tax Practitioner to conduct survey. Place entered should be business premises and not residential premises of assessee and entry should be during business or office hours.
- Income Tax Office have no jurisdiction to resort to power u/s (1) & (2) of Section 132 unless and until the assessee has neither refused nor evaded to cooperate with the ITO.
- Section 133A (6) makes it amply clear, for conducting survey, no proceedings need to be pending.
- In case of survey, prior notice need not be given.
- Sub Section (2) of Section 133A, provides that authority shall enter for survey only during business hours. After such entry, no further limitation is imposed by the section for the completion of survey.
- Addition as undisclosed income of Assessee based on information during the Survey was Justified.
- Mere admission in the course of survey is not enough to make addition in the assessment. There must be corroborative

evidence to support addition.

- Survey power can be used for TDS purpose, Assistant Commissioner (TDS) has been authorized by notification and has the power to call for records and authorize income tax survey. Reckitt and Colman of India Ltd. Vs ACIT (2001) 251 ITR 306 (Cal).
- Vinod Goel and Union of India (2001) 252 ITR 29 (P&H). Survey can be converted into search.
- When no tax demand is raised as levied or determined against the assessee after the survey proceedings, proposal for penalty or prosecution is not valid.
- Practice of issue of notice u/s 131(1) and thereafter impounding the books was frowned by Courts and circumvention of Sub Section (4) in number of cases by High Courts power to impound is practically a power to pseudo seizure only impediment is that he has to record reasons for impounding. He cannot retain beyond 10 days w.e.f. 1.06.2007, the words "Books of account or other documents in Sub Section (4)" is omitted, to enable survey officer to remove it from the place of survey. But the restriction on cash, stock or other valuable article is still continuing.
- There is no provision in section 133A enabling surveying authority to break open any door or lock or windows to obtain

ingress. Entry can be made only if the premises are open and that too during the normal business hours of the assessee.

- Statement of third party – If certain additions are made on the basis of certain witnesses or third parties during the course of survey, not only the copies of said statements should be supplied but an adequate and proper opportunity for cross examination of witness third party should be given [CIT Vs Land Development Corporation (2009) 316 ITR 328 (Kar.)].
- The authorities cannot stop the business or normal activities of the Assessee during survey. They should use the power given to them strictly in accordance with law. There is no provision for sealing of Business premises either u/s 133A or u/s 132
- Chits/slips found during survey: "Documents" under section 3(18) of General Clause Act – Any matter written, expressed or described upon any substance of means of letters, figures or makes or by more than one of those means which is intended to be used or which may be used for the purpose or recording that matter. If the slips/chits does not indicate whether figure refers to quantity of money/goods and if so which side represents receipts and which side represents outgoing where there is no narration the chit can be called as dumb documents without indicating any meaning cannot be treated as document.



- Legal assistance during Survey – Law does not permit an assessee to insist the tax authorities not to conduct survey till arrival of the Tax consultant. But the assessee may request and if permitted may call for, to assist in proper conduct of survey. Section 288 (attending proceedings by an authorized representative) does not entitle authorized representative to attend survey proceedings. Practically he will be allowed to be present but cannot take part in proceedings.
- 271(1)(c ) penalty – Section 132(4) and Exp.5 to 271(1)(c ) grant immunity to penalty u/s 271(1)(c ). This cannot be pressed into service while dealing with survey cases u/s 133A, since it is applicable only in search proceedings u/s 132.
- The Assessing Officer cannot reject books of accounts prepared on the basis of genuine documents merely on the ground that the books were incomplete on the date of survey.
- When the person claims that statement made by him during survey is not voluntary, onus would be on line to prove the same and must show to the authority the reason leading to making that statement. *Satinder Kumar (HUF) Vs CIT 106 ITR 64 HP.*

#### CASE LAWS

##### 1. SUPREME COURT OF INDIA

**Commissioner of Income-tax, Salem versus S. Khader Khan Son**

Appeal (Civil) Nos. 13224 of 2008 &

6747 of 2012† September 20, 2012

This civil Appeal filed by the Department is dismissed. And Held in favor of the Assessee as Decided by the High court of Madras.

A power to examine a person on oath is specifically conferred on the authorities only under s. 132(4) in the course of any search or seizure. Thus, the IT Act, whenever it thought fit and necessary to confer such power to examine a person on oath, has expressly provided for it. Sec. 133A does not empower any IT authority to examine any person on oath, hence, any statement recorded during 133A proceeding has **no evidentiary value** and any admission made during such statement cannot, by itself, be made the basis for addition without any other material evidence in support of such statement—

This view is clearly supported by CBDT circular dt. 10th March, 2003— No substantial question of law arises.

**2. Shyam Jewellers and ANR Vs CCIT (Admin) U.P. and others (1992) 196 ITR 243, Allahabad High Court.**

Business premises cannot be sealed during the course of survey. Court held that sealing of business

premises during survey or even in the course of search u/s 132 is not permitted in view of fundamental right to practice any profession or carry on any trade or business under Article 300A of Constitution of India and also violation of Article 19(1)(g) relating to fundamental rights.

##### 3. Pullangode Rubber Products Co. Ltd. Vs State of Kerala 91 ITR 18

Admission though is important evidence cannot be said to be conclusive and it is open for the person making the admission to show that it is incorrect as rebuttal with substantial evidence.

*This Article will be followed by Article on Post Survey Assessment.*

Advt.

Advt.



# APPILCABILITY OF SERVICE TAX PROVISIONS TO HOSPITALITY SECTOR

CA. P.G. Subramanian, FCA

## PART-I

**H**otels and Tourism play a major role in boosting tourism as well as catering to local travelers both in Corporate as well as leisure sector. Apart from this, they also conduct meetings, conferences and events ranging from small to large scale including weddings.

According to a Survey conducted, the share of revenue for a Star Hotel in terms of Room, Banquet and Restaurants (popularly known as outlets) is equal.

There are also tour operators, stand alone restaurant, Cab operators etc; who play a vital role in helping the Hotel Sector as well in boosting tourism activity.

Hotels in all categories as well as service providers mentioned above are subjected to various taxes and levies like Luxury Tax, Vat, Service Tax etc; Of these Luxury Tax as well as Vat are administered and levied by States. Service Tax on the other hand is a levy on Service rendered by the Centre. With the business growing, definitions of Service as well as levy of Service Tax on Hotel and associated Sector have assumed significant proportions. The items as well as Service have grown in number as well as the complexities of adhering to the laws. Finance personnel in charge of administering the same face numerous challenges

on day to day basis to ensure that they have applied the correct rate of tax and complied with the Service Tax Laws lest they are visited with Notice with consequent levy of penalty. Applicability of various sections and rules to the Sector differs based on Service provided. In order to understand the various provisions and apply the same, the Article is divided in to two parts. Accordingly the first part of the Article deals with-

### SECTION 1: SCHEME OF THE ACT FROM 01-07-2012

#### SECTION 2: RELEVANT EXTRACTS ARISING FROM AMENDMENTS THROUGH FINANCE ACT, 2014

#### SECTION 3: CHANGES IN SERVICE TAX RULES

Remaining provisions as including important clarifications and laws as it applies to the Sector will be dealt with in Part- II of the Article.

The Article is an attempt to provide practical solution to the various issues faced. For easy reference, various provisions applicable including rates, abatement provisions, reverse charge mechanisms etc; have been given in the form of Frequently Asked Questions (FAQ's) for easy reference and guidance. Before proceeding to analyze and provide solutions to various questions, it is necessary to understand the important amendments brought about by the Finance Act, 2014, relating to Service Tax as applicable to the sector. It may be noted that certain amendments are general in nature and applies to all categories irrespective of the business they are in. They have been included here for the sake of clarity. The application and understanding of the several provisions which are of importance, and applies equally to all, needs to be understood and is therefore included in the FAQ in the beginning itself.

## SECTION 1

### SCHEME OF THE ACT FROM 01-07-2012

#### 1. PROVISION

	<i>Prior to 01.07.12</i>	<i>Post 01.07.12</i>
<i>Mantap Keepers Service Outdoor catering service</i>	<i>Taxable</i>	<i>Taxable</i>
<i>Laundry Services (i.e. Dry Cleaning as well as cleaning) Telephone services. No show charges, cancellation charges etc</i>	<i>Not Taxable unless specifically defined</i>	<i>Taxable in view of the expanded definition of services</i>
<i>Sale of space / time for advertisement other than by radio / television broadcast</i>	<i>Taxable</i>	<i>Taxable</i>



## 2. VALUATION

Food Supplied in Restaurants serving liquor and being Air Conditioned	Taxable Value : 30%	Taxable Value: 40%
Accommodation in a Hotel for declared tariff of more than Rs. 1,000/- per day	Taxable Value 50%	Taxable Value: 60%
Supply of food as a part of function for renting	Taxable Value 60%	Taxable Value: 70%
Any Other Services (excluding Banking and Financial Services)	Taxable Value : 100%	Taxable Value : 100%

## 3. CENVAT CREDIT

CENVAT CREDIT	Not eligible in case abatement option is availed	Generally - Input Services and Capital Goods Credit eligible and credit in relation to inputs eligible other than those specified in chapter 1 to 22 of CETA
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### Classification in case of Bundled Services

In case of an event, which is a mix of various overlapping services the service which gives the most pre - dominant color would be the category under which the same should be taxed as per the new Section 66 F of the Finance Act, 1994, as made applicable from 01.07.2012.

- In case of say, 2 Nights / 3 D package for accommodation with meals: the predominant category would be accommodation even if the customer has food in the same restaurant like other walk-in customers. Hence, the hotel needs to charge service tax on 60% value of the total consideration.
- In case of a residential conference or marriage; where a package has been designed for say three days including conference facilities, food accommodation etc;

since the pre-dominant intention is arranging of a function, the correct classification would be "Mantap Keeper" and hence the hotel needs to charge service tax on 70% of the total consideration.

## CONCLUSION

The new definition of service: coupled with issues in interpreting the exclusions and exemptions are going to be a challenge for every service provider. Additionally, the responsibility to pay tax in case of new categories under reverse charge mechanism casting responsibility to pay tax on payment to contractors as well - would pose immense challenge before the industry in complying with the law. The only positive take away of all the amendments post 01/07/12 is the eligibility to avail CENVAT credit to a great extent which was hitherto not available.

## SECTION 2

### Relevant extracts arising from amendments through Finance Act, 2014

#### 1. What are the rules relating to filing of Appeals?

Section 83 (Finance Act, 1994) corresponding to Section 35F of the Central Excise Act is already applicable to Service Tax. This Section is now being substituted with a new Section which prescribes a mandatory fixed pre-deposit of 7.5% of the Duty demanded or Penalty imposed or both, for filing appeal before the Commissioner (Appeals) or the Tribunal at the first stage and 10% of the Duty demanded or Penalty imposed or both, for filing the second stage appeal before the Tribunal. The amount of pre-deposit payable would be subject to a ceiling of Rs.10 Crore. All pending appeals / stay applications would be governed by the statutory provisions prevailing at the time of filing such stay applications/ appeals.

Mode of Payment of such deposit needs to be made in cash.

#### 2. What is the interest payable for delayed remittance of Service Tax?

Extent of Delay	Simple Interest per annum
Up to six months	18%
From six months and up to one year	24%
More than one year	30%-18% for the first six months, 24% for second six months and 30% for the period of delay beyond one year.

**Note: The new interest regime will become operational from 1<sup>st</sup> October 2014.**



**Following illustration will amplify the position:**

- 18% simple interest up to September, 30th 2014.
- For the period 01<sup>st</sup> October, 2014, the rate of interest will be 30%.
- As specified in the proviso to Section 75, 3% concession on the applicable rate of interest will continue to be available to the small service providers.

### SECTION 3

#### CHANGES IN SERVICE TAX RULES

- CENVAT CREDIT**

Service tax paid under full reverse charge: the condition to

pay invoice value to the service provider for availing credit of tax paid, to be omitted. [Change to have immediate effect].

- POINT OF TAXATION RULES**

In case of reverse charge services, to bring certainty in the determination of point of taxation, it is proposed to provide that point of taxation will be the payment date or first day after three months from the date of invoice, whichever is earlier. The amended point of taxation will apply to invoices issued after 01<sup>st</sup> October 2014. A transition rule is proposed to be prescribed. [Change to have effect from 01<sup>st</sup> October, 2014.

- SIMPLIFICATION OF PARTIAL REVERSE CHARGE MECHANISM**

In renting of motor vehicle, portion of service tax payable by service provider and service receiver will be 50% each. This will come into effect from 01<sup>st</sup> October, 2014.

- PROCEDURAL SIMPLIFICATION**

As regards services covered under reverse charge, the requirement of furnishing service tax registration number of service provider shall be dispensed with.

## One Day Workshop on

# Karnataka Commercial Tax & New Companies Act 2013

on Saturday, 29th November 2014 between 09.30am & 05.30pm

Organized by Bangalore Branch of SIRC of ICAI

6 hrs  
CPE

Venue: TDCAA Building, Near Sree Raj Theatre, Srinagar, TUMKUR - 572106, Ph.: No. 09448416521

Timing	Topic	Speaker
10:00am to 11:30am	Karnataka Commercial Tax: Entry Tax Luxuries Tax, Profession Tax, and Other Acts	CA. Venkataramani S
Tea Break		
11:45am to 1:15pm	Karnataka Commercial Tax: Entry Tax Luxuries Tax, Profession Tax, and Other Acts (Continued)	CA. Venkataramani S
Lunch		
2:00pm to 5:15pm	New Companies Act 2013	Speaker yet to be confirmed

**CA. Babu K. Thevar**  
Chairman  
Bangalore Branch of SIRC of ICAI

**CA. T.N. Raghavendra**  
Co-ordinator  
Mobile No: 09448416521  
Delegate Fees: ₹ 250 /-

**CA. Pampanna B.E**  
Secretary  
Bangalore Branch of SIRC of ICAI

Cash / Cheque in favour of "Bangalore Branch of SIRC of ICAI"

For further details please contact: Ms. Geetanjali D.

Tel: 080-30563500 / 3513, Email: blrregistrations@icai.org, Website: www.bangaloreicai.org



## ANNOUNCEMENT

### Coaching Classes: IPCC & FINAL for May 2015 Examinations and CPT for June 2015 Examinations

#### Admissions open for Subjectwise Coaching

In pursuance of our objective to provide fruitful and quality teaching to our students, we are pleased to inform you that **CPT / IPCC and FINAL Coaching Classes** will be commencing at the Bangalore Branch of SIRC of ICAI from **26th November 2014**. The classes will be concluded by **10th March 2015**.

#### Salient features :

- Experienced, Expert and Dedicated faculty members
- Methodology – Conceptual teaching
- Affordable Coaching Fee
- The journey of CA with Bangalore Branch is that of progress within numerable activities of knowledge

supported and guided by our senior renowned faculty members – resource persons

- During the course, amazing, inspiring and motivational sessions and Orientation classes will be conducted

Hence be proud to be apart of the Branch by enrolling as a student to become a prestigious member of this glorious profession.

Course	Fees	Duration(4Months)	Timings
CPT	₹ 8,000/-	15th Jan 2015 to 15th May 2015 (Tentative)	05.30pm to 07.30pm (Monday to Friday)& 03.00pm to 07.30pm (Saturday)& 08.00am to 12.30pm (Sunday)
IPCC & FINAL	₹ 12,500/- for Both Groups ₹ 9,000/- for Single Group ₹ 3,000/- for Single Subject	26th Nov 2014 to 10th March 2015 (Tentative)	06.30am to 09.30am & 06.00pm to 09.00pm & (Monday to Saturday) 08.00am to 05.30pm (Sunday)

Schedule for all the subjects will be announced in due course of time.

**Registration Fees** - Mode of payment: DD should be drawn in favour of  
“Bangalore Branch of SIRC of ICAI” payable at Bangalore.

For further details please contact: Tel: 080-30563500 / 511 / 512 / 513

Email: [blrregistrations@icai.org](mailto:blrregistrations@icai.org) / [blrprogrammes@icai.org](mailto:blrprogrammes@icai.org) | Website: [www.bangaloreicai.org](http://www.bangaloreicai.org)

## ANNOUNCEMENT

### KIND ATTENTION STUDENTS

### ADVANCED GMCS COURSE (GMCS-II)

This is to inform the students that the **First Batch of GMCS II** will be held at Bangalore Branch of SIRC of the ICAI from **28th November 2014 to 15th December 2014**

#### Eligibility to Undergo GMCS II Course -

A student is eligible to undergo GMCS II course when he /she

- Has registered for Articled training on or after 1st May 2012
- Has completed GMCS-I Course during first 12 months of practical training.
- Has completed 11/2 years of article training

**Please note that GMCS I & GMCS II are mandatory for CA Students to apply for Membership No.**

*Regn Fees: will be intimated in due course of time*

Mode of Payment & Registration DD / Cheque in favour of “Bangalore Branch of SIRC of ICAI”

For further details Please Contact **Ms. Rajalakshmi**

Bangalore Branch: Tel 080-30563500 / 509 | Email : [blrprogrammes@icai.org](mailto:blrprogrammes@icai.org)

[www.bangaloreicai.org](http://www.bangaloreicai.org)

Advt.

## Orientation Programme for Newly Qualified Chartered Accountants



Inauguration



Chief Guest  
CA. Babu Abraham Kallivayalli



CA. Babu K. Thevar,  
Charman  
B'lore Br



CA. Allama Prabhu M. S.,  
Vice Chairman  
B'lore Br



CA. Pampanna B. E.,  
Secretary  
B'lore Br



CA. Geetha A. B.,  
Treasurer,  
B'lore Br



CA. Suresh. P. R.



CA. Ravindranath S.N.,  
Past Charman  
B'lore Br



CA. K. Gururaj Acharya



CA. Mohan R. Lavi



CA. M. Ram



Valedictory Session of Newly Qualified CAs



Cross section of participants

## Swach Bharath Campaign from Bangalore Branch of SIRC of ICAI





## Two Day National Conference on New Companies Act



Inauguration



CA. Ravi Prasad,  
Conference Co-ordinator



CA. S. Vishnumurthy



CA. K. Gururaj Acharya



CA. Shyam Ramadhyani



Sri. A M Sridharan  
Ex Dy. ROC, Chennai



CA Anup Shah, Mumbai



Sri. J Sundharesan  
Company Secretary



CA. N. Nityananda



Cross section of participants

## One day Seminar on Taxation of Charitable Trust & Assessment of Partnership Firm



Speakers Dr. CA. N. Suresh & Sri. T. C. Sridhar

## Speakers at Study Circle Meetings



CA. Mohan Kumar B. N.



CA. R. Mohan



CA. Amith Raj



Shri. Keerthi Thej. N  
ICLS, Asst. ROC, Karnataka



Shri. Sushil Kumar,  
ICLS, Asst. ROC, Karnataka



CA Krishna Prasad



CA Amith Raj



CA. Vinay Sanji



CA Yatish Kusuma



CA. Shivakumar H



CA. Shashikanth Shenoy

Advt.

Advt.